



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Conference Committee Report 472

PAG LIN

1	1		REPORT OF THE CONFERENCE COMMITTEE
1	2		ON SENATE FILE 472
1	3		
1	4	To the President of the Senate and the Speaker of the House	
1	5	of Representatives:	
1	6	We, the undersigned members of the conference committee	
1	7	appointed to resolve the differences between the Senate and the	
1	8	House of Representatives on Senate File 472, a bill for an Act	
1	9	requiring the posting of close=clearance warning devices along	
1	10	railroad tracks and providing a penalty, respectfully make the	
1	11	following report:	
1	12	1. That the House recedes from its amendment, S=3360.	
1	13	2. That Senate File 472, as amended, passed, and reprinted	
1	14	by the Senate, is amended to read as follows:	
1	15	#1. Page 1, by inserting after line 30 the following:	
1	16	<7. This section only applies to a location where a	
1	17	close=clearance warning device is required to be placed	
1	18	pursuant to rules of the department when funds are available	
1	19	from the department to reimburse the owner of the railroad	
1	20	track for the cost of the close=clearance warning device,	
1	21	including cost of installation.>	
1	22	#2. By renumbering as necessary.	
1	23		
1	24	ON THE PART OF THE SENATE:	ON THE PART OF THE HOUSE:
1	25		
1	26		
1	27		
1	28	DICK L. DEARDEN, CHAIRPERSON	JIM LYKAM, CHAIRPERSON
1	29		
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1	31		
1	32	THOMAS G. COURTNEY	DOLORES M. MERTZ
1	33		
1	34		
1	35		
1	36	PAT WARD	TODD TAYLOR
1	37		



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Conference Committee Report 472 continued

2 1
2 2
2 3 STEVE WARNSTADT
2 4
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2 7 CCS 472
2 8 dea/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Conference Committee Report 808 continued

2 1 MARY GASKILL
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2 5 DONOVAN OLSON
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2 9 DAN RASMUSSEN
2 10 CCH 808
2 11 ec/gg/14

DAVID L. HARTSUCH

HERMAN C. QUIRMBACH

BRAD ZAUN



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Conference Committee Report 472

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1	20	track for the cost of the close=clearance warning device,	
1	21	including cost of installation.>	
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1	23		
1	24	ON THE PART OF THE SENATE:	ON THE PART OF THE HOUSE:
1	25		
1	26		
1	27		
1	28	DICK L. DEARDEN, CHAIRPERSON	JIM LYKAM, CHAIRPERSON
1	29		
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1	32	THOMAS G. COURTNEY	DANIEL A. HUSEMAN
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1	36	PAT WARD	DOLORES M. MERTZ
1	37		



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Conference Committee Report 472 continued

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2 2

2 3 STEVE WARNSTADT

TODD TAYLOR

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2 7 RON WIECK

DAVID A. TJEPKES

2 8 CCS 472

2 9 dea/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Conference Committee Report 808 continued

2	1	MARY GASKILL	DAVID L. HARTSUCH
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2	5	DONOVAN OLSON	HERMAN C. QUIRMBACH
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2	8		
2	9	DAN RASMUSSEN	BRAD ZAUN
2	10	CCH 808	
2	11	ec/gg/14	



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1975

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 25, by inserting after line 14 the
1 4 following:
1 5 <Sec. _____. Section 256.9, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 55. Establish and maintain a
1 8 process and a procedure, in cooperation with the board
1 9 of educational examiners, to compare a practitioner's
1 10 teaching assignment with the license and endorsements
1 11 held by the practitioner. The director may report
1 12 noncompliance issues identified by this process to the
1 13 board of educational examiners pursuant to section
1 14 272.15, subsection 3.>
1 15 #2. Page 39, by inserting after line 4 the
1 16 following:
1 17 <Sec. _____. Section 272.15, Code 2007, is amended
1 18 to read as follows:
1 19 272.15 ~~SCHOOL REPORTING REQUIREMENT~~ REQUIREMENTS
1 20 == COMPLAINTS.

1 21 1. The board of directors of a school district or
1 22 area education agency, the superintendent of a school
1 23 district or the chief administrator of an area
1 24 education agency, and the authorities in charge of a
1 25 nonpublic school shall report to the board the
1 26 nonrenewal or termination, for reasons of alleged or
1 27 actual misconduct, of a person's contract executed
1 28 under sections 279.12, 279.13, 279.15 through 279.21,
1 29 279.23, and 279.24, and the resignation of a person
1 30 who holds a license, certificate, or authorization
1 31 issued by the board as a result of or following an
1 32 incident or allegation of misconduct that, if proven,
1 33 would constitute a violation of the rules adopted by
1 34 the board to implement section 272.2, subsection 14,
1 35 paragraph "b", subparagraph (1), when the board or
1 36 reporting official has a good faith belief that the
1 37 incident occurred or the allegation is true.
1 38 Information reported to the board in accordance with
1 39 this section is privileged and confidential, and
1 40 except as provided in section 272.13, is not subject
1 41 to discovery, subpoena, or other means of legal
1 42 compulsion for its release to a person other than the
1 43 respondent and the board and its employees and agents
1 44 involved in licensee discipline, and is not admissible
1 45 in evidence in a judicial or administrative proceeding
1 46 other than the proceeding involving licensee
1 47 discipline. The board shall review the information
1 48 reported to determine whether a complaint should be
1 49 initiated. In making that determination, the board
1 50 shall consider the factors enumerated in section



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1975 continued

2 1 272.2, subsection 14, paragraph "a". For purposes of
2 2 this section, unless the context otherwise requires,
2 3 "misconduct" means an action disqualifying an
2 4 applicant for a license or causing the license of a
2 5 person to be revoked or suspended in accordance with
2 6 the rules adopted by the board to implement section
2 7 272.2, subsection 14, paragraph "b", subparagraph (1).

2 8 2. If, in the course of performing official
2 9 duties, an employee of the department becomes aware of
2 10 any alleged misconduct by an individual licensed under
2 11 this chapter, the employee shall report the alleged
2 12 misconduct to the board of educational examiners under
2 13 rules adopted pursuant to subsection 1.

2 14 3. If the executive director of the board verifies
2 15 through a review of official records that a teacher
2 16 who holds a practitioner's license under this chapter
2 17 is assigned instructional duties for which the teacher
2 18 does not hold the appropriate license or endorsement,
2 19 either by grade level or subject area, by a school
2 20 district or accredited nonpublic school, the executive
2 21 director may initiate a complaint against the teacher
2 22 and the administrator responsible for the
2 23 inappropriate assignment of instructional duties.>

2 24 #3. Page 39, by inserting after line 18 the
2 25 following:

2 26 <Sec. _____. NEW SECTION. 279.43 REPORTING
2 27 INAPPROPRIATE TEACHING ASSIGNMENTS.

2 28 An employee licensed by the board of educational
2 29 examiners and holding a contract as described in
2 30 section 279.13 shall disclose any occurrence of a
2 31 teaching assignment for which that employee is not
2 32 properly licensed to the school official responsible
2 33 for determining teaching assignments. Failure of the
2 34 employee to disclose this occurrence or failure of the
2 35 school official responsible for determining teaching
2 36 assignments to make appropriate adjustments to the
2 37 employee's teaching assignment once the employee
2 38 discloses the occurrence shall constitute an incident
2 39 of misconduct as provided in section 272.2, subsection
2 40 14, and is actionable by the board. If the school
2 41 official fails to make appropriate adjustments to the
2 42 teaching assignment once disclosure by the employee is
2 43 made, the employee shall report this occurrence to the
2 44 department or to the board for further action.>

2 45 #4. Page 41, by inserting after line 30 the
2 46 following:

2 47 <Sec. _____. NEW SECTION. 279.66 DISCIPLINE AND
2 48 PERSONAL CONDUCT STANDARDS.

2 49 The board of directors of a school district shall
2 50 review and modify existing policies related to student



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1975 continued

3 1 discipline and student conduct that are designed to
3 2 promote responsible behavior on school property and at
3 3 school functions in order that the policy shall govern
3 4 the conduct of students, teachers and other school
3 5 personnel, and visitors; provide opportunities for
3 6 students to exercise self-discipline and practice
3 7 cooperative classroom behavior; and encourage students
3 8 and practitioners to model fairness, equity, and
3 9 respect. The policy shall specify the
3 10 responsibilities of students, parents and guardians,
3 11 and practitioners in creating an atmosphere where all
3 12 individuals feel a sense of respect, safety, and
3 13 belonging, and shall set forth the consequences for
3 14 unacceptable behavior. The policy shall be published
3 15 in the student handbook.>
3 16 #5. By renumbering as necessary.
3 17
3 18
3 19
3 20 FORRISTALL of Pottawattamie
3 21 SF 588.708 82
3 22 kh/gg/6349



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1976

PAG LIN

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1 1      Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1.  Page 2, by striking line 35 and inserting the
1 4 following:
1 5 <..... $ 1,000,001>
1 6 #2.  Page 3, line 4, by striking the figure
1 7 <500,000> and inserting the following: <500,001>.
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1 9
1 10
1 11 RAECKER of Polk
1 12 SF 588.511 82
1 13 kh/je/8275
1 14
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1977

PAG LIN

1 1 Amend House File 908 as follows:
1 2 #1. Page 3, by striking lines 24 through 27 and
1 3 inserting the following:
1 4 <a. The director of public health or the
1 5 director's designee.
1 6 b. The commissioner of public safety or the
1 7 commissioner's designee.>
1 8 #2. Page 11, line 27, by inserting after the word
1 9 <professionals> the following: <and contractors>.
1 10
1 11
1 12
1 13 QUIRK of Chickasaw
1 14 HF 908.201 82
1 15 jr/es/6379
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1978

PAG LIN

1 1 Amend House File 897 as follows:
1 2 #1. Page 24, line 10, by striking the words <other
1 3 than a person>.
1 4
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1 6
1 7 QUIRK of Chickasaw
1 8 HF 897.201 82
1 9 rn/es/9340
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1979

PAG LIN

1 1 Amend Senate File 510, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 7, line 16, by striking the words <a.
1 4 The> and inserting the following: <The>.
1 5 #2. By striking page 7, line 32, through page 8,
1 6 line 6.
1 7 #3. By renumbering as necessary.
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1 11 QUIRK of Chickasaw
1 12 SF 510.202 82
1 13 ec/es/9010
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1980

PAG LIN

1 1 Amend House File 920 as follows:
1 2 #1. Page 3, line 34, by inserting after the word
1 3 <initiatives,> the following: <completion of phase II
1 4 of the college of veterinary medicine project at Iowa
1 5 state university of science and technology,>.
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1 9 COHOON of Des Moines
1 10 HF 920.1
1 11 ak/jg/25
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1981

PAG LIN

1 1 Amend the amendment, H=1912, to House File 918, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 14 the
1 4 following:
1 5 <#____. Page 3, line 3, by inserting after the word
1 6 <fuels,> the following: <clean coal technology
1 7 applications,>.
1 8 #____. Page 3, line 5, by inserting after the word
1 9 <fuels,> the following: <clean coal technology
1 10 applications,>.>
1 11 #2. Page 1, by inserting after line 17 the
1 12 following:
1 13 <#____. Page 3, line 25, by inserting after the
1 14 word <fuels,> the following: <clean coal technology
1 15 applications,>.>
1 16 #3. Page 1, by inserting after line 21 the
1 17 following:
1 18 <#____. Page 4, line 5, by inserting after the word
1 19 <conservation> the following: <and clean coal
1 20 technology applications,>.>
1 21 #4. Page 2, by inserting after line 14 the
1 22 following:
1 23 <#____. Page 6, line 28, by striking the word
1 24 <and>.
1 25 #____. Page 6, line 29, by inserting after the word
1 26 <efficiency> the following: <, and clean coal
1 27 technology applications>.>
1 28 #5. Page 2, by inserting after line 25 the
1 29 following:
1 30 <#____. Page 8, line 17, by inserting after the
1 31 word <efficiency> the following: <and clean coal
1 32 technology applications>.>
1 33 #6. Page 2, by inserting after line 46 the
1 34 following:
1 35 <#____. Page 11, by inserting after line 1 the
1 36 following:
1 37 <6A. "Clean coal technology" means any technology,
1 38 including technologies applied at the precombustion,
1 39 combustion, or postcombustion stage, at a new or
1 40 existing facility which will achieve significant
1 41 reductions in air emissions of sulfur dioxide or
1 42 oxides of nitrogen associated with the utilization of
1 43 coal in the generation of electricity, in the
1 44 processing of steam, or in industrial products.>>
1 45 #7. By renumbering as necessary.
1 46
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1 48
1 49 SODERBERG of Plymouth
1 50 HF 918.202 82



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1981 continued

2 1 rn/es/9485



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1982

PAG LIN

1 1 Amend House File 897 as follows:
1 2 #1. Page 24, by inserting after line 17 the
1 3 following:
1 4 <____. Prohibit an employee of a commercial or
1 5 industrial company who is authorized to perform
1 6 electrical inspections pursuant to section 103.32 or
1 7 by a political subdivision, from inspecting electrical
1 8 installations of the commercial or industrial
1 9 company.>
1 10 #2. By renumbering as necessary.
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1 14 VAN FOSSEN of Scott
1 15 HF 897.501 82
1 16 rn/je/9489
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1983

PAG LIN

1 1 Amend the amendment, H=1912, to House File 918, as
1 2 follows:
1 3 #1. Page 2, by inserting after line 48 the
1 4 following:
1 5 <<___. "Greenhouse gas emissions" means a release
1 6 of a greenhouse gas, as defined and determined by the
1 7 United States environmental protection agency, into
1 8 the outside atmosphere.
1 9 ___. "Greenhouse gas reductions" means the
1 10 reduction of greenhouse gas emissions as defined and
1 11 determined by the United States environmental
1 12 protection agency.>
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1 16 SODERBERG of Plymouth
1 17 HF 918.505 82
1 18 rn/je/9381
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1984

PAG LIN

1 1 Amend House File 893 as follows:
1 2 #1. Page 2, by inserting after line 16 the
1 3 following:
1 4 <____. All tax revenue collected under the tax
1 5 amnesty program, including all interest, shall be
1 6 deposited and credited to the senior living trust
1 7 fund.>
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1 11 HEATON of Henry
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1 14
1 15 WIENCEK of Black Hawk
1 16 HF 893.703 82
1 17 mg/gg/9994
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1985

PAG LIN

1 1 Amend Senate File 580, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, by inserting after line 16 the
1 4 following:
1 5 <___. All tax revenue collected under the tax
1 6 amnesty program, including all interest, shall be
1 7 deposited and credited to the senior living trust
1 8 fund.>
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1 12 HEATON of Henry
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1 15
1 16 WIENCEK of Black Hawk
1 17 SF 580.703 82
1 18 mg/gg/9993
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1986

PAG LIN

1 1 Amend the amendment, H=1827, to Senate File 588, as
 1 2 amended, passed, and reprinted by the Senate, as
 1 3 follows:
 1 4 #1. Page 1, by inserting after line 2 the
 1 5 following:
 1 6 <#____. Page 15, by inserting after line 19 the
 1 7 following:
 1 8 <Sec. _____. STATE BOARD OF REGENTS == GEORGE
 1 9 WASHINGTON CARVER ENDOWED CHAIR. There is
 1 10 appropriated from the general fund of the state to the
 1 11 state board of regents for the fiscal period beginning
 1 12 July 1, 2007, and ending June 30, 2009, the following
 1 13 amounts, or so much thereof as is necessary, to be
 1 14 used for the purpose designated:
 1 15 For purposes of recruiting and retaining
 1 16 high-quality faculty and to support their academic
 1 17 pursuits and endeavors through the establishment of
 1 18 the George Washington Carver endowed chair at the Iowa
 1 19 state university of science and technology:
 1 20 FY 2007=2008 \$ 250,000
 1 21 FY 2008=2009 \$ 250,000
 1 22 1. The individual selected to fill the George
 1 23 Washington Carver endowed chair position shall engage
 1 24 in research, demonstration, and education activities
 1 25 relating to biomanufacturing or biorefining. The
 1 26 purpose of the position shall include the
 1 27 identification, development, and improvement of one or
 1 28 more of the following:
 1 29 a. Practices, techniques, or technology to
 1 30 conserve or enhance soil and water resources required
 1 31 for agricultural production and to maximize the
 1 32 production of crops for animal agriculture,
 1 33 biomanufacturing, or biorefining.
 1 34 b. Quality management processes used in
 1 35 biomanufacturing including but not limited to
 1 36 improving efficiencies in the use of resources
 1 37 including feedstocks and water resources.
 1 38 c. Technologies and methods which simultaneously
 1 39 maximize the value of crops used as feedstock in
 1 40 biomanufacturing products and coproducts.
 1 41 d. Genetic characteristics in crops and
 1 42 agricultural animals which simultaneously maximize
 1 43 agricultural production and increase efficiencies in
 1 44 biomanufacturing products and coproducts.
 1 45 e. Agricultural practices, biomanufacturing, and
 1 46 biorefining processes which enhance Iowa's natural
 1 47 resources while ensuring that the state is
 1 48 competitively viable in the production of agricultural
 1 49 animals, biomanufacturing, and biorefining.
 1 50 2. For purposes of this section, unless the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1986 continued

2 1 context otherwise requires:
2 2 a. "Biomanufacturing" means the manufacturing of
2 3 products derived from processing biomass as a
2 4 substitute for petroleum including but not limited to
2 5 the production of renewable fuel and other high-value
2 6 products and coproducts used in formulating rations
2 7 fed to agricultural animals.
2 8 b. "Biorefining" means an integrated process that
2 9 uses biomass as a feedstock for conversion into a
2 10 range of differentiated products such as transport
2 11 fuels and bulk and fine chemicals, and uses waste
2 12 biomass for heat or power.
2 13 3. Moneys appropriated for purposes of the George
2 14 Washington Carver endowed chair as provided by this
2 15 section shall be allocated only to the extent that the
2 16 state moneys are matched from other sources by the
2 17 Iowa state university of science and technology on a
2 18 basis of a two dollar university contribution for
2 19 every one dollar appropriated under this section.>>
2 20 #2. By renumbering as necessary.
2 21
2 22
2 23
2 24 REICHERT of Muscatine
2 25
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2 28 WISE of Lee
2 29
2 30
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2 32 QUIRK of Chickasaw
2 33 SF 588.714 82
2 34 kh/gg/9781



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1987

PAG LIN

1 1 Amend the amendment, H=1912, to House File 918 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 28 the
1 4 following:
1 5 <m. Develop short-term and long-term
1 6 recommendations regarding a comprehensive statewide
1 7 policy for the exportation on an interstate and
1 8 international basis of alternative and renewable
1 9 energy and renewable fuel produced or developed in
1 10 this state.>>
1 11 #2. By renumbering as necessary.
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1 15 ALONS of Sioux
1 16 HF 918.303 82
1 17 rn/cf/9487
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1988

PAG LIN

1 1 Amend House File 829, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. NEW SECTION. 15.411 TARGETED
1 6 INDUSTRIES DEVELOPMENT == FINANCIAL ASSISTANCE.
1 7 1. As used in this section, unless the context
1 8 otherwise requires:
1 9 a. "Internship" means temporary employment of a
1 10 student that focuses on providing the student with
1 11 work experience in the student's field of study.
1 12 b. "Targeted industries" means the industries of
1 13 advanced manufacturing, biosciences, and information
1 14 technology.
1 15 2. The department shall, upon board approval,
1 16 contract with a provider through a request for
1 17 proposals process for services related to statewide
1 18 commercialization development in the targeted
1 19 industries. Services provided shall include all of
1 20 the following:
1 21 a. Assistance provided directly to businesses by
1 22 experienced serial entrepreneurs for all of the
1 23 following activities:
1 24 (1) Business plan development.
1 25 (2) Due diligence.
1 26 (3) Market assessments.
1 27 (4) Technology assessments.
1 28 (5) Other planning activities.
1 29 b. Operation and coordination of various available
1 30 competitive seed and prototype development funds.
1 31 c. Connecting businesses to private angel
1 32 investors and the venture capital community.
1 33 d. Assistance in obtaining access to an
1 34 experienced pool of managers and operations talent
1 35 that can staff, mentor, or advise start-up
1 36 enterprises.
1 37 e. Support and advice for accessing sources of
1 38 early stage financing.
1 39 3. The department shall establish and administer a
1 40 program to provide financial and technical assistance
1 41 to encourage prototype and concept development
1 42 activities that have a clear potential to lead to
1 43 commercially viable products or services within a
1 44 reasonable period of time in the targeted industries.
1 45 Financial assistance shall be awarded on a per project
1 46 basis upon board approval. The amount of financial
1 47 assistance available for a single project shall not
1 48 exceed one hundred fifty thousand dollars. In order to
1 49 receive financial assistance, an applicant must
1 50 demonstrate the ability to secure one dollar of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1988 continued

2 1 nonstate moneys for every two dollars received from
2 2 the department.
2 3 4. The department shall, upon board approval,
2 4 establish and administer a program to provide
2 5 financial assistance for projects designed to
2 6 encourage collaboration between commercial users and
2 7 developers of information technology in the state for
2 8 the purpose of commercializing existing software and
2 9 applications technologies. Financial assistance shall
2 10 not exceed one hundred thousand dollars per project.
2 11 In order to receive financial assistance, an applicant
2 12 must demonstrate the ability to secure two dollars of
2 13 nonstate moneys for every one dollar received from the
2 14 department. Financial assistance shall be awarded to
2 15 projects that will result in technologies being
2 16 developed as commercial products for sale by Iowa
2 17 companies rather than as custom applications for
2 18 proprietary use by a participating firm.
2 19 5. The department shall, upon board approval,
2 20 establish and administer a program to provide
2 21 financial assistance to businesses or departments of
2 22 businesses engaged in the delivery of information
2 23 technology services in the state for the purpose of
2 24 upgrading the high-level technical skills of existing
2 25 employees. The amount of financial assistance shall
2 26 not exceed twenty-five thousand dollars for any
2 27 business site. In order to receive financial
2 28 assistance, an applicant must demonstrate the ability
2 29 to secure two dollars of nonstate moneys for every one
2 30 dollar received from the department.
2 31 6. The department shall, upon board approval,
2 32 establish and administer a targeted industries
2 33 internship program for students of Iowa community
2 34 colleges, private colleges, or institutions of higher
2 35 learning under the control of the state board of
2 36 regents. The purpose of the program is to link Iowa
2 37 students to small and medium sized firms in the
2 38 targeted industries through internship opportunities.
2 39 An employer may receive financial assistance in an
2 40 amount of one dollar for every two dollars paid by the
2 41 employer to an intern. The amount of financial
2 42 assistance shall not exceed three thousand one hundred
2 43 dollars for any single internship, or nine thousand
2 44 three hundred dollars for any single employer. In
2 45 order to be eligible to receive financial assistance
2 46 under this subsection, the employer must have five
2 47 hundred or fewer employees and must be engaged in a
2 48 targeted industry. The department shall encourage
2 49 youth who reside in economically distressed areas,
2 50 youth adjudicated to have committed a delinquent act,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1988 continued

3 1 and youth transitioning out of foster care to
3 2 participate in the targeted industries internship
3 3 program.
3 4 7. The department of economic development shall
3 5 work with the department of workforce development to
3 6 create a statewide supplier capacity and product
3 7 database to assist the department of economic
3 8 development in linking suppliers to Iowa-based
3 9 companies. The department of economic development may
3 10 procure technical assistance for the creation of the
3 11 database from a third party through a request for
3 12 proposals process.
3 13 8. The technology commercialization committee
3 14 created pursuant to section 15.116 shall review all
3 15 applications for financial assistance and requests for
3 16 proposals pursuant to this section and make
3 17 recommendations to the board.
3 18 9. The board shall adopt rules pursuant to chapter
3 19 17A necessary for the administration of this section.
3 20 Sec. _____. Section 15G.111, subsection 1, paragraph
3 21 a, Code 2007, is amended to read as follows:
3 22 a. For the fiscal period beginning July 1, 2005,
3 23 and ending June 30, 2015, there is appropriated each
3 24 fiscal year from the grow Iowa values fund created in
3 25 section 15G.108, the following amounts for the
3 26 purposes designated:
3 27 (1) For the fiscal year beginning July 1, 2005,
3 28 and ending June 30, 2006, to the department of
3 29 economic development thirty-five million dollars for
3 30 programs administered by the department of economic
3 31 development.
3 32 (2) For each fiscal year of the fiscal period
3 33 beginning July 1, 2006, and ending June 30, ~~2009~~ 2007,
3 34 to the department of economic development thirty-three
3 35 million dollars for programs administered by the
3 36 department of economic development.
3 37 (3) For each fiscal year of the fiscal period
3 38 beginning July 1, 2007, and ending June 30, 2009, to
3 39 the department of economic development thirty million
3 40 dollars for programs administered by the department of
3 41 economic development.
3 42 ~~(3)~~ (4) For each fiscal year of the fiscal period
3 43 beginning July 1, 2009, and ending June 30, 2015, to
3 44 the department of economic development ~~thirty-five~~
3 45 thirty-two million dollars for programs administered
3 46 by the department of economic development.
3 47 Sec. _____. Section 15G.111, subsection 2,
3 48 unnumbered paragraph 3, Code 2007, is amended by
3 49 striking the unnumbered paragraph and inserting the
3 50 following:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1988 continued

4 1 By September 30, 2007, the legislative services
4 2 agency shall submit a written report to the fiscal
4 3 committee of the legislative council and the standing
4 4 committees on economic growth in the senate and the
4 5 house of representatives regarding a review of
4 6 expenditures by the state board of regents from
4 7 appropriations under this subsection and 2006 Iowa
4 8 Acts, chapter 1179, section 14.

4 9 Sec. _____. 15G.111, Code 2007, is amended by adding
4 10 the following new subsection:

4 11 NEW SUBSECTION. 7A. For the fiscal period
4 12 beginning July 1, 2007, and ending June 30, 2015,
4 13 there is appropriated for each fiscal year from the
4 14 grow Iowa values fund created in section 15G.108 to
4 15 the department of economic development three million
4 16 dollars for the purpose of providing the
4 17 commercialization services described in section
4 18 15.411, subsections 2 and 3.

4 19 Sec. _____. Section 262B.21, subsection 1, Code
4 20 2007, is amended to read as follows:

4 21 1. For purposes of this section, ~~and sections~~
4 22 ~~262B.22 and section~~ 262B.23, "core platform areas"
4 23 means the areas of advanced manufacturing,
4 24 biosciences, information solutions, and financial
4 25 services.

4 26 Sec. _____. Section 262B.22, Code 2007, is repealed.

4 27 Sec. _____. ALLOCATION OF CERTAIN MONEYS FROM LOAN
4 28 REPAYMENTS AND OTHER RECAPTURES. For the fiscal year
4 29 beginning July 1, 2007, and ending June 30, 2008, the
4 30 department of economic development may expend
4 31 additional moneys that may become available from loan
4 32 repayments or other recaptures of awards from federal
4 33 economic stimulus funds for implementation of the
4 34 recommendations provided in separate consultant
4 35 reports on bioscience, advanced manufacturing,
4 36 information technology, and entrepreneurship submitted
4 37 to the department of economic development in the
4 38 calendar years 2004, 2005, and 2006. The allocation
4 39 of any additional available moneys shall be as
4 40 follows:

4 41 1. For study and planning for the creation of a
4 42 statewide lean manufacturing institute to provide
4 43 executive level, in-depth training assistance to
4 44 manufacturing companies in the state:
4 45 \$ 100,000

4 46 2. For the study, planning, and creation of a
4 47 statewide supplier capacity and product database:
4 48 \$ 500,000

4 49 3. For the commercialization of orphaned
4 50 technology as provided in section 15.411, subsection



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1988 continued

5	1	4:		
5	2	.....	\$	500,000
5	3	4. For information technology job training as		
5	4	provided in section 15.411, subsection 5:		
5	5	.....	\$	500,000
5	6	5. For the targeted industries internship program		
5	7	provided in section 15.411, subsection 6:		
5	8	.....	\$	480,000
5	9	6. For the sponsorship of student competitions in		
5	10	the areas of advanced manufacturing, biosciences,		
5	11	information technology, and entrepreneurial		
5	12	development:		
5	13	.....	\$	130,000
5	14	7. For the sponsorship of connectivity events to		
5	15	bring together private industry and public sector		
5	16	researchers to facilitate technology transfer:		
5	17	.....	\$	160,000
5	18	8. For the purpose of recruitment from		
5	19	out-of-state, personnel to fulfill the executive-level		
5	20	management and operations needs of new and expanding		
5	21	companies in the targeted industries:		
5	22	.....	\$	280,000
5	23	9. For a statewide public awareness campaign aimed		
5	24	at educating Iowans about the job career opportunities		
5	25	available in the targeted industries including career		
5	26	academies:		
5	27	.....	\$	250,000
5	28	10. For deployment of equipment and training		
5	29	software that is current and competitive to Iowa's		
5	30	community colleges for use in training programs and		
5	31	courses related to the targeted industries:		
5	32	.....	\$	1,000,000
5	33	Sec. 500. MATH AND SCIENCE EDUCATION IMPROVEMENT		
5	34	GRANT PILOT PROJECT == APPROPRIATION.		
5	35	1. a. The department of education shall establish		
5	36	and administer a math and science education		
5	37	improvement grant pilot project to provide a grant to		
5	38	an area education agency for purposes of providing a		
5	39	regional and cooperative program for one or more of		
5	40	the following purposes:		
5	41	(1) Teacher training, professional development,		
5	42	and teacher-in-residence programs in the areas of math		
5	43	and science.		
5	44	(2) Supplemental math, science, engineering, and		
5	45	other technology-oriented educational opportunities		
5	46	for students, including opportunities for low-income,		
5	47	female, and minority students.		
5	48	(3) Internships and workplace learning		
5	49	opportunities in the areas of math and science.		
5	50	(4) Expansion and alignment of curriculum in the		



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1988 continued

6 1 areas of math and science.
6 2 b. Participation of one or more Iowa targeted
6 3 businesses or business organizations is required in
6 4 order for an area education agency to receive a grant.
6 5 c. Not more than two percent of the grant amount
6 6 awarded shall be used for administrative costs.
6 7 d. The department, in consultation with business
6 8 organizations, shall award a grant and require a
6 9 report from the recipient regarding uses of the grant
6 10 and progress of projects.
6 11 e. The area education agency receiving the grant,
6 12 in collaboration with the department, shall share the
6 13 methods and results of its program with other area
6 14 education agencies.
6 15 2. a. There is appropriated from the general fund
6 16 of the state to the department of education for the
6 17 fiscal year beginning July 1, 2006, and ending June
6 18 30, 2007, two hundred thousand dollars for purposes of
6 19 this section.
6 20 b. Notwithstanding section 8.33, moneys
6 21 appropriated in this section that remain unencumbered
6 22 or unobligated at the close of the fiscal year shall
6 23 not revert but shall remain available for expenditure
6 24 for the purposes designated until the close of the
6 25 succeeding fiscal year.
6 26 Sec. _____. LEGISLATIVE INTENT. It is the intent of
6 27 the general assembly to recognize the strong role that
6 28 innovation in the advanced manufacturing, biosciences,
6 29 and information technology industries will play in the
6 30 growth of this state's economy. To that end, the
6 31 department of economic development, the department of
6 32 workforce development, and the department of education
6 33 shall work together for the purpose of addressing key
6 34 issues that impact these industries by leveraging
6 35 their different competencies and resources to work on
6 36 the following areas:
6 37 1. Career awareness.
6 38 2. Data integration and assessment tools.
6 39 3. Identification of workforce competencies.
6 40 4. Retention of Iowans in the workforce and
6 41 recruitment of new workers to Iowa.
6 42 Sec. _____. REPORTING REQUIREMENT. By January 15,
6 43 2008, the department of economic development shall
6 44 file a written report with the general assembly and
6 45 the governor detailing all expenditures of moneys
6 46 appropriated and allocated to the department pursuant
6 47 to this Act and 2007 Iowa Acts, House File 911.
6 48 Sec. _____. EFFECTIVE DATE. Section 500 of this
6 49 Act, being deemed of immediate importance, takes
6 50 effect upon enactment.>



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1988 continued

7 1 #2. Title page, line 4, by striking the words <a
7 2 contingent> and inserting the following:
7 3 <appropriations and an>.
7 4 #3. By renumbering as necessary.
7 5 HF 829.S
7 6 tm/cc/26



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1989

PAG LIN

1 1 Amend Senate File 413, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 4, by inserting after line 22 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 731.2A FREE AGENT STATUS
1 6 EMPLOYEE PERMITTED.
1 7 1. A person shall have the right to declare that
1 8 the person is a free agent employee and such status
1 9 shall relieve the requirement for a labor union,
1 10 organization, or association to represent that person.
1 11 2. For purposes of this section, a "free agent
1 12 employee" means an employee who has signed a release
1 13 declaring that the employee will not be represented by
1 14 a labor union, organization, or association and that
1 15 the labor union, organization, or association
1 16 understands that signing the release waives any claim
1 17 or right to representation by that labor union,
1 18 organization, or association.>
1 19 #2. Title page, line 1, by striking the words
1 20 <relating to> and inserting the following: <and>.
1 21 #3. Title page, line 2, by inserting after the
1 22 word <public> the following: <and private sector>.
1 23 #4. By renumbering as necessary.
1 24
1 25
1 26
1 27 WATTS of Dallas
1 28 SF 413.322 82
1 29 ec/cf/9739
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1990

PAG LIN

1 1 Amend Senate File 413, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. Section 20.3, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 1A. "Bargaining unit" means only
1 8 those employees in a particular class of employees who
1 9 have not declared themselves a free agent employee.>
1 10 #2. Page 1, by inserting after line 11 the
1 11 following:
1 12 <Sec. _____. Section 20.3, Code 2007, is amended by
1 13 adding the following new subsection:
1 14 NEW SUBSECTION. 5B. "Free agent employee" means a
1 15 public employee who has signed a release declaring
1 16 that the employee will not be represented by an
1 17 employee organization and that the employee
1 18 understands that signing the release waives any claim
1 19 or right to representation by that employee
1 20 organization.>
1 21 #3. Page 1, by inserting after line 17 the
1 22 following:
1 23 <Sec. _____. Section 20.8, Code 2007, is amended by
1 24 adding the following new subsection:
1 25 NEW SUBSECTION. 5. Declare themselves a free
1 26 agent employee.>
1 27 #4. Page 4, by inserting after line 22 the
1 28 following:
1 29 <Sec. _____. NEW SECTION. 731.2A FREE AGENT STATUS
1 30 EMPLOYEE PERMITTED.
1 31 1. A person shall have the right to declare that
1 32 the person is a free agent employee and such status
1 33 shall relieve the requirement for a labor union,
1 34 organization, or association to represent that person.
1 35 2. For purposes of this section, a "free agent
1 36 employee" means an employee who has signed a release
1 37 declaring that the employee will not be represented by
1 38 a labor union, organization, or association and that
1 39 the labor union, organization, or association
1 40 understands that signing the release waives any claim
1 41 or right to representation by that labor union,
1 42 organization, or association.>
1 43 #5. Title page, line 1, by striking the words
1 44 <relating to> and inserting the following: <and>.
1 45 #6. Title page, line 2, by inserting after the
1 46 word <public> the following: <and private sector>.
1 47 #7. By renumbering as necessary.
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1990 continued

2 1 WATTS of Dallas
2 2 SF 413.579 82
2 3 ec/je/9740



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1991

PAG LIN

1 1 Amend House Concurrent Resolution 10 as follows:
1 2 #1. Page 2, line 3, by inserting after the word
1 3 <laws,> the following: <the state archivist,>.
1 4 #2. Page 2, line 9, by inserting after the word
1 5 <council,> the following: <the Iowa broadcasters
1 6 association,>.
1 7 #3. By renumbering as necessary.
1 8
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1 10
1 11 JOCHUM of Dubuque
1 12 HCR 10.201 82
1 13 rh/es/10187
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1992

PAG LIN

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1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 21, by striking line 20 and inserting the
1 4 following:
1 5 <..... $ 9,712,663>
1 6 #2. Page 21, by striking line 26 and inserting the
1 7 following:
1 8 <..... $ 5,435,157>
1 9
1 10
1 11
1 12 STRUYK of Pottawattamie
1 13
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1 16 PETTENGILL of Benton
1 17 SF 588.522 82
1 18 kh/je/9780
1 19
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1993

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 23, by striking lines 17 through 33 and
1 4 inserting the following:
1 5 <26. a. Set a goal of increasing to eighty
1 6 percent the number of students graduating from all
1 7 secondary schools in school districts in this state
1 8 who have successfully completed the core curriculum
1 9 recommended by the college testing service whose
1 10 college entrance examination is taken by the majority
1 11 of Iowa's high school students. The state goal shall
1 12 be exclusive of students who have special or
1 13 alternative means for satisfying graduation
1 14 requirements under individualized educational plans
1 15 developed for the students. The state board shall
1 16 require each school district to annually report,
1 17 beginning with the 2006=2007 school year, the
1 18 percentage of students graduating from high school in
1 19 the school district who complete the core curriculum.
1 20 The school district shall report, in the comprehensive
1 21 school improvement plan submitted in accordance with
1 22 subsection 21, how the district plans to increase the
1 23 number of students completing the recommended core
1 24 curriculum. ~~Taking into consideration the~~.
1 25 #2. Page 24, by striking line 1 and inserting the
1 26 following: ~~<school students>~~.
1 27 b. Adopt rules that establish a model core.
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1 31 TYMESON of Madison
1 32 SF 588.713 82
1 33 kh/gg/9779
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1994

PAG LIN

1 1 Amend Senate File 580, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, by inserting after line 16 the
1 4 following:
1 5 <____. Five million dollars of the tax revenue
1 6 collected under the tax amnesty program shall be
1 7 deposited and credited to the veterans trust fund and
1 8 the remaining tax revenues, including all interest,
1 9 shall be deposited and credited to the senior living
1 10 trust fund.>
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1 14 WATTS of Dallas
1 15 SF 580.704 82
1 16 mg/gg/9996
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1995

PAG LIN

1 1 Amend House File 893 as follows:
1 2 #1. Page 2, by inserting after line 16 the
1 3 following:
1 4 <____. Five million dollars of the tax revenue
1 5 collected under the tax amnesty program shall be
1 6 deposited and credited to the veterans trust fund and
1 7 the remaining tax revenues, including all interest,
1 8 shall be deposited and credited to the senior living
1 9 trust fund.>
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1 13 WATTS of Dallas
1 14 HF 893.202 82
1 15 mg/es/9995
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1996

PAG LIN

1 1 Amend House File 918 as follows:
1 2 #1. Page 3, line 26, by inserting after the word
1 3 <emissions.> the following: <One of the options
1 4 considered shall be a discussion of the possible
1 5 impact of new nuclear generation facilities on
1 6 greenhouse gas emissions.>
1 7
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1 9
1 10 WATTS of Dallas
1 11 HF 918.701 82
1 12 rn/gg/9490
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1997

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 27, by inserting after line 15 the
 1 4 following:
 1 5 <Sec. _____. Section 259.4, subsection 3, Code 2007,
 1 6 is amended to read as follows:
 1 7 3. Utilize in the rehabilitation of individuals
 1 8 with disabilities existing educational and other
 1 9 facilities as are advisable and practicable, including
 1 10 public and private educational institutions, community
 1 11 rehabilitation programs, public or private
 1 12 establishments, plants, factories, and the services of
 1 13 individuals specially qualified for the instruction
 1 14 and vocational rehabilitation of individuals with
 1 15 disabilities. If a resident student enrolled in a
 1 16 community college requires interpreting or
 1 17 transliterating services for hearing-impaired
 1 18 individuals, the division shall provide the services
 1 19 to the student or shall reimburse the community
 1 20 college for the cost of providing the services.>
 1 21 #2. By renumbering as necessary.
 1 22
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 1 24
 1 25 FORRISTALL of Pottawattamie
 1 26 SF 588.715 82
 1 27 kh/gg/9782

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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1998

PAG LIN

1 1 Amend House File 923 as follows:
1 2 #1. Page 14, by striking lines 15 through 26.
1 3 #2. Page 14, by inserting before line 27 the
1 4 following:
1 5 <Sec. _____. Section 453A.43, subsections 1 and 2,
1 6 Code 2007, as amended by 2007 Iowa Acts, Senate File
1 7 128, are amended to read as follows:
1 8 1. a. A tax is imposed upon all tobacco products
1 9 in this state and upon any person engaged in business
1 10 as a distributor of tobacco products, at the rate of
1 11 twenty=two percent of the wholesale sales price of the
1 12 tobacco products, except little cigars and snuff as
1 13 defined in section 453A.42.
1 14 b. In addition to the tax imposed under paragraph
1 15 "a", a tax is imposed upon all tobacco products in
1 16 this state and upon any person engaged in business as
1 17 a distributor of tobacco products, at the rate of
1 18 twenty=eight percent of the wholesale sales price of
1 19 the tobacco products, except little cigars and snuff
1 20 as defined in section 453A.42, ~~with the limitation~~
~~1 21 that if the tobacco product is a cigar, the additional~~
~~1 22 tax shall not exceed fifty cents per cigar.~~
1 23 c. Notwithstanding the rate of tax imposed
1 24 pursuant to paragraphs "a" and "b", if the tobacco
1 25 product is a cigar, the total amount of the tax
1 26 imposed pursuant to paragraphs "a" and "b" combined
1 27 shall not exceed fifty cents per cigar.
1 28 ~~e.~~ d. Little cigars shall be subject to the same
1 29 rate of tax imposed upon cigarettes in section 453A.6,
1 30 payable at the time and in the manner provided in
1 31 section 453A.6; and stamps shall be affixed as
1 32 provided in division I of this chapter. Snuff shall
1 33 be subject to the tax as provided in subsections 3 and
1 34 4.
1 35 ~~d.~~ e. The taxes on tobacco products, excluding
1 36 little cigars and snuff, shall be imposed at the time
1 37 the distributor does any of the following:
1 38 (1) Brings, or causes to be brought, into this
1 39 state from outside the state tobacco products for
1 40 sale.
1 41 (2) Makes, manufactures, or fabricates tobacco
1 42 products in this state for sale in this state.
1 43 (3) Ships or transports tobacco products to
1 44 retailers in this state, to be sold by those
1 45 retailers.
1 46 2. a. A tax is imposed upon the use or storage by
1 47 consumers of tobacco products in this state, and upon
1 48 the consumers, at the rate of twenty=two percent of
1 49 the cost of the tobacco products.
1 50 b. In addition to the tax imposed in paragraph



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1998 continued

2 1 "a", a tax is imposed upon the use or storage by
2 2 consumers of tobacco products in this state, and upon
2 3 the consumers, at a rate of twenty-eight percent of
2 4 the cost of the tobacco products, ~~with the limitation~~
~~2 5 that if the tobacco product is a cigar, the additional~~
~~2 6 tax shall not exceed fifty cents per cigar.~~
2 7 c. Notwithstanding the rate of tax imposed
2 8 pursuant to paragraphs "a" and "b", if the tobacco
2 9 product is a cigar, the total amount of the tax
2 10 imposed pursuant to paragraphs "a" and "b" combined
2 11 shall not exceed fifty cents per cigar.
2 12 ~~e.~~ d. The taxes imposed by this subsection shall
2 13 not apply if the taxes imposed by subsection 1 on the
2 14 tobacco products have been paid.
2 15 ~~d.~~ e. The taxes imposed under this subsection
2 16 shall not apply to the use or storage of tobacco
2 17 products in quantities of:
2 18 (1) Less than twenty-five cigars.
2 19 (2) Less than one pound smoking or chewing tobacco
2 20 or other tobacco products not specifically mentioned
2 21 herein, in the possession of any one consumer.>
2 22 #3. Page 17, by inserting after line 17 the
2 23 following:
2 24 <Sec. ____ . REFUNDS. Refunds of taxes which result
2 25 from the amendment to section 453A.43, in this
2 26 division of this Act, relating to the limitation on
2 27 the taxes imposed on cigars occurring between March
2 28 15, 2007, and the effective date of the amendment to
2 29 section 453A.43 in this division of this Act, shall
2 30 not be allowed unless refund claims are filed prior to
2 31 October 1, 2007, notwithstanding any other provision
2 32 of law. Claimants shall not be entitled to interest
2 33 on any refunds.
2 34 Sec. ____ . EFFECTIVE DATE AND APPLICABILITY. The
2 35 provision in this division of this Act amending
2 36 section 453A.43, and the section of this division of
2 37 this Act providing refunds resulting from the
2 38 amendment of section 453A.43, being deemed of
2 39 immediate importance, take effect upon enactment and
2 40 are retroactively applicable to March 15, 2007.>
2 41 #4. Title page, by striking lines 4 and 5 and
2 42 inserting the following: <taxes, providing an
2 43 effective date, and providing retroactive
2 44 applicability date provisions.>
2 45 #5. By renumbering as necessary.
2 46
2 47
2 48
2 49 SCHUELLER of Jackson
2 50 HF 923.502 82



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 1998 continued

3 1 pf/je/10102



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 1999

PAG LIN

1 1 Amend House File 918 as follows:
1 2 #1. Page 15, by inserting after line 25 the
1 3 following:
1 4 <Sec. _____. FUTURE REPEAL. This Act is repealed
1 5 July 1, 2012.>
1 6 #2. By renumbering as necessary.
1 7
1 8
1 9
1 10 WATTS of Dallas
1 11 HF 918.204 82
1 12 rn/es/9382
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 2000

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 22, by inserting after line 14 the
1 4 following:
1 5 <Sec. _____. PARTICIPATION IN AN INSTRUCTIONAL
1 6 SUPPORT PROGRAM BY SCHOOL DISTRICTS == SUSPENSION OF
1 7 REQUIREMENTS. Notwithstanding any contrary provision
1 8 in chapter 257, including sections 257.18 through
1 9 257.21, a school district that has participated in a
1 10 board=approved instructional support program during
1 11 the fiscal year beginning July 1, 2006, and ending
1 12 June 30, 2007, may continue to participate in the
1 13 board=approved instructional support program for the
1 14 fiscal year beginning July 1, 2007, and ending June
1 15 30, 2008, to the extent established by the board's
1 16 resolution, as if it had complied with those sections,
1 17 if all of the following apply:
1 18 1. The board of directors of the school district
1 19 has adopted or adopts a resolution not later than May
1 20 15, 2007, to participate in the board=approved
1 21 instructional support program as otherwise provided in
1 22 section 257.18. If the board of directors has adopted
1 23 a budget which did not account for the board=approved
1 24 instructional support program, the board of directors
1 25 may adjust its budget to account for the
1 26 board=approved instructional support program as
1 27 approved by the department of management.
1 28 2. The secretary of the board of directors does
1 29 not receive a petition as authorized in section
1 30 257.18, subsection 2, within twenty=eight days
1 31 following the adoption of the resolution by the board
1 32 of directors of the school district to participate in
1 33 the board=approved instructional support program as
1 34 provided in subsection 1, which asks that an election
1 35 be called to approve or disapprove the action of the
1 36 board of directors in adopting the resolution.>
1 37 #2. Page 45, by inserting after line 16 the
1 38 following:
1 39 <_____. The section of this Act relating to a
1 40 suspension of the requirements for participation in an
1 41 instructional support program by school districts,
1 42 being deemed of immediate importance, takes effect
1 43 upon enactment.>
1 44 #3. Title page, line 4, by inserting after the
1 45 word <regents,> the following: <providing for a
1 46 related matter concerning participation in an
1 47 instructional support program by school districts,>.
1 48 #4. By renumbering as necessary.
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Amendment 2000 continued

2 1
2 2 WINCKLER of Scott
2 3 SF 588.317 82
2 4 kh/cf/9783



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 2001

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 22, by inserting after line 14 the
1 4 following:
1 5 <Sec. _____. The Iowa learning technology commission
1 6 shall submit a report by January 1, 2008, to the
1 7 general assembly which shall include a description and
1 8 the results of the pilot programs which received
1 9 funding pursuant to chapter 280A.4 and, based on the
1 10 findings resulting from implementation of the
1 11 programs, the commission's recommendations for funding
1 12 and implementing statewide learning technology
1 13 initiatives.>
1 14 #2. Title page, line 4, by inserting after the
1 15 word <regents,> the following: <providing for related
1 16 matters concerning the Iowa learning technology
1 17 commission,>.
1 18 #3. By renumbering as necessary.
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1 22 BOAL of Polk
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1 25
1 26 MASCHER of Johnson
1 27 SF 588.230 82
1 28 kh/es/9784
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 2002

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 24, line 30, by striking the word
1 4 <subsection> and inserting the following:
1 5 <subsections>.
1 6 #2. Page 25, by inserting after line 14 the
1 7 following:
1 8 <NEW SUBSECTION. 28. a. Adopt rules which
1 9 provide, for purposes of chapter 284, that an
1 10 individual who holds a practitioner's license issued
1 11 under chapter 272 and who is employed in a
1 12 nonadministrative position by the department of human
1 13 services at the state training school, the Iowa
1 14 juvenile home, or the state mental health institutes
1 15 located in Cherokee and Independence shall be
1 16 considered a teacher if the individual and the
1 17 institution in which the individual practices meet the
1 18 requirements of this chapter. If an institution and a
1 19 practitioner employed by the institution are
1 20 determined by the department to meet the requirements
1 21 of chapter 284, the department shall annually
1 22 distribute funds to the institution in the manner
1 23 prescribed for school districts pursuant to section
1 24 284.13.
1 25 b. The area education agencies in which the
1 26 institutions are located shall work with the
1 27 institutions to develop a plan for meeting the
1 28 requirements of chapter 284, which shall be submitted
1 29 to the department of education, the department of
1 30 human services, and the general assembly by January
1 31 14, 2008. This paragraph is repealed July 1, 2008.>
1 32 #3. By renumbering as necessary.

1 33
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1 36 GRANZOW of Hardin
1 37 SF 588.712 82
1 38 kh/gg/6357

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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Amendment 2003

PAG LIN

1 1 Amend House File 789 as follows:
1 2 #1. Page 3, by striking lines 25 and 26 and
1 3 inserting the following:
1 4 <a. Coverage for audiological services that are
1 5 performed by an audiologist licensed pursuant to
1 6 chapter 147 for children up to>.
1 7
1 8
1 9
1 10 MASCHER of Johnson
1 11 HF 789.501 82
1 12 av/je/9702
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House File 930 - Introduced

HOUSE FILE
BY McCARTHY

(COMPANION TO LSB 2937XS
BY GRONSTAL)

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

A BILL FOR

- 1 An Act relating to consumption of alcoholic beverages at the
- 2 state capitol complex.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2937YH 82
- 5 ec/je/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House File 930 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 7D.16 ALCOHOLIC BEVERAGES IN
1 2 STATE CAPITOL OR ON COMPLEX GROUNDS.
1 3 Notwithstanding any contrary provision of law prohibiting
1 4 the use and consumption of alcoholic beverages in a public
1 5 place, the executive council may authorize, by resolution, the
1 6 temporary use and consumption of alcoholic beverages, as
1 7 defined in section 123.3, in the state capitol or on the state
1 8 capitol complex grounds, as if the state capitol or state
1 9 capitol complex grounds were a private place. The
1 10 authorization by resolution shall be limited to the use and
1 11 consumption of alcoholic beverages as an accompaniment to food
1 12 at a single award ceremony, social event, or other occasion
1 13 deemed appropriate by the executive council. The
1 14 authorization shall require that the person providing the food
1 15 and alcoholic beverages possess an appropriate liquor control
1 16 license in accordance with section 123.95. The secretary of
1 17 the executive council shall inform the director of the
1 18 department of administrative services of the approval of any
1 19 such resolution.

1 20 EXPLANATION

1 21 This bill provides that the executive council may authorize
1 22 by resolution the temporary use and consumption of alcoholic
1 23 beverages, as defined in Code section 123.3, in the state
1 24 capitol or on the state capitol complex grounds, as if the
1 25 state capitol or state capitol complex grounds were a private
1 26 place. The authorization by resolution shall be limited to
1 27 the use and consumption of alcoholic beverages as an
1 28 accompaniment to food at a single award ceremony, social
1 29 event, or other occasion deemed appropriate by the executive
1 30 council. The bill specifies that this authorization requires
1 31 that the person providing the food and alcoholic beverages
1 32 possess an appropriate liquor control license, and that the
1 33 secretary of the executive council inform the director of the
1 34 department of administrative services of the approval of any
1 35 resolution.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House File 930 - Introduced continued

2 1 LSB 2937YH 82
2 2 ec:rj/je/5



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Joint Resolution 10 - Introduced

HOUSE JOINT RESOLUTION
BY McCARTHY

(COMPANION TO LSB 2866SS BY
GRONSTAL)

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

HOUSE JOINT RESOLUTION

1 A Joint Resolution authorizing the temporary use and consumption
2 of alcoholic beverages on the state capitol complex grounds in
3 conjunction with the Hy-Vee BG World Cup Triathlon, and
4 providing an effective date.
5 WHEREAS, on June 17, 2007, athletes from around the world will
6 gather in Des Moines, Iowa, to compete for the largest purse
7 prize in triathlon history; and
8 WHEREAS, the city of Des Moines has the honor of being the
9 only city in the United States on the 2007 World Cup schedule of
10 16 triathlons; and
11 WHEREAS, Iowa's state capitol complex grounds provide a unique
12 and memorable setting for the finish line of the triathlon and
13 the following awards ceremony; and
14 WHEREAS, a champagne toast is a traditional part of the awards
15 ceremony; and
16 WHEREAS, because 11 IAC 100.4(8) prohibits the consumption of
17 alcoholic beverages on the state capitol complex grounds, it is
18 not possible to serve champagne or other alcoholic beverage at
19 this type of awards ceremony on the state capitol complex
20 grounds; NOW THEREFORE,
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 TLSB 2866HH 82
2 jr/gg/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Joint Resolution 10 - Introduced continued

PAG LIN

1 1 Section 1. Notwithstanding 11 IAC 100.4(8) and any
1 2 contrary provisions of chapter 123, prohibiting the use and
1 3 consumption of alcoholic beverages in public places, alcoholic
1 4 beverages may be used and consumed on the state capitol
1 5 complex grounds at an awards ceremony, to be held on or around
1 6 June 17, 2007, hosted and organized in whole or in part by
1 7 Hy=Vee, Incorporated, if the person providing the food and
1 8 alcoholic beverages at the awards ceremony possesses an
1 9 appropriate valid liquor control license. For the purpose of
1 10 this section and section 123.95, the state capitol complex
1 11 grounds is a private place.

1 12 Sec. 2. EFFECTIVE DATE. This joint resolution, being
1 13 deemed of immediate importance, takes effect upon enactment.

1 14 EXPLANATION

1 15 This joint resolution authorizes the use and consumption of
1 16 alcoholic beverages at an awards ceremony for the Hy=Vee BG
1 17 World Cup Triathlon to be held on the state capitol complex
1 18 grounds on or around June 17, 2007. Current law and rules
1 19 prohibit the use and consumption of alcoholic beverages within
1 20 the state capitol. The joint resolution takes effect upon
1 21 enactment.

1 22 LSB 2866HH 82

1 23 jr:nh/gg/14.1



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Joint Resolution 11 - Introduced

HOUSE JOINT RESOLUTION
BY McCARTHY

(COMPANION TO LSB 2926SS
BY GRONSTAL)

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

HOUSE JOINT RESOLUTION

1 A Joint Resolution approving the permanent acknowledgement of
2 elementary and secondary schools and individual citizens of
3 this state for their contributions of foliage and items to be
4 permanently located on the west capitol terrace and other
5 capitol grounds and providing an effective date.
6 WHEREAS, the state has committed resources to the improvement
7 of the West Capitol Terrace project and continues to develop that
8 area for the citizens of Iowa; and
9 WHEREAS, work on phase 1 of this project is scheduled to be
10 completed by June of this year in time for the 2007 Hy=Vee
11 Triathlon == International Triathlon Union World Cup event; and
12 WHEREAS, the General Assembly believes all Iowans should be
13 proud of the improvements being made and given the opportunity to
14 participate in the completion of this project; and
15 WHEREAS, the Department of Administrative Services is planning
16 an event to encourage all Iowans to participate in the
17 sponsorship of trees, benches, and other foliage and items to be
18 located on the West Capitol Terrace and other areas of the
19 Capitol grounds; NOW THEREFORE,
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
21 TLSB 2926HH 82
1 ec/cf/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Joint Resolution 11 - Introduced continued

PAG LIN

1 1 That the department of administrative services is hereby
1 2 authorized, as provided in section 8A.108, subsection 2,
1 3 paragraph "b", to establish permanent acknowledgements for
1 4 contributions made by or on behalf of elementary and secondary
1 5 schools and individual citizens of this state of trees,
1 6 benches, and other foliage and items to be permanently located
1 7 on the west capitol terrace and other areas of the capitol
1 8 grounds. The type and design of plaques to be used for the
1 9 permanent acknowledgements authorized by this joint resolution
1 10 shall be approved by the capitol planning commission prior to
1 11 placement on the west capitol terrace or other capitol
1 12 grounds.

1 13 This joint resolution, being deemed of immediate
1 14 importance, takes effect upon enactment.

1 15 EXPLANATION

1 16 This joint resolution authorizes the department of
1 17 administrative services to establish permanent
1 18 acknowledgements for contributions made by or on behalf of
1 19 elementary and secondary schools and citizens of this state of
1 20 trees, benches, and other foliage and items to be permanently
1 21 located on the west capitol terrace and other areas of the
1 22 capitol grounds. The joint resolution requires that the type
1 23 and design of plaques to be used for the permanent
1 24 acknowledgements be approved by the capitol planning
1 25 commission.

1 26 The joint resolution takes effect upon enactment.

1 27 LSB 2926HH 82

1 28 ec:rj/cf/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Resolution 51 - Introduced continued

2 1 order to empower African-Americans, who are at
2 2 particularly high risk of the disease, to reduce their
2 3 risk, recognize the warning signs, and respond
2 4 quickly; and
2 5 WHEREAS, stroke, the third leading cause of death
2 6 in Iowa, leads to the death of nearly 2,000 citizens
2 7 of Iowa each year even though it is highly treatable
2 8 in the first three hours; and
2 9 WHEREAS, stroke is a leading cause of serious
2 10 long-term disability with more than two-thirds of
2 11 stroke survivors experiencing functional limitations
2 12 or difficulty with activities of daily living; and
2 13 WHEREAS, Iowans are more aware of the risk factors
2 14 and warning signs for stroke than in the past, but
2 15 only one in five adults know all six stroke symptoms;
2 16 and
2 17 WHEREAS, warning signs of stroke include sudden
2 18 numbness or weakness of the face, arm, or leg,
2 19 especially on one side of the body; sudden confusion,
2 20 trouble speaking or understanding; sudden trouble
2 21 seeing in one or both eyes; sudden trouble walking,
2 22 dizziness, or loss of balance or coordination; and
2 23 sudden severe headache with no known cause; and
2 24 WHEREAS, high blood pressure is a primary cause of
2 25 stroke, one in four Iowans have high blood pressure,
2 26 more than half of the Iowans with high blood pressure
2 27 are younger than 65 years old, and blood pressures
2 28 greater than 120/80 require a plan to prevent
2 29 full-blown high blood pressure; and
2 30 WHEREAS, new and effective treatments have been



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Resolution 51 - Introduced continued

3 1 developed to treat high blood pressure and minimize
3 2 the severity and damaging effects of strokes, but much
3 3 more research is needed; NOW THEREFORE,
3 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
3 5 That the House of Representatives recognizes May 2007
3 6 as American Stroke Awareness Month and National High
3 7 Blood Pressure Education Month in Iowa and urges all
3 8 citizens to react to stroke symptoms immediately and
3 9 treat high blood pressure aggressively so that we
3 10 might begin to reduce the devastating effects of
3 11 stroke on our population; and
3 12 BE IT FURTHER RESOLVED, That the House of
3 13 Representatives recognizes the American Stroke
3 14 Association, a division of the American Heart
3 15 Association, for its ongoing efforts to educate
3 16 Americans concerning the threat posed by strokes and
3 17 high blood pressure.
3 18 LSB 2931HH 82
3 19 jr:rj/je/5.1



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Study Bill 321

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

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

A BILL FOR

- 1 An Act relating to revenue for the construction and maintenance
- 2 of roads.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2934YC 82
- 5 dea/cf/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Study Bill 321 continued

PAG LIN

1 1 Section 1. NEW SECTION. 312A.1 DEFINITIONS.
1 2 As used in this chapter, unless the context otherwise
1 3 requires:
1 4 1. "Department" means the state department of
1 5 transportation.
1 6 2. "Fund", or "TIME=21 fund", means the transportation
1 7 investment moves the economy in the twenty=first century fund.
1 8 Sec. 2. NEW SECTION. 312A.2 TRANSPORTATION INVESTMENT
1 9 MOVES THE ECONOMY IN THE TWENTY=FIRST CENTURY (TIME=21) FUND.
1 10 A transportation investment moves the economy in the
1 11 twenty=first century fund is created in the state treasury
1 12 under the control of the department. The fund shall be known
1 13 and referred to as the TIME=21 fund. The fund shall consist
1 14 of any moneys appropriated by the general assembly and any
1 15 revenues credited by law to the TIME=21 fund. Moneys in the
1 16 fund are not subject to section 8.33. Notwithstanding section
1 17 12C.7, subsection 2, interest or earnings on moneys deposited
1 18 in the fund shall be credited to the fund.
1 19 Sec. 3. NEW SECTION. 312A.3 ALLOCATION AND USE OF FUNDS.
1 20 Moneys in the TIME=21 fund shall be credited and used as
1 21 follows:
1 22 1. Sixty percent for deposit in the primary road fund to
1 23 be used exclusively for highway maintenance and construction,
1 24 including purchase of right=of=way but not including project
1 25 planning and design. The following projects are eligible for
1 26 funding under this subsection:
1 27 a. Projects on highways in the commercial and industrial
1 28 highway network that are included in the department's
1 29 five=year plan, or in the long=range plan, for the primary
1 30 road system. Priority shall be given to projects in areas of
1 31 the state that have existing biodiesel, ethanol, or other
1 32 biorefinery plants.
1 33 b. Completion of projects on highways designated as access
1 34 Iowa highways pursuant to 2005 Iowa Acts, chapter 178, section
1 35 41.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Study Bill 321 continued

2 1 c. Projects on interstate highways.
2 2 2. Twenty percent for deposit in the secondary road fund,
2 3 for apportionment according to the methodology adopted
2 4 pursuant to section 312.3C, to be used by counties for
2 5 construction and maintenance projects on secondary road
2 6 bridges and on highways in the farm-to-market road system. At
2 7 least ten percent of the moneys allocated to a county under
2 8 this subsection shall be used for bridge repair and
2 9 maintenance, with priority given to projects that aid and
2 10 support economic development and job creation.
2 11 3. Twenty percent for deposit in the street construction
2 12 fund of the cities, apportioned on the basis of population in
2 13 the manner provided in section 312.3, to be used to sustain
2 14 and improve the municipal street system.
2 15 Sec. 4. NEW SECTION. 312A.4 FUTURE REPEAL.
2 16 This chapter is repealed June 30, 2028.
2 17 Sec. 5. NEW SECTION. 307.31 PERIODIC REVIEW OF REVENUES
2 18 == EVALUATION OF ALTERNATIVE FUNDING SOURCES.
2 19 1. The department shall periodically review the current
2 20 revenue levels of the road use tax fund and the sufficiency of
2 21 those revenues for the projected construction and maintenance
2 22 needs of city, county, and state governments in the future.
2 23 The department shall submit a written report to the general
2 24 assembly regarding its findings by December 31 every five
2 25 years, beginning in 2011. The report may include
2 26 recommendations concerning funding levels needed to support
2 27 the future mobility and accessibility for users of Iowa's
2 28 public road system.
2 29 2. The department shall evaluate alternative funding
2 30 sources for road maintenance and construction and report to
2 31 the general assembly at least every five years on the
2 32 advantages and disadvantages and the viability of alternative
2 33 funding mechanisms. The department's evaluation of
2 34 alternative funding sources may be included in the report
2 35 submitted to the general assembly under subsection 1.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Study Bill 321 continued

3 1 Sec. 6. Section 312.2, subsections 12 and 13, Code 2007,
3 2 are amended to read as follows:
3 3 12. The treasurer of state, before making the allotments
3 4 provided for in this section, shall credit monthly from the
3 5 road use tax fund to the revitalize Iowa's sound economy fund,
3 6 created under section 315.2, the revenue accruing to the road
3 7 use tax fund in the amount equal to the revenues collected
3 8 under each of the following:
3 9 a. From the excise tax on motor fuel and special fuel
3 10 imposed under the tax rate of section 452A.3 except aviation
3 11 gasoline, the amount of excise tax collected from one and
3 12 ~~eleven-twentieths~~ three-fourths cents per gallon.
3 13 b. From the excise tax on special fuel for diesel engines,
3 14 the amount of excise tax collected from one and
3 15 ~~eleven-twentieths~~ three-fourths cents per gallon.
3 16 13. The treasurer of state, before making the allotments
3 17 provided for in this section, shall credit monthly from the
3 18 road use tax fund to the secondary road fund the revenue
3 19 accruing to the road use tax fund in the amount equal to the
3 20 revenues collected under each of the following:
3 21 a. From the excise tax on motor fuel and special fuel
3 22 imposed under the tax rate of section 452A.3, except aviation
3 23 gasoline, the amount of excise tax collected from
3 24 ~~nine-twentieths~~ one-fourth cent per gallon.
3 25 b. From the excise tax on special fuel for diesel engines,
3 26 the amount of excise tax collected from ~~nine-twentieths~~
3 27 one-fourth cent per gallon.
3 28 Sec. 7. Section 315.4, Code 2007, is amended to read as
3 29 follows:
3 30 315.4 ALLOCATION OF FUND.
3 31 Moneys credited to the RISE fund shall be allocated as
3 32 follows:
3 33 1. ~~Twenty thirty-firsts~~ Four-sevenths for deposit in the
3 34 primary road fund for the use of the department on primary
3 35 road projects ~~exclusively for highways which are identified~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

~~House Study Bill 321 continued~~

~~4 1 under section 307A.2 as being part of the network of~~
~~4 2 commercial and industrial highways. as follows:~~
4 3 a. Fifty percent for highways that support the production
4 4 or transport of renewable fuels, including primary highways
4 5 that connect biofuel facilities to highways in the commercial
4 6 and industrial highway network.
4 7 b. Fifty percent for highways that have been designated by
4 8 the state transportation commission as access Iowa highways
4 9 pursuant to 2005 Iowa Acts, chapter 178, section 41.
4 10 2. ~~One thirty-first~~ One-seventh for the use of counties on
4 11 secondary road projects, including secondary roads that
4 12 connect biofuel facilities to highways in the commercial and
4 13 industrial highway network.
4 14 3. ~~Ten thirty-firsts~~ Two-sevenths for the use of cities on
4 15 city street projects.
4 16 Commencing June 30, 1990, all uncommitted moneys in the
4 17 RISE fund on June 30 of each year which are allocated under
4 18 this section for the use of counties on secondary road
4 19 projects shall be credited to the secondary road fund.
4 20 Sec. 8. TIME=21 REVENUE COMMITTEE.
4 21 1. The legislative council shall establish a study
4 22 committee for the 2007 legislative interim to address the
4 23 revenue needs of the TIME=21 fund created in this Act. The
4 24 membership of the committee shall consist of eight members of
4 25 the general assembly as follows:
4 26 a. Four members of the senate, two appointed by the
4 27 majority leader of the senate and two appointed by the
4 28 minority leader of the senate.
4 29 b. Four members of the house of representatives, two
4 30 appointed by the speaker of the house and two appointed by the
4 31 minority leader of the house.
4 32 2. The committee may consider the revenue options proposed
4 33 in the 2006 report prepared by the state department of
4 34 transportation entitled "study of Iowa's current road use tax
4 35 funds (RUTF) and future road maintenance and construction



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

House Study Bill 321 continued

5 1 needs", as well as any other revenue options and related
5 2 issues. The committee shall report its findings and
5 3 recommendations, including a proposal for funding the TIME=21
5 4 fund, to the general assembly by January 15, 2008.

5 5 EXPLANATION

5 6 This bill creates a new transportation investment moves the
5 7 economy in the 21st century fund in the state treasury under
5 8 the control of the department of transportation. The fund is
5 9 to be known as the TIME=21 fund. The fund shall consist of
5 10 revenues appropriated by the general assembly or credited by
5 11 law to the fund.

5 12 The bill allocates 60 percent of TIME=21 funds to the
5 13 primary road fund, 20 percent to the secondary road fund, and
5 14 20 percent to the street construction fund of the cities.

5 15 The bill specifies that funds allocated from the TIME=21
5 16 fund to the primary road fund shall be used for construction
5 17 and maintenance projects on interstate highways, "access Iowa"
5 18 highways, and CIN highways that are included in the
5 19 transportation department's five-year plan or long-range plan.
5 20 Projects in areas with existing biodiesel, ethanol, or other
5 21 biorefinery plants have priority for funding. Funds used for
5 22 construction may be used for purchase of right-of-way, but not
5 23 for planning and design. The bill establishes that projects
5 24 in key corridors that are programmed for construction in the
5 25 2007=2011 Iowa transportation improvement program have funding
5 26 priority.

5 27 The bill directs that TIME=21 funds allocated to the
5 28 secondary road fund are to be used for construction and
5 29 maintenance of secondary road bridges and for construction and
5 30 maintenance of farm-to-market roads. At least 10 percent of
5 31 the moneys received by a county must be used for bridge repair
5 32 and maintenance with priority given to projects that aid and
5 33 support economic development and job creation. The bill
5 34 provides for allocation of TIME=21 funds to the street
5 35 construction fund of the cities on a population basis, to be



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Study Bill 321 continued

6 1 used to sustain and improve roads in the municipal street
6 2 system.

6 3 Provisions in the bill concerning the TIME=21 fund are
6 4 repealed June 30, 2028.

6 5 The bill increases the amount of revitalize Iowa's sound
6 6 economy (RISE) funds available to counties by revising the
6 7 formula for allocation of motor fuel tax revenues from the
6 8 road use tax fund to the RISE fund and the secondary road
6 9 fund, and revising the distribution formula for RISE funds.
6 10 The amount of the excise tax on motor fuel and special fuel,
6 11 other than aviation gasoline, and on special fuel for diesel
6 12 engines allocated to the RISE fund is changed from one and
6 13 eleven=twentieths cents per gallon to one and three=fourths
6 14 cents per gallon, and the amount of those taxes allocated to
6 15 the secondary road fund is changed from nine=twentieths cents
6 16 per gallon to one=fourth cent per gallon.

6 17 The allocation of RISE moneys to the primary road fund is
6 18 changed from twenty thirty=firsts to four=sevenths of total
6 19 RISE moneys, to the secondary road fund from one thirty=first
6 20 to one=seventh of the total, and to the cities from ten
6 21 thirty=firsts to two=sevenths of the total. The bill
6 22 specifies that 50 percent of RISE funds deposited in the
6 23 primary road fund shall be used for highways that support the
6 24 production and transport of renewable fuels, including
6 25 highways that connect biofuel facilities with highways in the
6 26 commercial and industrial highway network, and the remaining
6 27 50 percent shall be used for highways designated by the
6 28 transportation commission as access Iowa highways. The bill
6 29 also specifies that RISE funds deposited in the secondary road
6 30 fund shall be used for secondary road projects, including
6 31 projects on secondary roads that connect biofuel facilities
6 32 with highways in the commercial and industrial highway
6 33 network.

6 34 The bill requires the department of transportation to
6 35 continue to study the revenue levels of the road use tax fund



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

House Study Bill 321 continued

7 1 and report its findings and recommendations to the general
7 2 assembly every five years, beginning December 31, 2011. The
7 3 department is also required to evaluate alternative funding
7 4 sources for road maintenance and construction and report to
7 5 the general assembly at least every five years on the
7 6 viability of alternative funding mechanisms.
7 7 The bill requires the legislative council to establish an
7 8 interim committee composed of eight legislative members to
7 9 study funding options for the TIME=21 fund and report the
7 10 committee's recommendations to the general assembly by January
7 11 15, 2008.
7 12 LSB 2934YC 82
7 13 dea:rj/cf/24.1



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3438

PAG LIN

1 1 Amend the amendment, S=3434, to House File 829, as
1 2 amended, passed, and reprinted by the House, as
1 3 follows:
1 4 #1. Page 6, by inserting after line 41 the
1 5 following:
1 6 <Sec. _____. REPORTING REQUIREMENT. By January 15,
1 7 2008, the department of economic development shall
1 8 file a written report with the general assembly and
1 9 the governor detailing all expenditures of moneys
1 10 appropriated and allocated to the department pursuant
1 11 to this Act and 2007 Iowa Acts, House File 911.>
1 12 #2. By renumbering as necessary.
1 13
1 14
1 15
1 16 WILLIAM DOTZLER
1 17 HF 829.504 82
1 18 tm/je/9638
1 19
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3439

PAG LIN

1 1 Amend the amendment, S=3422, to House File 912, as
1 2 amended, passed, and reprinted by the House, as
1 3 follows:
1 4 #1. Page 1, line 21, by striking the word and
1 5 figure <or 541519>.
1 6 #2. Page 1, by striking line 28 and inserting the
1 7 following: <Leadership in Energy Efficiency (LEED)
1 8 standards.>
1 9
1 10
1 11
1 12 JEFF DANIELSON
1 13 HF 912.501 82
1 14 mg/je/9989
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 344

PAG LIN

1 1 Amend Senate File 604 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <DIVISION I
1 5 PROPERTY ASSESSMENT AND STATE REPLACEMENT FUND>
1 6 #2. Page 4, by inserting before line 8 the
1 7 following:
1 8 <DIVISION II
1 9 PROPERTY TAX STUDY
1 10 Sec. _____. LEGISLATIVE PROPERTY TAX STUDY
1 11 COMMITTEE.
1 12 1. A legislative property tax study committee is
1 13 established on July 1, 2007. The study committee
1 14 shall conduct a comprehensive review of property
1 15 taxation in Iowa including but not limited to the
1 16 continued use of property taxes as a major funding
1 17 source for local governments and for local school
1 18 districts in Iowa, the classification and assessment
1 19 of property for property tax purposes and the impact
1 20 of the tie between residential and agricultural
1 21 property assessments, the level of consistency
1 22 employed in classifying and assessing property for
1 23 property tax purposes, the various exemptions and
1 24 credits currently available to property taxpayers and
1 25 the impact on local government and state budgets and
1 26 on other taxpayers of providing those credits and
1 27 exemptions, and the use of property taxes as an
1 28 economic development tool and the impact on local and
1 29 state government budgets and on other taxpayers of
1 30 such use. In its study, the committee shall address
1 31 the goals of property tax simplification and equity.
1 32 2. a. The committee shall be comprised of the
1 33 following voting members:
1 34 (1) Three members who are members of the senate,
1 35 two of whom shall be appointed by the majority leader
1 36 of the senate and one of whom shall be appointed by
1 37 the minority leader of the senate.
1 38 (2) Three members who are members of the house of
1 39 representatives, two of whom shall be appointed by the
1 40 speaker of the house of representatives and one of
1 41 whom shall be appointed by the minority leader of the
1 42 house of representatives.
1 43 b. The committee shall be comprised of the
1 44 following voting members who shall be appointed by the
1 45 majority leader of the senate and the speaker of the
1 46 house of representatives in consultation with the
1 47 minority leaders of the senate and the house of
1 48 representatives:
1 49 (1) A representative of the Iowa state association
1 50 of counties.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 344 continued

2 1 (2) A representative of the Iowa league of cities.
2 2 (3) A representative of the Iowa association of
2 3 school boards.
2 4 (4) Local assessors.
2 5 (5) County auditors.
2 6 (6) A representative of an organization
2 7 representing local economic development entities.
2 8 (7) A representative of commercial property
2 9 taxpayers.
2 10 (8) A representative of industrial property
2 11 taxpayers.
2 12 (9) A representative of residential property
2 13 taxpayers.
2 14 (10) A representative of agricultural property
2 15 taxpayers.
2 16 (11) Representatives of other interests as
2 17 designated by the legislative council.
2 18 c. The committee shall be comprised of the
2 19 following nonvoting members who shall be appointed by
2 20 the governor:
2 21 (1) A representative employed by the department of
2 22 management.
2 23 (2) A representative employed by the department of
2 24 revenue.
2 25 (3) A representative employed by the department of
2 26 economic development.
2 27 (4) A representative employed by the department of
2 28 education.
2 29 3. The property tax study committee shall meet
2 30 during the 2007 and 2008 legislative interims at the
2 31 call of the chairperson. The committee is authorized
2 32 to hold as many meetings as the committee deems
2 33 necessary.
2 34 4. The property tax study committee may contract
2 35 with one or more tax consultants or experts familiar
2 36 with the Iowa property tax system. The legislative
2 37 council, pursuant to its authority in section 2.42,
2 38 may allocate to the study committee funding from
2 39 moneys available to it in section 2.12 for the purpose
2 40 of contracting with the consultant or expert.
2 41 5. The property tax study committee shall submit a
2 42 final report to the general assembly on or before
2 43 January 5, 2009. The final report shall include but
2 44 not be limited to findings, analyses, and
2 45 recommendations by the committee.>
2 46 #3. Title page, line 1, by striking the words <to
2 47 the> and inserting the following: <to property taxes
2 48 by establishing the minimum>.
2 49 #4. Title page, line 3, by striking the words
2 50 <taxation and> and inserting the following:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Amendment 344 continued

3 1 <taxation,>.
3 2 #5. Title page, line 6, by inserting after the
3 3 word <cities> the following: <, and by establishing a
3 4 legislative property tax study committee>.
3 5 #6. By renumbering as necessary.
3 6
3 7
3 8
3 9 JOE BOLKCOM
3 10 SF 604.301 82
3 11 sc/cf/9409



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3440

PAG LIN

1 1 Amend Senate File 604 as follows:
1 2 #1. By striking page 2, line 20, through page 3,
1 3 line 6.
1 4 #2. Title page, line 2, by striking the words
1 5 <residential property and>.
1 6 #3. Title page, line 3, by striking the word <are>
1 7 and inserting the following: <is>.
1 8
1 9
1 10
1 11 JEFF ANGELO
1 12 SF 604.202 82
1 13 sc/es/9405
1 14
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1 16
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3441

PAG LIN

1 1 Amend Senate File 604 as follows:
1 2 #1. Page 4, by inserting after line 7 the
1 3 following:
1 4 <c. Notwithstanding paragraph "a", if a portion of
1 5 a parcel of property defined in paragraph "b" is not
1 6 used for or in conjunction with human habitation, the
1 7 assessor shall separately assess the multiple uses of
1 8 the property according to guidelines set forth by rule
1 9 by the department of revenue.>
1 10 #2. Title page, line 1, by striking the word <the>
1 11 and inserting the following: <assessment of property
1 12 for property tax purposes by establishing the
1 13 minimum>.
1 14 #3. Title page, line 3, by striking the words
1 15 <taxation and> and inserting the following:
1 16 <taxation,>.
1 17 #4. Title page, line 6, by inserting after the
1 18 word <cities> the following: <, and by allowing
1 19 multiple assessments of a parcel of commercial
1 20 residential property in certain circumstances>.
1 21 #5. By renumbering as necessary.
1 22
1 23
1 24
1 25 MATT McCOY
1 26 SF 604.201 82
1 27 sc/es/9404
1 28
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3442

PAG LIN

1 1 Amend Senate File 558, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, by striking lines 16 through 18 and
1 4 inserting the following: <are available for wetlands
1 5 conservation and to undertake projects in conjunction
1 6 with soil>.
1 7 #2. Page 4, line 11, by striking the word <five>
1 8 and inserting the following: <three>.
1 9 #3. Page 4, lines 11 and 12, by striking the word
1 10 <five=year> and inserting the following:
1 11 <three=year>.
1 12 #4. Page 4, line 24, by striking the word <five>
1 13 and inserting the following: <three>.
1 14 SF 558.H
1 15 av/jg/25
1 16
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Amendment 3443

PAG LIN

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1 1 Amend House File 907, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 7, by inserting after line 11 the
1 4 following:
1 5 <4. To the department for the blind:
1 6 ..... $ 130,000
1 7 To plan, establish, administer, and promote a
1 8 statewide program to provide audio news and
1 9 information services to blind or visually impaired
1 10 persons residing in this state as provided pursuant to
1 11 section 216B.3, subsection 18.>
1 12 #2. Page 8, line 24, by striking the figure
1 13 <9,100,000> and inserting the following: <9,230,000>.
1 14 #3. By renumbering as necessary.
1 15
1 16
1 17
1 18 JEFF ANGELO
1 19 HF 907.203 82
1 20 pf/es/10103
1 21
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3444

PAG LIN

1 1 Amend Senate File 604 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <DIVISION I
1 5 PROPERTY ASSESSMENT AND STATE REPLACEMENT FUND>
1 6 #2. Page 4, by inserting before line 8 the
1 7 following:
1 8 <DIVISION II
1 9 PROPERTY TAX STUDY
1 10 Sec. _____. LEGISLATIVE PROPERTY TAX STUDY
1 11 COMMITTEE.
1 12 1. A legislative property tax study committee is
1 13 established on July 1, 2007. The study committee
1 14 shall conduct a comprehensive review of property
1 15 taxation in Iowa including but not limited to the
1 16 continued use of property taxes as a major funding
1 17 source for local governments and for local school
1 18 districts in Iowa, the classification and assessment
1 19 of property for property tax purposes and the impact
1 20 of the tie between residential and agricultural
1 21 property assessments, the level of consistency
1 22 employed in classifying and assessing property for
1 23 property tax purposes, the various exemptions and
1 24 credits currently available to property taxpayers and
1 25 the impact on local government and state budgets and
1 26 on other taxpayers of providing those credits and
1 27 exemptions, and the use of property taxes as an
1 28 economic development tool and the impact on local and
1 29 state government budgets and on other taxpayers of
1 30 such use. In its study, the committee shall address
1 31 the goals of property tax simplification and equity.
1 32 2. a. The committee shall be comprised of the
1 33 following voting members:
1 34 (1) Three members who are members of the senate,
1 35 two of whom shall be appointed by the majority leader
1 36 of the senate and one of whom shall be appointed by
1 37 the minority leader of the senate.
1 38 (2) Three members who are members of the house of
1 39 representatives, two of whom shall be appointed by the
1 40 speaker of the house of representatives and one of
1 41 whom shall be appointed by the minority leader of the
1 42 house of representatives.
1 43 b. The committee shall be comprised of the
1 44 following voting members who shall be appointed by the
1 45 majority leader of the senate and the speaker of the
1 46 house of representatives in consultation with the
1 47 minority leaders of the senate and the house of
1 48 representatives:
1 49 (1) A representative of the Iowa state association
1 50 of counties.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3444 continued

2 1 (2) A representative of the Iowa league of cities.
2 2 (3) A representative of the Iowa association of
2 3 school boards.
2 4 (4) Local assessors.
2 5 (5) County auditors.
2 6 (6) A representative of an organization
2 7 representing local economic development entities.
2 8 (7) A representative of commercial property
2 9 taxpayers.
2 10 (8) A representative of industrial property
2 11 taxpayers.
2 12 (9) A representative of residential property
2 13 taxpayers.
2 14 (10) A representative of agricultural property
2 15 taxpayers.
2 16 (11) Representatives of other interests as
2 17 designated by the legislative council.
2 18 c. The committee shall be comprised of the
2 19 following nonvoting members who shall be appointed by
2 20 the governor:
2 21 (1) A representative employed by the department of
2 22 management.
2 23 (2) A representative employed by the department of
2 24 revenue.
2 25 (3) A representative employed by the department of
2 26 economic development.
2 27 (4) A representative employed by the department of
2 28 education.
2 29 3. The property tax study committee shall meet
2 30 during the 2007 and 2008 legislative interims at the
2 31 call of the chairperson. The committee is authorized
2 32 to hold as many meetings as the committee deems
2 33 necessary.
2 34 4. The property tax study committee may contract
2 35 with one or more tax consultants or experts familiar
2 36 with the Iowa property tax system. The legislative
2 37 council, pursuant to its authority in section 2.42,
2 38 may allocate to the study committee funding from
2 39 moneys available to it in section 2.12 for the purpose
2 40 of contracting with the consultant or expert.
2 41 5. The property tax study committee shall submit a
2 42 final report to the general assembly on or before
2 43 January 5, 2009. The final report shall include but
2 44 not be limited to findings, analyses, and
2 45 recommendations by the committee.>
2 46 #3. Title page, line 1, by striking the words <to
2 47 the> and inserting the following: <to property taxes
2 48 by establishing the minimum>.
2 49 #4. Title page, line 3, by striking the words
2 50 <taxation and> and inserting the following:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Amendment 3444 continued

3 1 <taxation,>.
3 2 #5. Title page, line 6, by inserting after the
3 3 word <cities> the following: <, and by establishing a
3 4 legislative property tax study committee>.
3 5 #6. By renumbering as necessary.
3 6
3 7
3 8
3 9 JOE BOLKCOM
3 10 SF 604.301 82
3 11 sc/cf/9409



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445

PAG LIN

1 1 Amend House File 909, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 7, line 13, by striking the figure
1 4 <1,690,000> and inserting the following: <2,215,000>.
1 5 #2. Page 7, by inserting after line 13 the
1 6 following:
1 7 <The amount appropriated in this subsection for
1 8 addictive disorders reflects an increase of \$525,000
1 9 from the funding remaining in the gambling treatment
1 10 fund from the carryforward of appropriations made for
1 11 addictive disorders in previous fiscal years. Of this
1 12 amount, \$50,000 shall be transferred to the department
1 13 of corrections to supplement funding for the adult
1 14 drug court program in Polk county, \$25,000 shall be
1 15 transferred to the department of corrections to
1 16 supplement funding for the adult drug court program in
1 17 the second judicial district, \$150,000 shall be
1 18 transferred to the department of human rights to
1 19 supplement funding for the family development and
1 20 self=sufficiency program, and \$300,000 shall be
1 21 transferred to the department of human rights to be
1 22 used in addition to any other funding appropriated in
1 23 this Act for the energy utility assessment and
1 24 resolution program established pursuant to section
1 25 216A.104, as enacted by this Act.>
1 26 #3. Page 10, line 26, by striking the word
1 27 <commission> and inserting the following:
1 28 <department>.
1 29 #4. Page 10, lines 29 and 30, by striking the
1 30 words <, which shall be done by> and inserting the
1 31 following: <no later than>.
1 32 #5. Page 11, by inserting after line 18 the
1 33 following:
1 34 <Notwithstanding section 8.33, not more than 5
1 35 percent of the moneys designated in this subsection
1 36 that are allocated by the department for contracted
1 37 services other than family development and
1 38 self=sufficiency grant program services allocated
1 39 under this subsection, that remain unencumbered or
1 40 unobligated at the close of the fiscal year shall not
1 41 revert but shall remain available for expenditure for
1 42 the purposes designated until the close of the
1 43 succeeding fiscal year. However, unless such moneys
1 44 are encumbered or obligated on or before September 30,
1 45 2008, the moneys shall revert.>
1 46 #6. Page 14, line 26, by inserting after the
1 47 figure <217.12> the following: <and for not more than
1 48 the following full=time equivalent positions>.
1 49 #7. Page 14, by inserting after line 27 the
1 50 following:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Amendment 3445 continued

2 1 <..... FTEs 14.00>
 2 2 #8. By striking page 15, line 34, through page 16,
 2 3 line 8.
 2 4 #9. Page 16, line 21, by inserting after the word
 2 5 <funding.> the following: <If child support
 2 6 collections assigned under FIP are greater than
 2 7 estimated or are otherwise determined not to be
 2 8 required for maintenance of effort, the state share of
 2 9 either amount may be transferred to or retained in the
 2 10 child support payment account.>
 2 11 #10. Page 16, line 35, by inserting after the word
 2 12 <designated> the following: <and for not more than
 2 13 the following full-time equivalent positions>.
 2 14 #11. Page 17, by inserting after line 4 the
 2 15 following:
 2 16 <..... FTEs 16.50>
 2 17 #12. Page 20, line 10, by striking the figure
 2 18 <618,926,820> and inserting the following:
 2 19 <618,826,820>.
 2 20 #13. Page 23, line 2, by inserting after the
 2 21 figure <2008.> the following: <If a prescriber
 2 22 determines that all smoking cessation aids on the
 2 23 preferred drug list are not effective or medically
 2 24 appropriate for a patient, the prescriber may apply
 2 25 for an exception to policy for another product
 2 26 approved by the United States food and drug
 2 27 administration for smoking cessation pursuant to 441
 2 28 IAC 1.8(1).>
 2 29 #14. Page 24, line 9, by inserting after the word
 2 30 <purposes> the following: <and for not more than the
 2 31 following full-time equivalent positions>.
 2 32 #15. Page 24, by inserting after line 10 the
 2 33 following:
 2 34 <..... FTEs 21.00>
 2 35 #16. Page 24, line 17, by inserting after the word
 2 36 <purposes> the following: <and for not more than the
 2 37 following full-time equivalent positions>.
 2 38 #17. Page 24, by inserting after line 18, the
 2 39 following:
 2 40 <..... FTEs 6.00>
 2 41 #18. Page 25, line 22, by inserting after the word
 2 42 <PROGRAM.> the following:
 2 43 <1.>
 2 44 #19. Page 25, by inserting after line 33 the
 2 45 following:
 2 46 <2. If sufficient funding is available under this
 2 47 Act, and if federal reauthorization of the state
 2 48 children's health insurance program provides
 2 49 sufficient federal allocations to the state and
 2 50 authorization to cover the following populations as an



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

3 1 option under the state children's health insurance
3 2 program, the department may expand coverage under the
3 3 state children's health insurance program as follows:
3 4 a. By eliminating the categorical exclusion of
3 5 state employees from receiving state children's health
3 6 insurance program benefits.
3 7 b. By providing coverage for legal immigrant
3 8 children and pregnant women not eligible under current
3 9 federal guidelines.
3 10 c. By covering children up to age twenty-one, or
3 11 up to age twenty-three if the child is attending
3 12 school.>
3 13 #20. Page 25, by inserting after line 33 the
3 14 following:
3 15 <3. If the United States congress does not
3 16 authorize additional federal funds necessary to
3 17 address the shortfall for the state children's health
3 18 insurance program for the federal fiscal year
3 19 beginning October 1, 2006, and ending September 30,
3 20 2007, the department may use 100 percent state funds
3 21 from the appropriation made in this section for the
3 22 period beginning July 1, 2007, and ending September
3 23 30, 2007, and may additionally utilize funding from
3 24 the appropriations made in this Act for medical
3 25 assistance to maintain the state children's health
3 26 insurance program. If deemed necessary, the
3 27 department shall request a supplemental appropriation
3 28 from the Eighty-second General Assembly, 2008 Session,
3 29 to address any remaining shortfall for the fiscal year
3 30 beginning July 1, 2007.>
3 31 #21. Page 37, line 25, by striking the figure
3 32 <5,273,361> and inserting the following: <5,367,652>.
3 33 #22. Page 37, line 31, by striking the figure
3 34 <6,409,501> and inserting the following: <6,540,101>.
3 35 #23. Page 38, line 2, by striking the figure
3 36 <9,358,177> and inserting the following: <9,606,542>.
3 37 #24. Page 38, line 8, by striking the figure
3 38 <1,339,216> and inserting the following: <1,522,598>.
3 39 #25. Page 43, line 29, by striking the figure
3 40 <15,901,927> and inserting the following:
3 41 <16,101,927>.
3 42 #26. Page 44, by inserting after line 3 the
3 43 following:
3 44 <3. Of the funds appropriated in this section,
3 45 \$100,000 is transferred to the department of human
3 46 rights to be used in addition to any other funding
3 47 appropriated in this Act for the energy utility
3 48 assessment and resolution program established pursuant
3 49 to section 216A.104, as enacted by this Act.>
3 50 #27. Page 44, line 27, by inserting after the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

4 1 figure <(1).> the following: <The inflation factor
4 2 applied by the department shall not be less than
4 3 zero.>

4 4 #28. Page 51, by inserting after line 32 the
4 5 following:

4 6 <Sec. _____. Section 217.23, subsection 2, Code
4 7 2007, is amended to read as follows:

4 8 2. The department ~~is hereby authorized to may~~
4 9 expend moneys from the support allocation of the
4 10 department as reimbursement for replacement or repair
4 11 of personal items of the department's employees
4 12 damaged or destroyed by clients of the department
4 13 during the employee's tour of duty. However, the
4 14 reimbursement shall not exceed ~~one~~ three hundred fifty
4 15 dollars for each item. The department shall establish
4 16 rules in accordance with chapter 17A to carry out the
4 17 purpose of this section.>

4 18 #29. Page 51, by inserting after line 32 the
4 19 following:

4 20 <Sec. _____. Section 231.33, Code 2007, is amended
4 21 by adding the following new subsection:

4 22 NEW SUBSECTION. 21. Provide the opportunity for
4 23 elders residing in the planning and service area to
4 24 offer substantive suggestions regarding the employment
4 25 practices of the area agency on aging.>

4 26 #30. By striking page 72, line 35, through page
4 27 73, line 8.

4 28 #31. Page 74, by inserting before line 14 the
4 29 following:

4 30 <Sec. _____. Section 331.439, subsection 5, Code
4 31 2007, is amended to read as follows:

4 32 5. a. A county shall implement the county's
4 33 management plan in a manner so as to provide adequate
4 34 funding for the entire fiscal year by budgeting for
4 35 ninety-nine percent of the funding anticipated to be
4 36 available for the plan. A county may expend all of
4 37 the funding anticipated to be available for the plan.

4 38 b. If a county determines that the county cannot
4 39 provide services in accordance with the county's
4 40 management plan and remain in compliance with the
4 41 budgeting requirement of paragraph "a" for the fiscal
4 42 year, the county may implement a waiting list for the
4 43 services. The procedures for establishing and
4 44 applying a waiting list shall be specified in the
4 45 county's management plan. If a county implements a
4 46 waiting list for services, the county shall notify the
4 47 department of human services. The department shall
4 48 maintain on the department's internet website an
4 49 up-to-date listing of the counties that have
4 50 implemented a waiting list and the services affected



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

5 1 by each waiting list.

5 2 Sec. _____. Section 331.440, subsection 4, as
5 3 enacted by 2006 Iowa Acts, chapter 1115, section 17,
5 4 is amended to read as follows:

5 5 4. a. An application for services may be made
5 6 through the central point of coordination process of
5 7 an adult person's county of residence. Effective July
5 8 1, 2007, if an adult person who is subject to a
5 9 central point of coordination process has legal
5 10 settlement in another county, the central point of
5 11 coordination process functions relating to the
5 12 application shall be performed by the central point of
5 13 coordination process of the person's county of
5 14 residence in accordance with the county of residence's
5 15 management plan approved under section 331.439 and the
5 16 person's county of legal settlement is responsible for
5 17 the cost of the services or other support authorized
5 18 at the rates reimbursed by the county of residence.

5 19 b. The county of residence shall determine whether
5 20 or not the person's county of legal settlement has
5 21 implemented a waiting list in accordance with section
5 22 331.439, subsection 5. If the person's county of
5 23 legal settlement has implemented a waiting list, the
5 24 services or other support for the person shall be
5 25 authorized by the county of residence in accordance
5 26 with the county of legal settlement's waiting list
5 27 provisions.

5 28 c. At the time services or other support are
5 29 authorized, the county of residence shall send the
5 30 county of legal settlement a copy of the authorization
5 31 notice.>

5 32 #32. Page 84, line 30, by inserting after the word
5 33 <pool.> the following: <The mental health, mental
5 34 retardation, developmental disabilities, and brain
5 35 injury commission shall adopt rules pursuant to
5 36 chapter 17A providing criteria for the purposes of
5 37 this lettered paragraph and as necessary to implement
5 38 the other provisions of this subsection.>

5 39 #33. Page 86, line 12, by striking the word <The>
5 40 and inserting the following: <The Subject to the
5 41 amount available and obligated from the risk pool for
5 42 a fiscal year, the>.

5 43 #34. Page 86, by inserting after line 27 the
5 44 following:

5 45 <1. If the board has made its decisions but has
5 46 determined that there are otherwise qualifying
5 47 requests for risk pool assistance that are beyond the
5 48 amount available in the risk pool fund for a fiscal
5 49 year, the board shall compile a list of such requests
5 50 and the supporting information for the requests. The



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

6 1 list and information shall be submitted to the mental
6 2 health, mental retardation, developmental
6 3 disabilities, and brain injury commission, the
6 4 department of human services, and the general
6 5 assembly.>
6 6 #35. Page 94, line 18, by inserting after the
6 7 figure <331.424A.> the following: <A county
6 8 transferring moneys from other funds of the county to
6 9 the county's services fund pursuant to this section or
6 10 utilizing the nonreversion authority provided in the
6 11 division of this Act relating to decategorization
6 12 project funding, shall submit a report detailing the
6 13 transfers made and fund affected and explaining how
6 14 the moneys made available by the nonreversion
6 15 authority were expended. The county shall submit the
6 16 report along with the county expenditure and
6 17 information report submitted by December 1, 2007, in
6 18 accordance with section 331.439.>
6 19 #36. Page 94, line 31, by striking the figure
6 20 <9,332,254> and inserting the following: <8,993,754>.
6 21 #37. Page 95, line 14, by striking the figure
6 22 <8,200,254> and inserting the following: <7,861,754>.
6 23 #38. Page 95, line 24, by inserting after the word
6 24 <promotion.> the following: <Of the funds allocated
6 25 in this lettered paragraph, not more than \$500,000
6 26 shall be used for cessation media promotion.>
6 27 #39. Page 95, line 30, by striking the figure
6 28 <439,000> and inserting the following: <877,500>.
6 29 #40. Page 96, line 8, by striking the figure <337>
6 30 and inserting the following: <910>.
6 31 #41. Page 96, line 12, by striking the figure
6 32 <517> and inserting the following: <906>.
6 33 #42. Page 96, by inserting after line 12 the
6 34 following:
6 35 <e. Of the funds appropriated in this subsection,
6 36 \$10,000 shall be used for public health education and
6 37 awareness of the children's vision initiatives,
6 38 including the InfantSee program and the student vision
6 39 program, administered through a statewide association
6 40 of optometric professionals for infants and preschool
6 41 children.
6 42 f. Of the funds appropriated in this subsection,
6 43 \$238,500 shall be used to provide audiological
6 44 services and hearing aids for children.
6 45 g. Of the funds appropriated in this subsection,
6 46 \$190,000 shall be used for implementation of the
6 47 families with a newborn child home visits program
6 48 pursuant to section 28.11, as enacted by this Act.>
6 49 #43. Page 96, line 14, by striking the figure
6 50 <1,178,981> and inserting the following: <1,188,981>.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Amendment 3445 continued

7 1 #44. Page 96, by striking lines 20 and 21 and
 7 2 inserting the following: <shall be used for the
 7 3 comprehensive cancer control program to reduce the
 7 4 burden of cancer in Iowa through>.
 7 5 #45. Page 96, by inserting after line 31 the
 7 6 following:
 7 7 <e. Of the funds appropriated in this subsection,
 7 8 \$10,000 shall be allocated to the university of Iowa,
 7 9 Carver college of medicine, department of
 7 10 cardiothoracic surgery, to offer extracorporeal
 7 11 support for donation after cardiac death.>
 7 12 #46. Page 96, line 33, by striking the figure
 7 13 <3,025,000> and inserting the following: <2,890,000>.
 7 14 #47. Page 97, line 3, by striking the figure
 7 15 <200,000> and inserting the following: <300,000>.
 7 16 #48. Page 98, by striking lines 18 through 20.
 7 17 #49. Page 98, by inserting after line 26 the
 7 18 following:
 7 19 <ff. Of the funds appropriated in this subsection,
 7 20 \$75,000 shall be used for implementation of the
 7 21 recommendations of the direct care worker task force
 7 22 established pursuant to 2005 Iowa Acts, chapter 88,
 7 23 based upon the report submitted to the governor and
 7 24 the general assembly in December 2006.
 7 25 fff. Of the funds appropriated in this subsection,
 7 26 \$140,000 shall be used for allocation to an
 7 27 independent statewide direct care worker association
 7 28 for education, outreach, leadership development,
 7 29 mentoring, and other initiatives intended to enhance
 7 30 the recruitment and retention of direct care workers
 7 31 in health and long-term care.>
 7 32 #50. Page 99, line 8, by striking the figure
 7 33 <97,103,096> and inserting the following:
 7 34 <97,203,096>.
 7 35 #51. Page 99, line 10, by striking the figure
 7 36 <78,065,357> and inserting the following:
 7 37 <78,156,357>.
 7 38 #52. Page 100, by striking lines 28 through 32.
 7 39 #53. Page 100, by inserting before line 33 the
 7 40 following:
 7 41 <Sec. _____. DEPARTMENT OF CORRECTIONS. There is
 7 42 appropriated from the health care trust fund created
 7 43 in section 453A.35A to the department of corrections
 7 44 for the fiscal year beginning July 1, 2007, and ending
 7 45 June 30, 2008, the following amount, or so much
 7 46 thereof as is necessary, for the purposes designated:
 7 47 For additional funding for the drug court program
 7 48 in the fourth judicial district:
 7 49 \$ 25,000
 7 50 Of the funds appropriated and allocated to the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

8 1 department of corrections in this Act and in 2007 Iowa
8 2 Acts, House File 907, if enacted, for each drug court
8 3 program in the first, second, third, fourth, fifth,
8 4 sixth, and seventh judicial districts, \$50,000 shall
8 5 be used for substance abuse treatment, and for the
8 6 drug court program in the eighth judicial district
8 7 \$100,000 shall be used for substance abuse treatment.>
8 8 #54. Page 106, by striking lines 23 through 35 and
8 9 inserting the following: <providers for provision to
8 10 patients at the point of care, including the
8 11 development of a centralized intake concept to
8 12 determine the eligibility of safety net provider
8 13 patients for the prescription drug donation repository
8 14 program pursuant to chapter 135M, a drug discount
8 15 card, and pharmaceutical manufacturer assistance
8 16 programs.>
8 17 #55. Page 107, by striking lines 5 through 7 and
8 18 inserting the following:
8 19 <3. Utilization of a pharmacy benefits manager to
8 20 provide low cost patient access to drug therapies.>
8 21 #56. Page 107, by striking lines 8 through 10.
8 22 #57. Page 107, line 18, by striking the word
8 23 <three> and inserting the following: <two>.
8 24 #58. Page 115, line 8, by inserting after the word
8 25 <habilitation> the following: <or remedial>.
8 26 #59. Page 124, by inserting after line 21 the
8 27 following:
8 28
8 29 <DIVISION
8 30 DEPENDENT ADULT ABUSE
8 31 Sec. _____. Section 235B.3, subsection 1, Code 2007,
8 32 is amended to read as follows:
8 33 1. a. The department shall receive dependent
8 34 adult abuse reports and shall collect, maintain, and
8 35 disseminate the reports by establishing a central
8 36 registry for dependent adult abuse information. The
8 37 department shall evaluate the reports expeditiously.
8 38 However, the department of inspections and appeals is
8 39 solely responsible for the evaluation and disposition
8 40 of dependent adult abuse cases within health care
8 41 facilities and shall inform the department of human
8 42 services of such evaluations and dispositions.
8 43 b. Reports of dependent adult abuse which is the
8 44 result of the acts or omissions of the dependent adult
8 45 shall be collected and maintained in the files of the
8 46 dependent adult as assessments only and shall not be
8 47 included in the central registry.
8 48 c. A report of dependent adult abuse that meets
8 49 the definition of dependent adult abuse under section
8 50 235B.2, subsection 5, paragraph "a", subparagraph (1),
subparagraph subdivision (a) or (d), which the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

9 1 department determines is minor, isolated, and unlikely
9 2 to reoccur shall be collected and maintained by the
9 3 department as an assessment only for a five-year
9 4 period and shall not be included in the central
9 5 registry and shall not be considered to be founded
9 6 dependent adult abuse. However, a subsequent report
9 7 of dependent adult abuse that meets the definition of
9 8 dependent adult abuse under section 235B.2, subsection
9 9 5, paragraph "a", subparagraph (1), subparagraph
9 10 subdivision (a) or (d), that occurs within the
9 11 five-year period and that is committed by the
9 12 caretaker responsible for the act or omission which
9 13 was the subject of the previous report of dependent
9 14 adult abuse which the department determined was minor,
9 15 isolated, and unlikely to reoccur shall not be
9 16 considered minor, isolated, and unlikely to reoccur.

9 17 Sec. _____. Section 235B.9, Code 2007, is amended by
9 18 adding the following new subsection:

9 19 NEW SUBSECTION. 5. Dependent adult abuse
9 20 information which is determined to be minor, isolated,
9 21 and unlikely to reoccur shall be expunged five years
9 22 after the receipt of the initial report by the
9 23 department. If a subsequent report of dependent adult
9 24 abuse committed by the caretaker responsible for the
9 25 act or omission which was the subject of the previous
9 26 report of dependent adult abuse which the department
9 27 determined was minor, isolated, and unlikely to
9 28 reoccur is received by the department within the
9 29 five-year period, the information shall be sealed ten
9 30 years after receipt of the subsequent report unless
9 31 good cause can be shown why the information should
9 32 remain open to authorized access.

9 33 DIVISION

9 34 ENERGY UTILITY ASSESSMENT AND

9 35 RESOLUTION PROGRAM

9 36 Sec. _____. NEW SECTION. 216A.104 ENERGY UTILITY
9 37 ASSESSMENT AND RESOLUTION PROGRAM.

9 38 1. The general assembly finds that provision of
9 39 assistance to prevent utility disconnections will also
9 40 prevent the development of public health risks due to
9 41 such disconnections. The division shall establish an
9 42 energy utility assessment and resolution program
9 43 administered by each community action agency for
9 44 persons with low incomes who have or need a deferred
9 45 payment agreement or are in need of an emergency fuel
9 46 delivery to address home energy utility costs.

9 47 2. A person must meet all of the following
9 48 requirements to be eligible for the program:

9 49 a. The person is eligible for the federal
9 50 low-income home energy assistance program.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

- 10 1 b. The person is a residential customer of an
10 2 energy utility approved for the program by the
10 3 division.
10 4 c. The person has or is in need of a deferred
10 5 payment agreement to address the person's home energy
10 6 utility costs.
10 7 d. The person is able to maintain or regain
10 8 residential energy utility service in the person's own
10 9 name.
10 10 e. The person provides the information necessary
10 11 to determine the person's eligibility for the program.
10 12 f. The person complies with other eligibility
10 13 requirements adopted in rules by the division.
10 14 3. The program components shall include but are
10 15 not limited to all of the following:
10 16 a. Analysis of a program participant's current
10 17 financial situation.
10 18 b. Review of a program participant's resource and
10 19 money management options.
10 20 c. Skills development and assistance for a program
10 21 participant in negotiating a deferred payment
10 22 agreement with the participant's energy utility.
10 23 d. Development of a written household energy
10 24 affordability plan.
10 25 e. Provision of energy conservation training and
10 26 assistance.
10 27 f. A requirement that a program participant must
10 28 make uninterrupted, regular utility payments while
10 29 participating in the program.
10 30 4. The division shall implement accountability
10 31 measures for the program and require regular reporting
10 32 on the measures by the community action agencies.
10 33 5. The division shall implement the program
10 34 statewide, subject to the funding made available for
10 35 the program.

10 36 DIVISION

10 37 PASSPORT SANCTIONS

- 10 38 Sec. _____. Section 252B.5, subsection 11, paragraph
10 39 a, Code 2007, is amended to read as follows:
10 40 a. Comply with federal procedures to periodically
10 41 certify to the secretary of the United States
10 42 department of health and human services, a list of the
10 43 names of obligors determined by the unit to owe
10 44 delinquent support, under a support order as defined
10 45 in section 252J.1, in excess of ~~five~~ two thousand five
10 46 hundred dollars. The certification of the delinquent
10 47 amount owed may be based upon one or more support
10 48 orders being enforced by the unit if the delinquent
10 49 support owed exceeds ~~five~~ two thousand five hundred
10 50 dollars. The certification shall include any amounts



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

11 1 which are delinquent pursuant to the periodic payment
11 2 plan when a modified order has been retroactively
11 3 applied. The certification shall be in a format and
11 4 shall include any supporting documentation required by
11 5 the secretary.

11 6 Sec. _____. Section 252B.5, subsection 11, paragraph
11 7 b, subparagraph (1), subparagraph subdivision (b),
11 8 Code 2007, is amended to read as follows:

11 9 (b) A statement providing information that if the
11 10 delinquency is in excess of five two thousand five
11 11 hundred dollars, the United States secretary of state
11 12 may apply a passport sanction by revoking,
11 13 restricting, limiting, or refusing to issue a passport
11 14 as provided in 42 U.S.C. } 652(k).

11 15 Sec. _____. Section 252B.5, subsection 11, paragraph
11 16 b, subparagraph (2), subparagraph subdivision (a),
11 17 unnumbered paragraph 1, Code 2007, is amended to read
11 18 as follows:

11 19 A challenge shall be based upon mistake of fact.
11 20 For the purposes of this subsection, "mistake of fact"
11 21 means a mistake in the identity of the obligor or a
11 22 mistake in the amount of the delinquent child support
11 23 owed if the amount did not exceed five two thousand
11 24 five hundred dollars on the date of the unit's
11 25 decision on the challenge.

11 26 Sec. _____. Section 252B.5, subsection 11, paragraph
11 27 c, Code 2007, is amended to read as follows:

11 28 c. Following certification to the secretary, if
11 29 the unit determines that an obligor no longer owes
11 30 delinquent support in excess of five two thousand five
11 31 hundred dollars, the unit shall provide information
11 32 and notice as the secretary requires to withdraw the
11 33 certification for passport sanction.

11 34 Sec. _____. EFFECTIVE DATE. This division of this
11 35 Act takes effect October 1, 2007.

11 36 DIVISION
11 37 MANDATORY REVIEW AND ADJUSTMENT
11 38 OF CHILD SUPPORT ORDERS

11 39 Sec. _____. Section 252B.26, Code 2007, is amended
11 40 to read as follows:

11 41 252B.26 SERVICE OF PROCESS.
11 42 Notwithstanding any provision of law to the
11 43 contrary, the unit may serve a petition, notice, or
11 44 rule to show cause under chapter 252A, 252C, 252F,
11 45 252H, 252K, 598, or 665 as specified in each chapter,
11 46 or as follows:

11 47 1. The unit may serve a petition, notice, or rule
11 48 to show cause by certified mail. Return
11 49 acknowledgment is required to prove service by
11 50 certified mail, rules of civil procedure 1.303(5) and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

12 1 1.308(5) shall not apply, and the return
12 2 acknowledgment shall be filed with the clerk of court.
12 3 2. The unit may serve a notice of intent under
12 4 chapter 252H, or a notice of decision under section
12 5 252H.14A, upon any party or parent who is receiving
12 6 family investment program assistance for the parent or
12 7 child by sending the notice by regular mail to the
12 8 address maintained by the department. Rules of civil
12 9 procedure 1.303(5) and 1.308(5) shall not apply and
12 10 the unit shall file proof of service as provided in
12 11 chapter 252H. If the notice is determined to be
12 12 undeliverable, the unit shall serve the notice as
12 13 otherwise provided in this section or by personal
12 14 service.

12 15 Sec. _____. Section 252H.7, subsection 2, unnumbered
12 16 paragraph 1, Code 2007, is amended to read as follows:
12 17 A parent may waive the postreview waiting period
12 18 provided for in section 252H.8, subsection 1A or 6,
12 19 for a court hearing or in section 252H.17 for
12 20 requesting of a second review.

12 21 Sec. _____. Section 252H.8, subsection 1, Code 2007,
12 22 is amended to read as follows:

12 23 1. For actions initiated under ~~subchapter II~~
12 24 section 252H.15, either parent or the unit may request
12 25 a court hearing within thirty days from the date of
12 26 issuance of the notice of decision under section
12 27 252H.16, or within ten days of the date of issuance of
12 28 the second notice of decision under section 252H.17,
12 29 whichever is later.

12 30 Sec. _____. Section 252H.8, Code 2007, is amended by
12 31 adding the following new subsection:

12 32 NEW SUBSECTION. 1A. For actions initiated under
12 33 section 252H.14A, either parent or the unit may
12 34 request a court hearing within ten days of the
12 35 issuance of the second notice of decision under
12 36 section 252H.17.

12 37 Sec. _____. Section 252H.8, subsection 4, paragraph
12 38 b, Code 2007, is amended to read as follows:

12 39 b. The return of service, proof of service,
12 40 acceptance of service, or signed statement by the
12 41 parent requesting review and adjustment or requesting
12 42 modification, waiving service of the notice.

12 43 Sec. _____. Section 252H.8, subsection 6, Code 2007,
12 44 is amended to read as follows:

12 45 6. For actions initiated under ~~subchapter II~~
12 46 section 252H.15, a hearing shall not be held for at
12 47 least thirty=one days following the date of issuance
12 48 of the notice of decision unless the parents have
12 49 jointly waived, in writing, the thirty=day postreview
12 50 period.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

13 1 Sec. _____. Section 252H.9, subsection 1, Code 2007,
13 2 is amended to read as follows:

13 3 1. If timely request for a court hearing is not
13 4 made pursuant to section 252H.8, the unit shall
13 5 prepare and present an administrative order for
13 6 adjustment or modification, as applicable, for review
13 7 and approval, ex parte, to the district court where
13 8 the order to be adjusted or modified is filed.

13 9 Notwithstanding any other law to the contrary, if more
13 10 than one support order exists involving children with
13 11 the same legally established parents, for the purposes
13 12 of this subsection, the district court reviewing and
13 13 approving the matter shall have jurisdiction over all
13 14 other support orders entered by a court of this state
13 15 and affected under this subsection.

13 16 Sec. _____. Section 252H.10, unnumbered paragraph 1,
13 17 Code 2007, is amended to read as follows:

13 18 Pursuant to section 598.21C, any administrative or
13 19 court order resulting from an action initiated under
13 20 this chapter may be made retroactive only ~~to~~ from
13 21 three months after the date that all parties were

13 22 successfully served the notice required under section
13 23 252H.14A, 252H.15, or section 252H.19, as applicable.

13 24 Sec. _____. Section 252H.11, subsection 2, Code
13 25 2007, is amended to read as follows:

13 26 2. If the modification action filed by the parent
13 27 is subsequently dismissed before being heard by the
13 28 court, the unit shall continue the action previously
13 29 initiated under subchapter II or III, or initiate a
13 30 new action as follows:

13 31 a. If the unit previously initiated an action
13 32 under subchapter II, and had not issued a notice of
13 33 decision as required under section 252H.14A or
13 34 252H.16, the unit shall proceed as follows:

13 35 (1) If notice of intent to review was served
13 36 ninety days or less prior to the date the modification
13 37 action filed by the parent is dismissed, the unit
13 38 shall complete the review and issue the notice of
13 39 decision.

13 40 (2) If the modification action filed by the parent
13 41 is dismissed more than ninety days after the original
13 42 notice of intent to review was served, the unit shall
13 43 serve or issue a new notice of intent to review and
13 44 conduct the review.

13 45 (3) If the unit initiated a review under section
13 46 252H.14A, the unit may issue the notice of decision.

13 47 b. If the unit previously initiated an action
13 48 under subchapter II and had issued the notice of
13 49 decision as required under section 252H.14A or
13 50 252H.16, the unit shall proceed as follows:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

14 1 (1) If the notice of decision was issued ninety
14 2 days or less prior to the date the modification action
14 3 filed by the parent is dismissed, the unit shall
14 4 request, obtain, and verify any new or different
14 5 information concerning the financial circumstances of
14 6 the parents and issue a revised notice of decision to
14 7 each parent, or if applicable, to the parent's
14 8 attorney.

14 9 (2) If the modification action filed by the parent
14 10 is dismissed more than ninety days after the date of
14 11 issuance of the notice of decision, the unit shall
14 12 serve or issue a new notice of intent to review
14 13 pursuant to section 252H.15 and conduct a review
14 14 pursuant to section 252H.16, or conduct a review and
14 15 serve a new notice of decision under section 252H.14A.

14 16 c. If the unit previously initiated an action
14 17 under subchapter III, the unit shall proceed as
14 18 follows:

14 19 (1) If the modification action filed by the parent
14 20 is dismissed more than ninety days after the original
14 21 notice of intent to modify was served, the unit shall
14 22 serve a new notice of intent to modify pursuant to
14 23 section 252H.19.

14 24 (2) If the modification action filed by the parent
14 25 is dismissed ninety days or less after the original
14 26 notice of intent to modify was served, the unit shall
14 27 complete the original modification action initiated by
14 28 the unit under this subchapter.

14 29 (3) Each parent shall be allowed at least twenty
14 30 days from the date the administrative modification
14 31 action is reinstated to request a court hearing as
14 32 provided for in section 252H.8.

14 33 Sec. ____ . NEW SECTION. 252H.14A REVIEWS
14 34 INITIATED BY THE CHILD SUPPORT RECOVERY UNIT ==
14 35 ABBREVIATED METHOD.

14 36 1. Notwithstanding section 252H.15, to assist the
14 37 unit in meeting the requirement for reviews and
14 38 adjustments under the federal Deficit Reduction Act of
14 39 2005, Pub. L. No. 109=171, the unit may use procedures
14 40 under this section to review a support order if all
14 41 the following apply:

14 42 a. The right to ongoing child support is assigned
14 43 to the state of Iowa due to the receipt of family
14 44 investment program assistance, and a review of the
14 45 support order is required under section 7302 of the
14 46 federal Deficit Reduction Act of 2005, Pub. L. No.
14 47 109=171.

14 48 b. The unit has access to information concerning
14 49 the financial circumstances of each parent and one of
14 50 the following applies:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

15 1 (1) The parent is a recipient of family investment
15 2 program assistance, medical assistance, or food
15 3 assistance from the department.
15 4 (2) The parent's income is from supplemental
15 5 security income paid pursuant to 42 U.S.C. } 1381a.
15 6 (3) The parent is a recipient of disability
15 7 benefits under the Act because of the parent's
15 8 disability.
15 9 (4) The parent is an inmate of an institution
15 10 under the control of the department of corrections.
15 11 2. If the conditions of subsection 1 are met, the
15 12 unit may conduct a review and determine whether an
15 13 adjustment is appropriate using information accessible
15 14 by the unit without issuing a notice under section
15 15 252H.15 or requesting additional information from the
15 16 parent.
15 17 3. Upon completion of the review, the unit shall
15 18 issue a notice of decision to each parent, or if
15 19 applicable, to each parent's attorney. The notice
15 20 shall be served in accordance with the rules of civil
15 21 procedure or as provided in section 252B.26.
15 22 4. All of the following shall be included in the
15 23 notice of decision:
15 24 a. The legal basis and purpose of the action,
15 25 including an explanation of the procedures for
15 26 determining child support, the criteria for
15 27 determining the appropriateness of an adjustment, and
15 28 a statement that the unit used the child support
15 29 guidelines established pursuant to section 598.21B and
15 30 the provisions for medical support pursuant to chapter
15 31 252E.
15 32 b. Information sufficient to identify the affected
15 33 parties and the support order or orders affected.
15 34 c. An explanation of the legal rights and
15 35 responsibilities of the affected parties, including
15 36 time frames in which the parties must act.
15 37 d. A statement indicating whether the unit finds
15 38 that an adjustment is appropriate and the basis for
15 39 the determination.
15 40 e. Procedures for contesting the action, including
15 41 that if a parent requests a second review both parents
15 42 will be requested to submit financial or income
15 43 information as necessary for application of the child
15 44 support guidelines established pursuant to section
15 45 598.21B.
15 46 f. Other information as appropriate.
15 47 5. Section 252H.16, subsection 5, regarding a
15 48 revised notice of decision shall apply to a notice of
15 49 decision issued under this section.
15 50 6. Each parent shall have the right to challenge



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

16 1 the notice of decision issued under this section by
16 2 requesting a second review by the unit as provided in
16 3 section 252H.17. If there is no new or different
16 4 information to consider for the second review, the
16 5 unit shall issue a second notice of decision based on
16 6 prior information. Each parent shall have the right
16 7 to challenge the second notice of decision by
16 8 requesting a court hearing as provided in section
16 9 252H.8.

16 10 Sec. _____. Section 252H.15, subsection 1, Code
16 11 2007, is amended to read as follows:

16 12 1. ~~Prior~~ Unless an action is initiated under
16 13 section 252H.14A, prior to conducting a review of a
16 14 support order, the unit shall issue a notice of intent
16 15 to review and adjust to each parent, or if applicable,
16 16 to each parent's attorney. However, notice to a child
16 17 support agency or an agency entitled to receive child
16 18 or medical support payments as the result of an
16 19 assignment of support rights is not required.

16 20 Sec. _____. Section 252H.16, subsection 1, Code
16 21 2007, is amended to read as follows:

16 22 1. ~~The~~ For actions initiated under section
16 23 252H.15, the unit shall conduct the review and
16 24 determine whether an adjustment is appropriate. As
16 25 necessary, the unit shall make a determination of the
16 26 controlling order or the amount of delinquent support
16 27 due based upon the receipt of social security
16 28 disability payments as provided in sections 598.22 and
16 29 598.22C.

16 30 Sec. _____. Section 252H.17, subsections 1, 2, and
16 31 6, Code 2007, are amended to read as follows:

16 32 1. Each parent shall have the right to challenge
16 33 the notice of decision issued under section 252H.14A
16 34 or 252H.16, by requesting a second review by the unit.

16 35 2. A challenge shall be submitted, in writing, to
16 36 the local child support office that issued the notice
16 37 of decision, within thirty days of service of the
16 38 notice of decision under section 252H.14A or within
16 39 ten days of the issuance of the notice of decision
16 40 under section 252H.16.

16 41 6. The unit shall conduct a second review,
16 42 utilizing any new or additional information provided
16 43 or available since issuance of the notice of decision
16 44 under section 252H.14A or under section 252H.16, to
16 45 determine whether an adjustment is appropriate.

16 46 Sec. _____. RULES. Until the department of human
16 47 services amends rules pursuant to chapter 17A
16 48 necessary to conform with this Act, any existing rule
16 49 relating to review and adjustment of support orders
16 50 shall also apply to reviews initiated under section



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

17 1 252H.14A, as created in this Act, except that a
17 2 provision for a time limit, notice, or other procedure
17 3 which conflicts with a provision of this Act shall not
17 4 apply.

17 5 Sec. _____. EFFECTIVE DATE. This division of this
17 6 Act takes effect October 1, 2007.

17 7 DIVISION
17 8 MEDICAL SUPPORT

17 9 Sec. _____. Section 252B.5, subsection 2, Code 2007,
17 10 is amended to read as follows:

17 11 2. Aid in establishing paternity and securing a
17 12 court or administrative order for support pursuant to
17 13 chapter 252A, 252C, 252F, or 600B, or any other
17 14 chapter providing for the establishment of paternity
17 15 or support. In an action to establish support, the
17 16 resident parent may be a proper party defendant for
17 17 purposes of determining medical support as provided in
17 18 section 252E.1A. The unit's independent cause of
17 19 action shall not bar a party from seeking support in a
17 20 subsequent proceeding.

17 21 Sec. _____. Section 252C.1, subsection 6, Code 2007,
17 22 is amended to read as follows:

17 23 6. "Medical support" means either the provision of
17 24 coverage under a health benefit plan, including a
17 25 group or employment-related or an individual health
17 26 benefit plan, or a health benefit plan provided
17 27 pursuant to chapter 514E, to meet the medical needs of
17 28 a dependent and the cost of any premium required by a
17 29 health benefit plan, or the payment to the obligee of
17 30 a monetary amount in lieu of providing coverage under
17 31 a health benefit plan, either of which is an
17 32 obligation separate from any monetary amount of child
17 33 support ordered to be paid. "Medical support" which
17 34 consists of payment of a monetary amount in lieu of a
17 35 health benefit plan is also an obligation separate
17 36 from any monetary amount a parent is ordered to pay
17 37 for uncovered medical expenses pursuant to the
17 38 guidelines established pursuant to section 598.21B.

17 39 Sec. _____. Section 252C.3, subsection 1, unnumbered
17 40 paragraph 1, Code 2007, is amended to read as follows:

17 41 The administrator may issue a notice stating the
17 42 intent to secure an order for either ~~payment of~~
17 43 ~~medical support established as defined~~ provided in
17 44 chapter 252E or payment of an accrued or accruing
17 45 support debt due and owed to the department or an
17 46 individual under section 252C.2, or both. The notice
17 47 shall be served upon the responsible person in
17 48 accordance with the rules of civil procedure. The
17 49 notice shall include all of the following:

17 50 Sec. _____. Section 252C.3, subsection 1, paragraph



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

18 1 c, subparagraph (1), Code 2007, is amended to read as
18 2 follows:

18 3 (1) A statement that if the responsible person
18 4 desires to discuss the amount of support that ~~the a~~
18 5 responsible person should be required to pay, the
18 6 responsible person may, within ten days after being
18 7 served, contact the office of the child support
18 8 recovery unit which sent the notice and request a
18 9 negotiation conference.

18 10 Sec. _____. Section 252C.12, subsection 2, Code
18 11 2007, is amended to read as follows:

18 12 2. Upon receipt of a signed statement from ~~the~~
18 13 each responsible person waiving the time limitations
18 14 established in section 252C.3, the administrator may
18 15 proceed to enter an order for support and the court
18 16 may approve the order, whether or not the time
18 17 limitations have expired.

18 18 Sec. _____. Section 252D.18A, Code 2007, is amended
18 19 to read as follows:

18 20 252D.18A MULTIPLE INCOME WITHHOLDING ORDERS ==
18 21 ORDERS FOR HEALTH BENEFIT PLANS == AMOUNTS WITHHELD BY
18 22 PAYOR.

18 23 When the obligor ~~is responsible for paying~~ has more
18 24 than one support obligation ~~and or~~ and the payor of income
18 25 has received more than one ~~income withholding~~ order or
18 26 notice ~~of an order~~ for the obligor for income
18 27 withholding or for coverage under a health benefit
18 28 plan pursuant to chapter 252E, the payor shall

18 29 withhold amounts in accordance with all of the
18 30 following:

18 31 1. The total of all amounts withheld shall not
18 32 exceed the amounts specified in 15 U.S.C. } 1673(b).
18 33 For orders or notices issued by the child support
18 34 recovery unit, the limit for the amount to be withheld
18 35 shall be specified in the order or notice.

18 36 2. As reimbursement for the payor's processing
18 37 costs, the payor may deduct a fee of no more than two
18 38 dollars for each payment withheld in addition to the
18 39 amount withheld for support.

18 40 3. Priority shall be given to the withholding of
18 41 current support ~~rather than delinquent support~~. The
18 42 payor shall not allocate amounts withheld in a manner
18 43 which results in the failure to withhold an amount for
18 44 one or more of the current child or spousal support
18 45 obligations. If the limits specified in subsection 1
18 46 prevent withholding the full amount specified in the
18 47 order or notice, the payor shall withhold amounts in
18 48 the following priority:

18 49 a. Withhold the amount specified for current child
18 50 and spousal support. To arrive at the amount to be



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

19 1 withheld for each obligee, the payor shall total the
19 2 amounts due for current child and spousal support
19 3 under the income withholding orders and the notices of
19 4 orders and determine the proportionate share for each
19 5 obligee. The proportionate share shall be determined
19 6 by dividing the amount due for current child and
19 7 spousal support for each order or notice of order by
19 8 the total due for current child and spousal support
19 9 for all orders and notices of orders. The results are
19 10 the percentages of the obligor's net income which
19 11 shall be withheld for each obligee.

19 12 b. If, after completing the calculation in
19 13 paragraph "a", the withholding limit specified under
19 14 subsection 1 has not been attained, the payor shall
19 15 withhold the amount necessary to comply with an order
19 16 or notice of order for a current premium for coverage
19 17 of a child under a health benefit plan as provided in
19 18 section 252D.30 or section 252E.1A, subsection 2, or
19 19 for a current monetary amount for the child for
19 20 medical support. If there is more than one medical
19 21 support order or notice of order for a current
19 22 monetary amount for a child, the payor shall total the
19 23 amounts due for current monetary amounts for all
19 24 children for medical support and determine the
19 25 proportionate share for each obligee. The
19 26 proportionate amounts shall be established utilizing
19 27 the procedures established in paragraph "a" for
19 28 current child and spousal support obligations.

19 29 ~~b. c.~~ c. If, after completing the calculation
19 30 calculations in ~~paragraph~~ paragraphs "a" and "b", the
19 31 withholding limit specified under subsection 1 has not
19 32 been attained, the payor shall total the amounts due
19 33 for arrearages and determine the proportionate share
19 34 for each obligee. The proportionate share amounts
19 35 shall be established utilizing the procedures
19 36 established in paragraph "a" for current child and
19 37 spousal support obligations.

19 38 d. If after completing the calculations in
19 39 paragraphs "a", "b", and "c", the withholding limit
19 40 specified in subsection 1 has not been attained, the
19 41 payor shall withhold the amount necessary for other
19 42 child support obligations, unless the order or notice
19 43 directs otherwise as provided by Title IV, part D, of
19 44 the federal Social Security Act.

19 45 4. The payor shall identify and report payments by
19 46 the obligor's name, account number, amount, and date
19 47 withheld pursuant to section 252D.17. ~~Until October~~
19 48 ~~1, 1999, if payments for multiple obligees are~~
19 49 ~~combined, the portion of the payment attributable to~~
19 50 ~~each obligee shall be specifically identified.~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

~~Senate Amendment 3445 continued~~

~~20 1 Beginning October 1, 1999, if~~ If payments for multiple
20 2 obligees are combined, the portion of the payment
20 3 attributable to each obligee shall be specifically
20 4 identified only if the payor is directed to do so by
20 5 the child support recovery unit.
20 6 Sec. _____. Section 252E.1, subsection 9, Code 2007,
20 7 is amended to read as follows:
20 8 9. "Medical support" means either the provision of
20 9 a health benefit plan, including a group or
20 10 employment-related or an individual health benefit
20 11 plan, or a health benefit plan provided pursuant to
20 12 chapter 514E, to meet the medical needs of a dependent
20 13 and the cost of any premium required by a health
20 14 benefit plan, or the payment to the obligee of a
20 15 monetary amount in lieu of a health benefit plan,
20 16 either of which is an obligation separate from any
20 17 monetary amount of child support ordered to be paid.
20 18 Medical support is not alimony. "Medical support"
20 19 which consists of payment of a monetary amount in lieu
20 20 of a health benefit plan is also an obligation
20 21 separate from any monetary amount a parent is ordered
20 22 to pay for uncovered medical expenses pursuant to the
20 23 guidelines established pursuant to section 598.21B.
20 24 Sec. _____. NEW SECTION. 252E.1A ESTABLISHING AND
20 25 MODIFYING ORDERS FOR MEDICAL SUPPORT.
20 26 This section shall apply to all initial or modified
20 27 orders for support entered under chapter 234, 252A,
20 28 252C, 252F, 252H, 598, 600B, or any other applicable
20 29 chapter.
20 30 1. An order or judgment that provides for
20 31 temporary or permanent support for a child shall
20 32 include a provision for medical support for the child
20 33 as provided in this section.
20 34 2. The court shall order as medical support for
20 35 the child a health benefit plan if available to either
20 36 parent at the time the order is entered or modified.
20 37 A plan is available if the plan is accessible and the
20 38 cost of the plan is reasonable.
20 39 a. The cost of a health benefit plan is considered
20 40 reasonable, and such amount shall be stated in the
20 41 order, if one of the following applies:
20 42 (1) The premium cost for a child to the parent
20 43 ordered to provide the plan does not exceed five
20 44 percent of that parent's gross income.
20 45 (2) The premium cost for a child exceeds five
20 46 percent of the gross income of the parent ordered to
20 47 provide the plan and that parent consents or does not
20 48 object to entry of that order.
20 49 b. For purposes of this section, "gross income"
20 50 has the same meaning as gross income for calculation



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

21 1 of support under the guidelines established under
21 2 section 598.21B.

21 3 c. For purposes of this section, the premium cost
21 4 for a child to the parent ordered to provide the plan
21 5 means the amount of the premium cost for family
21 6 coverage to the parent which is in excess of the
21 7 premium cost for single coverage, regardless of the
21 8 number of individuals covered under the plan.
21 9 However, this paragraph shall not be interpreted to
21 10 reduce the amount of the health insurance premium
21 11 deduction a parent may be entitled to when calculating
21 12 the amount of a child support obligation under Iowa
21 13 court rule 9.5 of the child support guidelines.

21 14 3. If a health benefit plan is not available at
21 15 the time of the entry of the order, the court shall
21 16 order a reasonable monetary amount in lieu of a health
21 17 benefit plan, which amount shall be stated in the
21 18 order. For purposes of this subsection, a reasonable
21 19 amount means five percent of the gross income of the
21 20 parent ordered to provide the monetary amount for
21 21 medical support. This subsection shall not apply in
21 22 any of the following circumstances:

21 23 a. If the parent's monthly support obligation
21 24 established pursuant to the child support guidelines
21 25 prescribed by the supreme court pursuant to section
21 26 598.21B is the minimum obligation amount.

21 27 b. If subsection 7, paragraph "e" applies.

21 28 4. If the court orders the custodial parent to
21 29 provide a health benefit plan under subsection 2, the
21 30 court may also order the noncustodial parent to
21 31 provide a reasonable monetary amount in lieu of a
21 32 health benefit plan. For purposes of this subsection,
21 33 a reasonable monetary amount means an amount not to
21 34 exceed the lesser of a reasonable amount as described
21 35 in subsection 3, or the premium cost of coverage for
21 36 the child to the custodial parent as described in
21 37 subsection 2, paragraph "c".

21 38 5. Notwithstanding the requirements of this
21 39 section, the court may order provisions in the
21 40 alternative to those provided in this section to
21 41 address the health care needs of the child if the
21 42 court determines that extreme circumstances so require
21 43 and documents the court's written findings in the
21 44 order.

21 45 6. An order, decree, or judgment entered before
21 46 March 1, 2008, that provides for the support of a
21 47 child may be modified in accordance with this section.

21 48 7. If the child support recovery unit is providing
21 49 services under chapter 252B and initiating an action
21 50 to establish or modify support, all the following



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

22 1 shall also apply:
22 2 a. If a health benefit plan is available as
22 3 described in subsection 2 to the noncustodial parent,
22 4 the unit shall seek an order for the noncustodial
22 5 parent to provide the plan.
22 6 b. If a health benefit plan is available as
22 7 described in subsection 2 to the custodial parent and
22 8 not to the noncustodial parent, the unit shall seek an
22 9 order for the custodial parent to provide the plan.
22 10 c. If a health benefit plan is available as
22 11 described in subsection 2 to each parent, and if there
22 12 is an order for joint physical care, the unit shall
22 13 seek an order for the parent currently ordered to
22 14 provide a health benefit plan to provide the plan. If
22 15 there is no current order for a health benefit plan
22 16 for the child, the unit shall seek an order for the
22 17 parent who is currently providing a health benefit
22 18 plan to provide the plan.
22 19 d. If a health benefit plan is not available, and
22 20 the noncustodial parent does not have income which may
22 21 be subject to income withholding for collection of a
22 22 reasonable monetary amount in lieu of a health benefit
22 23 plan at the time of the entry of the order, the unit
22 24 shall seek an order that the noncustodial parent
22 25 provide a health benefit plan when a plan becomes
22 26 available at reasonable cost, and the order shall
22 27 specify the amount of reasonable cost as defined in
22 28 subsection 2.
22 29 e. This section shall not apply to chapter 252H,
22 30 subchapter IV.
22 31 Sec. _____. NEW SECTION. 252E.2A SATISFACTION OF
22 32 MEDICAL SUPPORT ORDER.
22 33 This section shall apply if the child support
22 34 recovery unit is providing services under chapter
22 35 252B.
22 36 1. Notwithstanding any law to the contrary and
22 37 without a court order, a medical support order for a
22 38 child shall be deemed satisfied with regard to the
22 39 department, the child, the obligor, and the obligee
22 40 for the period during which all the following
22 41 conditions are met:
22 42 a. The order is issued under any applicable
22 43 chapter of the Code.
22 44 b. The unit is notified that the conditions of
22 45 paragraph "c" are met and there is a pending action to
22 46 establish or modify support initiated by the unit, or
22 47 the parent ordered to provide medical support submits
22 48 a written statement to the unit that the requirements
22 49 of paragraph "c" are met.
22 50 c. The parent ordered to provide medical support



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

23 1 or the parent from whom the unit is seeking to
23 2 establish or modify medical support meets at least one
23 3 of the following conditions:
23 4 (1) The parent is an inmate of an institution
23 5 under the control of the department of corrections or
23 6 a comparable institution in another state.
23 7 (2) The parent's monthly child support obligation
23 8 under the guidelines established pursuant to section
23 9 598.21B is the minimum obligation amount.
23 10 (3) The parent is a recipient of assistance under
23 11 chapter 239B or 249A, or under comparable laws of
23 12 another state.
23 13 (4) The parent is residing with any child for whom
23 14 the parent is legally responsible and that child is a
23 15 recipient of assistance under chapter 239B, 249A, or
23 16 514I, or under comparable laws of another state. For
23 17 purposes of this subparagraph, "legally responsible"
23 18 means the parent has a legal obligation to the child
23 19 as specified in Iowa court rule 9.7 of the child
23 20 support guidelines.
23 21 d. The unit files a notice of satisfaction with
23 22 the clerk of the district court. The effective date
23 23 of the satisfaction shall be stated in the notice and
23 24 the effective date shall be no later than forty=five
23 25 days after the unit issues the notice of satisfaction.
23 26 2. If a medical support order is satisfied under
23 27 subsection 1, the satisfaction shall continue until
23 28 all of the following apply:
23 29 a. The unit is notified that none of the
23 30 conditions specified in subsection 1, paragraph "c",
23 31 still applies.
23 32 b. The unit files a satisfaction termination
23 33 notice that the requirements for a satisfaction under
23 34 this section no longer apply. The effective date
23 35 shall be stated in the satisfaction termination notice
23 36 and the effective date shall be no later than
23 37 forty=five days after the unit issues the satisfaction
23 38 termination notice.
23 39 3. The unit shall mail a copy of the notice of
23 40 satisfaction and the satisfaction termination notice
23 41 to the last known address of the obligor and obligee.
23 42 4. The department of human services may match data
23 43 for enrollees of the hawk=i program created pursuant
23 44 to chapter 514I with data of the unit to assist the
23 45 unit in implementing this section.
23 46 5. An order, decree, or judgment entered or
23 47 pending on or before March 1, 2008, that provides for
23 48 the support of a child may be satisfied as provided in
23 49 this section.
23 50 Sec. _____. Section 252E.4, subsection 1, Code 2007,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

24 1 is amended to read as follows:

24 2 1. When a support order requires an obligor to
24 3 provide coverage under a health benefit plan, the
24 4 district court or the department may enter an ex parte
24 5 order directing an employer to take all actions
24 6 necessary to enroll an obligor's dependent for
24 7 coverage under a health benefit plan or may include
24 8 the provisions in an ex parte income withholding order
24 9 or notice of income withholding pursuant to chapter
24 10 252D. The child support recovery unit, where
24 11 appropriate, shall issue a national medical support
24 12 notice to an employer within two business days after
24 13 the date information regarding a newly hired employee
24 14 is entered into the centralized employee registry and
24 15 matched with a noncustodial parent in the case being
24 16 enforced by the unit, or upon receipt of other
24 17 employment information for such parent. The
24 18 department may amend the information in the ex parte
24 19 order or may amend or terminate the national medical
24 20 support notice regarding health insurance provisions
24 21 if necessary to comply with health insurance
24 22 requirements including but not limited to the
24 23 provisions of section 252E.2, subsection 2, or to
24 24 correct a mistake of fact.

24 25 Sec. _____. Section 252E.5, subsection 3, Code 2007,
24 26 is amended to read as follows:

24 27 3. The employer shall withhold from the employee's
24 28 compensation, the employee's share, if any, of
24 29 premiums for the health benefit plan in an amount that
24 30 does not exceed the amount specified in the national
24 31 medical support notice or order or the amount
24 32 specified in 15 U.S.C. } 1673(b) and which is
24 33 consistent with federal law. The employer shall
24 34 forward the amount withheld to the insurer. If the
24 35 employee has more than one obligation and if there is
24 36 insufficient compensation available to meet the
24 37 employee's share necessary for coverage of the child
24 38 under a health benefit plan as required under this
24 39 section or section 252D.30, and to comply with an
24 40 order to withhold or notice under section 252D.17, the
24 41 employer shall allocate the funds available in
24 42 accordance with section 252D.18A.

24 43 Sec. _____. Section 252F.1, Code 2007, is amended by
24 44 adding the following new subsection:

24 45 NEW SUBSECTION. 3A. "Party" means a putative
24 46 father or a mother.

24 47 Sec. _____. Section 252F.3, subsection 1, unnumbered
24 48 paragraph 1, Code 2007, is amended to read as follows:

24 49 The unit may prepare a notice of alleged paternity
24 50 and support debt to be served on ~~the putative father~~ a



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

25 1 party if the mother of the child provides a written
25 2 statement to the unit certifying in accordance with
25 3 section 622.1 that the putative father is or may be
25 4 the biological father of the child or children
25 5 involved. The notice shall be accompanied by a copy
25 6 of the statement and served on the putative father in
25 7 accordance with rule of civil procedure 1.305.
25 8 Service upon the mother shall not constitute valid
25 9 service upon the putative father. The notice shall
25 10 include or be accompanied by all of the following:
25 11 Sec. _____. Section 252F.3, subsection 1, paragraphs
25 12 d, f, g, h, j, k, and m, Code 2007, are amended to
25 13 read as follows:
25 14 d. A statement that if paternity is established,
25 15 ~~the putative father~~ a party has a duty to provide
25 16 accrued and accruing medical support to the child or
25 17 children in accordance with chapter 252E.
25 18 f. (1) The right of ~~the putative father~~ a party
25 19 to request a conference with the unit to discuss
25 20 paternity establishment and the amount of support that
25 21 ~~the putative father~~ a party may be required to ~~pay~~
25 22 provide, within ten days of the date of service of the
25 23 original notice or, if paternity is contested and
25 24 paternity testing is conducted, within ten days of the
25 25 date the paternity test results are issued or mailed
25 26 to ~~the putative father~~ a party by the unit.
25 27 (2) A statement that if a conference is requested,
25 28 ~~the putative father~~ a party shall have one of the
25 29 following time frames, whichever is the latest, to
25 30 send a written request for a court hearing on the
25 31 issue of support to the unit:
25 32 (a) Ten days from the date set for the conference.
25 33 (b) Twenty days from the date of service of the
25 34 original notice.
25 35 (c) If paternity was contested and paternity
25 36 testing was conducted, and ~~the putative father~~ a party
25 37 does not deny paternity after the testing or challenge
25 38 the paternity test results, twenty days from the date
25 39 paternity test results are issued or mailed by the
25 40 unit to the ~~putative father~~ party.
25 41 (3) A statement that after the holding of the
25 42 conference, the unit shall issue a new notice of
25 43 alleged paternity and finding of financial
25 44 responsibility for child support or medical support,
25 45 or both, to be provided in person to ~~the putative~~
25 46 ~~father~~ each party or sent to ~~the putative father~~ each
25 47 party by regular mail addressed to the ~~putative~~
25 48 ~~father's~~ party's last known address or, if applicable,
25 49 to the last known address of the ~~putative father's~~
25 50 party's attorney.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

26 1 (4) A statement that if the unit issues a new
26 2 notice of alleged paternity and finding of financial
26 3 responsibility for child support or medical support,
26 4 or both, ~~the putative father~~ a party shall have one of
26 5 the following time frames, whichever is the latest, to
26 6 send a written request for a court hearing on the
26 7 issue of support to the unit:
26 8 (a) Ten days from the date of issuance of the new
26 9 notice.
26 10 (b) Twenty days from the date of service of the
26 11 original notice.
26 12 (c) If paternity was contested and paternity
26 13 testing conducted, and ~~the putative father~~ a party
26 14 does not deny paternity after the testing or challenge
26 15 the paternity test results, twenty days from the date
26 16 the paternity test results are issued or mailed to the
26 17 ~~putative father~~ party by the unit.
26 18 g. A statement that if a conference is not
26 19 requested, and ~~the putative father~~ a party does not
26 20 deny paternity or challenge the results of any
26 21 paternity testing conducted but objects to the finding
26 22 of financial responsibility or the amount of child
26 23 support or medical support, or both, the ~~putative~~
26 24 ~~father~~ party shall send a written request for a court
26 25 hearing on the issue of support to the unit within
26 26 twenty days of the date of service of the original
26 27 notice, or, if paternity was contested and paternity
26 28 testing conducted, and ~~the putative father~~ a party
26 29 does not deny paternity after the testing or challenge
26 30 the paternity test results, within twenty days from
26 31 the date the paternity test results are issued or
26 32 mailed to the ~~putative father~~ party by the unit,
26 33 whichever is later.
26 34 h. A statement that if a timely written request
26 35 for a hearing on the issue of support is received by
26 36 the unit, the ~~putative father~~ party shall have the
26 37 right to a hearing to be held in district court and
26 38 that if no timely written request is received and
26 39 paternity is not contested, the administrator shall
26 40 enter an order establishing the putative father as the
26 41 father of the child or children and establishing child
26 42 support or medical support, or both, in accordance
26 43 with the notice of alleged paternity and support debt.
26 44 j. A written explanation of ~~the putative father's~~
26 45 a party's right to deny paternity, the procedures for
26 46 denying paternity, and the consequences of the denial.
26 47 k. A statement that if ~~the putative father~~ a party
26 48 contests paternity, the ~~putative father~~ party shall
26 49 have twenty days from the date of service of the
26 50 original notice to submit a written denial of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

27 1 paternity to the unit.

27 2 m. A statement that if paternity tests are
27 3 conducted, the unit shall provide a copy of the test
27 4 results to ~~the putative father~~ each party in person or
27 5 send a copy to ~~the putative father~~ each party by
27 6 regular mail, addressed to the ~~putative father's~~
27 7 party's last known address, or, if applicable, to the
27 8 last known address of the ~~putative father's~~ party's
27 9 attorney.

27 10 Sec. _____. Section 252F.3, subsection 3, unnumbered
27 11 paragraph 1, Code 2007, is amended to read as follows:

27 12 If notice is served on ~~the putative father~~ a party,
27 13 the unit shall file a true copy of the notice and the
27 14 original return of service with the appropriate clerk
27 15 of the district court as follows:

27 16 Sec. _____. Section 252F.3, subsection 4, unnumbered
27 17 paragraph 1, Code 2007, is amended to read as follows:

27 18 A ~~putative father~~ party or the child support
27 19 recovery unit may request a court hearing regarding
27 20 establishment of paternity or a determination of
27 21 support, or both.

27 22 Sec. _____. Section 252F.3, subsection 4, paragraph
27 23 c, Code 2007, is amended to read as follows:

27 24 c. Any objection to the results of paternity tests
27 25 shall be filed no later than twenty days after the
27 26 date paternity test results are issued or mailed to
27 27 ~~the putative father~~ each party by the unit. Any
27 28 objection to paternity test results filed by a party
27 29 more than twenty days after the date paternity tests
27 30 are issued or mailed to the ~~putative father~~ party by
27 31 the unit shall not be accepted or considered by the
27 32 court.

27 33 Sec. _____. Section 252F.3, subsection 5, Code 2007,
27 34 is amended to read as follows:

27 35 5. If a timely written response and request for a
27 36 court hearing is not received by the unit and ~~the~~
27 37 ~~putative father~~ a party does not deny paternity, the
27 38 administrator shall enter an order in accordance with
27 39 section 252F.4.

27 40 Sec. _____. Section 252F.3, subsection 6, paragraphs
27 41 a, f, and m, Code 2007, are amended to read as
27 42 follows:

27 43 a. If a party contests the establishment of
27 44 paternity, the party shall submit, within twenty days
27 45 of service of the notice on the ~~putative father~~ party
27 46 under subsection 1, a written statement contesting
27 47 paternity establishment to the unit. Upon receipt of
27 48 a written challenge of paternity establishment, or
27 49 upon initiation by the unit, the administrator shall
27 50 enter ex parte administrative orders requiring the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

28 1 mother, child or children involved, and the putative
28 2 father to submit to paternity testing. Either the
28 3 mother or putative father may contest paternity under
28 4 this chapter.

28 5 f. An original copy of the test results shall be
28 6 filed with the clerk of the district court in the
28 7 county where the notice was filed. The child support
28 8 recovery unit shall issue a copy of the filed test
28 9 results to ~~the putative father and mother of the child~~
~~28 10 or children~~ each party in person, or by regular mail
28 11 to the last known address of each, or if applicable,
28 12 to the last known address of the attorney for each.
28 13 However, if the action is the result of a request from
28 14 a foreign jurisdiction, the unit shall issue a copy of
28 15 the results to the initiating agency in that foreign
28 16 jurisdiction.

28 17 m. If the paternity test results exclude the
28 18 putative father as a potential biological father of
28 19 the child or children, and additional tests are not
28 20 requested by either party or conducted on the unit's
28 21 initiative, or if additional tests exclude the
28 22 putative father as a potential biological father, the
28 23 unit shall withdraw its action against the putative
28 24 father and shall file a notice of the withdrawal with
28 25 the clerk of the district court, and shall provide a
28 26 copy of the notice to ~~the putative father~~ each party
~~28 27 in person, or by regular mail sent to the putative~~
~~28 28 father's~~ each party's last known address, or if
28 29 applicable, the last known address of the ~~putative~~
~~28 30 father's~~ party's attorney.

28 31 Sec. ____ . Section 252F.4, Code 2007, is amended to
28 32 read as follows:

28 33 252F.4 ENTRY OF ORDER.

28 34 1. If ~~the putative father fails~~ both parties fail
28 35 to respond to the initial notice within twenty days
28 36 after the date of service of the notice or ~~fails fail~~
28 37 to appear at a conference pursuant to section 252F.3
28 38 on the scheduled date of the conference, and paternity
28 39 has not been contested and ~~the putative father fails~~
28 40 both parties fail to timely request a court hearing on
28 41 the issue of support, the administrator shall enter an
28 42 order against the ~~putative father~~ parties, declaring
28 43 the putative father to be the legal father of the
28 44 child or children involved and assessing any accrued
28 45 and accruing child support obligation pursuant to the
28 46 guidelines established under section 598.21B, and
28 47 medical support pursuant to chapter 252E, ~~against the~~
~~28 48 father.~~

28 49 2. If paternity is contested pursuant to section
28 50 252F.3, subsection 6, and the party contesting



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

29 1 paternity fails to appear for a paternity test and
29 2 fails to request a rescheduling pursuant to section
29 3 252F.3, or fails to appear for both the initial and
29 4 the rescheduled paternity tests and ~~the putative~~
~~29 5 father fails~~ both parties fail to timely request a
29 6 court hearing on the issue of support, the
29 7 administrator shall enter an order against the
29 8 ~~putative father~~ parties declaring the putative father
29 9 to be the legal father of the child or children
29 10 involved and assessing any accrued and accruing child
29 11 support obligation pursuant to the guidelines
29 12 established under section 598.21B, and medical support
29 13 pursuant to chapter 252E, ~~against the father.~~
29 14 3. If ~~the putative father appears~~ at a conference
29 15 pursuant to section 252F.3 is held, and paternity is
29 16 not contested, and ~~the putative father fails both~~
~~29 17 parties fail~~ to timely request a court hearing on the
29 18 issue of support, the administrator shall enter an
29 19 order against the ~~putative father~~ parties after the
29 20 second notice has been sent declaring the putative
29 21 father to be the legal father of the child or children
29 22 involved and assessing any accrued and accruing child
29 23 support obligation pursuant to the guidelines
29 24 established under section 598.21B, and medical support
29 25 pursuant to chapter 252E, ~~against the father.~~
29 26 4. If paternity was contested and paternity
29 27 testing was performed and the putative father was not
29 28 excluded, if the test results indicate that the
29 29 probability of the putative father's paternity is
29 30 ninety=five percent or greater, if the test results
29 31 are not timely challenged, and if ~~the putative father~~
~~29 32 fails both parties fail~~ to timely request a court
29 33 hearing on the issue of support, the administrator
29 34 shall enter an order against the ~~putative father~~
29 35 parties declaring the putative father to be the legal
29 36 father of the child or children involved and assessing
29 37 any accrued and accruing child support obligation
29 38 pursuant to the guidelines established under section
29 39 598.21B, and medical support pursuant to chapter 252E,
~~29 40 against the father.~~
29 41 5. The administrator shall establish a support
29 42 obligation under this section based upon the best
29 43 information available to the unit and pursuant to
29 44 section 252B.7A.
29 45 6. The order shall contain all of the following:
29 46 a. A declaration of paternity.
29 47 b. The amount of monthly support to be paid, with
29 48 direction as to the manner of payment.
29 49 c. The amount of accrued support.
29 50 d. The name of the custodial parent or caretaker.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

30 1 e. The name and birth date of the child or
30 2 children to whom the order applies.

30 3 f. A statement that property of ~~the father~~ a party
30 4 ordered to provide support is subject to income
30 5 withholding, liens, garnishment, tax offset, and other
30 6 collection actions.

30 7 g. The medical support required pursuant to
30 8 chapter 598 and chapter 252E.

30 9 h. A statement that ~~the father~~ a party who is
30 10 ordered to provide support is required to inform the
30 11 child support recovery unit, on a continuing basis, of
30 12 the name and address of the ~~father's~~ party's current
30 13 employer, whether the ~~father~~ party has access to
30 14 health insurance coverage ~~through employment or at~~
30 15 ~~reasonable cost through other sources~~ as required in
30 16 the order, and if so, the health insurance policy
30 17 information.

30 18 i. If paternity was contested by the putative
30 19 father, the amount of any judgment assessed to the
30 20 father for costs of paternity tests conducted pursuant
30 21 to this chapter.

30 22 j. Statements as required pursuant to section
30 23 598.22B.

30 24 7. If paternity is not contested but ~~the putative~~
30 25 ~~father~~ a party does wish to challenge the issues of
30 26 child or medical support, the administrator shall
30 27 enter an order establishing paternity and reserving
30 28 the issues of child or medical support for
30 29 determination by the district court.

30 30 Sec. _____. Section 252F.5, subsection 2, Code 2007,
30 31 is amended to read as follows:

30 32 2. An action under this chapter may be certified
30 33 to the district court if a party timely contests
30 34 paternity establishment or paternity test results, or
30 35 if ~~the putative father~~ a party requests a court
30 36 hearing on the issues of child or medical support, or
30 37 both, or upon the initiation of the unit as provided
30 38 in this chapter. Review by the district court shall
30 39 be an original hearing before the court.

30 40 Sec. _____. Section 252F.5, subsection 3, paragraph
30 41 c, Code 2007, is amended to read as follows:

30 42 c. A timely written objection to paternity
30 43 establishment or paternity test results has been
30 44 received from a party, or a timely written request for
30 45 a court hearing on the issue of support has been
30 46 received from ~~the putative father~~ a party by the unit,
30 47 or the unit has requested a court hearing on the
30 48 unit's own initiative.

30 49 Sec. _____. Section 252H.2, subsection 2, paragraph
30 50 b, Code 2007, is amended to read as follows:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

31 1 b. An addition of or change to provisions for
31 2 medical support as ~~defined~~ provided in ~~section 252E.1~~
31 3 chapter 252E.
31 4 Sec. _____. Section 252H.2, subsection 13, Code
31 5 2007, is amended to read as follows:
31 6 13. "Support order" means a ~~"court order" as~~
~~31 7 defined in section 252C.1 or an order establishing~~
~~31 8 support entered pursuant to an administrative or~~
~~31 9 quasi-judicial process if authorized by law an order~~
31 10 for support issued pursuant to chapter 232, 234, 252A,
31 11 252C, 252E, 252F, 252H, 598, 600B, or any other
31 12 applicable chapter, or under a comparable statute of a
31 13 foreign jurisdiction as registered with the clerk of
31 14 court or certified to the child support recovery unit.
31 15 Sec. _____. NEW SECTION. 252H.3A ADDING A PARTY.
31 16 A mother or father may be added as a proper party
31 17 defendant to a support order upon service of a notice
31 18 as provided in this chapter and without a court order
31 19 as provided in the rules of civil procedure.
31 20 Sec. _____. Section 252H.14, subsection 1, paragraph
31 21 b, Code 2007, is amended to read as follows:
31 22 ~~b. The right to any ongoing medical support~~
~~31 23 obligation is currently assigned to the state due to~~
~~31 24 the receipt of public assistance unless:~~
31 25 (1) b. The support order does not already
31 26 include provisions requiring the parent
~~31 27 ordered to pay child support to also provide for~~
31 28 medical support.
31 29 (2) ~~The parent entitled to receive support has~~
~~31 30 satisfactory health insurance coverage for the~~
~~31 31 children, excluding coverage resulting from the~~
~~31 32 receipt of public assistance benefits.~~
31 33 Sec. _____. Section 252H.14, subsection 2, Code
31 34 2007, is amended to read as follows:
31 35 2. The unit may periodically initiate a request to
31 36 a child support agency of another state to conduct a
31 37 review of a support order entered in that state when
31 38 the right to any ongoing child or medical support
31 39 obligation due under the order is currently assigned
31 40 to the state of Iowa or if the order does not include
31 41 provisions for medical support.
31 42 Sec. _____. Section 598.21B, subsection 3, Code
31 43 2007, is amended to read as follows:
31 44 3. MEDICAL SUPPORT. The court shall order ~~as~~
31 45 child medical support a health benefit plan as defined
~~31 46 in chapter 252E if available to either parent at a~~
~~31 47 reasonable cost. A health benefit plan is considered~~
~~31 48 reasonable in cost if it is employment-related or~~
~~31 49 other group health insurance, regardless of the~~
~~31 50 service delivery mechanism~~ as provided in section



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

32 1 252E.1A. The premium cost of ~~the~~ a health benefit
32 2 plan may be considered by the court as a reason for
32 3 varying from the child support guidelines. ~~If a~~
32 4 ~~health benefit plan is not available at a reasonable~~
32 5 ~~cost, the court may order any other provisions for~~
32 6 ~~medical support as defined in chapter 252E.~~
32 7 Sec. _____. Section 598.21C, subsection 2, paragraph
32 8 a, Code 2007, is amended to read as follows:
32 9 a. Subject to 28 U.S.C. } 1738B, but
32 10 notwithstanding subsection 1, a substantial change of
32 11 circumstances exists when the court order for child
32 12 support varies by ten percent or more from the amount
32 13 which would be due pursuant to the most current child
32 14 support guidelines established pursuant to section
32 15 598.21B or ~~the obligor~~ a parent has ~~access to~~ a health
32 16 benefit plan, available as provided in section 252E.1A
32 17 and the current order for support does not contain
32 18 provisions for medical support, and the dependents are
32 19 not covered by a health benefit plan provided by the
32 20 obligee, excluding coverage pursuant to chapter 249A
32 21 or a comparable statute of a foreign jurisdiction.
32 22 Sec. _____. AMENDING AND NULLIFICATION OF
32 23 ADMINISTRATIVE RULES.
32 24 1. Until the department of human services amends
32 25 rules pursuant to chapter 17A necessary to conform
32 26 with this Act, all of the following shall apply:
32 27 a. The child support recovery unit may initiate
32 28 proceedings to establish or modify orders for medical
32 29 support for a child in accordance with section 252E.1A
32 30 as created in this Act, regardless of whether support
32 31 is assigned to the state.
32 32 b. The term "child support account" in existing
32 33 rules shall also mean a specified monetary amount for
32 34 medical support, unless the context otherwise
32 35 requires.
32 36 c. A reference to a health benefit plan at
32 37 reasonable cost shall mean reasonable cost as defined
32 38 in section 252E.1A, as enacted in this Act.
32 39 d. A requirement for including a provision for an
32 40 employment-related or other group health benefit plan,
32 41 or for determining medical support, shall be limited
32 42 and applied in accordance with section 252E.1A, as
32 43 created in this Act.
32 44 2. 441 Iowa administrative Code, rule 98.3,
32 45 relating to the establishment of medical support is
32 46 nullified.
32 47 Sec. _____. EFFECTIVE DATE. This division of this
32 48 Act takes effect March 1, 2008.
32 49 DIVISION
32 50 PHYSICIAN ASSISTANTS



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

33 1 Sec. _____. Section 147.14, subsection 12, Code
33 2 2007, is amended to read as follows:
33 3 12. For the board of physician assistant
33 4 examiners, ~~three~~ five members licensed to practice as
33 5 physician assistants, at least two of whom practice in
33 6 counties with a population of less than fifty
33 7 thousand, one member licensed to practice medicine and
33 8 surgery who supervises a physician assistant, one
33 9 member licensed to practice osteopathic medicine and
33 10 surgery who supervises a physician assistant, and two
33 11 members who are not licensed to practice either
33 12 medicine and surgery or osteopathic medicine and
33 13 surgery or licensed as a physician assistant and who
33 14 shall represent the general public. At least one of
33 15 the physician members shall be in practice in a county
33 16 with a population of less than fifty thousand. A
33 17 majority of members of the board constitutes a quorum.
33 18 Sec. _____. NEW SECTION. 148C.12 ANNUAL REPORT.
33 19 By January 31 of each year the board and the board
33 20 of medical examiners shall provide to the general
33 21 assembly and the governor a joint report detailing the
33 22 boards' collaborative efforts and team building
33 23 practices.

DIVISION

NEWBORN HOME VISITS

33 24
33 25
33 26 Sec. _____. NEW SECTION. 28.11 FAMILIES WITH A
33 27 NEWBORN CHILD == HOME VISITS.
33 28 1. a. The Iowa empowerment board shall implement
33 29 a program with the goal of making available a home
33 30 visit for each household in the state with a family
33 31 that has a newborn child. The components of the home
33 32 visit shall include but are not limited to assessing
33 33 the child's home environment, educating the families
33 34 concerning newborn children, and assisting families in
33 35 accessing appropriate services.
33 36 b. The Iowa board shall coordinate with existing
33 37 programs that provide a visit to families with a
33 38 newborn child as necessary to make the best use of
33 39 resources while expanding the availability of home
33 40 visits.
33 41 2. The home visit program implemented under this
33 42 section shall be administered at the local level
33 43 through the local board of health as defined in
33 44 section 137.2. The following requirements shall apply
33 45 to local programs receiving funding under the program:
33 46 a. Home visits shall be made by qualified and
33 47 trained staff.
33 48 b. The program staff shall demonstrate a capacity
33 49 to competently complete home visits and facilitate
33 50 referrals to and interventions by other resources



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

34 1 available in the community, based upon needs
34 2 identified during a home visit.
34 3 c. The local program must have an acceptable plan
34 4 for implementing a cooperative arrangement with local
34 5 hospitals and birthing centers for the hospitals and
34 6 centers to provide referral information for contacting
34 7 families with a newborn child.
34 8 d. The local program must have the capacity to
34 9 bill third-party payors as appropriate and to leverage
34 10 additional resources, such as local cash or in-kind
34 11 matching contributions to sustain and enhance the
34 12 local program.
34 13 e. The local program must apply performance
34 14 measures identified by the Iowa board and the local
34 15 program administrator and shall report outcome
34 16 information on a regular basis identified by the Iowa
34 17 board.

34 18 DIVISION

34 19 TELECOMMUTING

34 20 Sec. ____ . STATE EMPLOYEE TELECOMMUTING == POLICY
34 21 DEVELOPMENT == IMPLEMENTATION.

34 22 1. The director of a department or state agency to
34 23 which appropriations are made pursuant to the
34 24 provisions of this Act shall assess the extent to
34 25 which job classifications or individual employment
34 26 positions with the department or agency might be
34 27 effectively performed from an employee's residence or
34 28 other remote location through telecommuting, thereby
34 29 increasing office space within the department or
34 30 agency and reducing administrative costs. The
34 31 assessment shall include an estimate of the number of
34 32 department or agency employees whose job
34 33 responsibilities could be effectively performed on a
34 34 telecommuting basis, projected costs of establishing
34 35 and maintaining work stations at an employee's
34 36 residence or other remote location and providing
34 37 telecommuter support, anticipated savings to the
34 38 department or agency through a reduction in the
34 39 office-based workforce, and anticipated time and cost
34 40 savings to telecommuting employees. A report
34 41 summarizing the assessment shall be submitted to the
34 42 director of the department of administrative services,
34 43 and the members of the general assembly, by November
34 44 1, 2007.

34 45 2. Based on the assessment conducted pursuant to
34 46 subsection 1, the director shall develop a
34 47 telecommuter employment policy for the department or
34 48 agency and a timeline for initial policy
34 49 implementation and plans for expanding the number of
34 50 telecommuting employees. Specific office-based



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

35 1 workforce reduction percentages shall be left to the
35 2 discretion of the director, but the director shall
35 3 implement a policy transferring some number of
35 4 office-based employees to telecommuter status by
35 5 January 1, 2008. The director shall report to the
35 6 director of the department of administrative services
35 7 and the members of the general assembly on an annual
35 8 basis beginning January 1, 2009, the number of
35 9 telecommuting employees, cost savings achieved by the
35 10 department or agency, and plans for continued transfer
35 11 of office-based employees to telecommuter status.

DIVISION

DENTAL BOARD

35 14 Sec. _____. Section 10A.402, subsection 1, Code
35 15 2007, as amended by 2007 Iowa Acts, Senate File 74,
35 16 section 6, is amended to read as follows:

35 17 1. Investigations relative to the practice of
35 18 regulated professions and occupations, except those
35 19 within the jurisdiction of the board of medicine, the
35 20 board of pharmacy, the dental board ~~of dentistry~~, and
35 21 the board of nursing.

35 22 Sec. _____. Section 135.11A, unnumbered paragraph 1,
35 23 Code 2007, as amended by 2007 Iowa Acts, Senate File
35 24 74, section 19, is amended to read as follows:

35 25 There shall be a professional licensure division
35 26 within the department of public health. Each board
35 27 under chapter 147 or under the administrative
35 28 authority of the department, except the board of
35 29 nursing, board of medicine, dental board ~~of dentistry~~,
35 30 and board of pharmacy, shall receive administrative
35 31 and clerical support from the division and may not
35 32 employ its own support staff for administrative and
35 33 clerical duties.

35 34 Sec. _____. Section 135.24, subsection 2, paragraph
35 35 a, Code 2007, as amended by 2007 Iowa Acts, Senate
35 36 File 74, section 20, is amended to read as follows:

35 37 a. Procedures for registration of health care
35 38 providers deemed qualified by the board of medicine,
35 39 the board of physician assistants, the dental board ~~of~~
35 40 ~~dentistry~~, the board of nursing, the board of
35 41 chiropractic, the board of psychology, the board of
35 42 social work, the board of behavioral science, the
35 43 board of pharmacy, the board of optometry, the board
35 44 of podiatry, the board of physical and occupational
35 45 therapy, the board for respiratory care, and the Iowa
35 46 department of public health, as applicable.

35 47 Sec. _____. Section 135.31, Code 2007, as amended by
35 48 2007 Iowa Acts, Senate File 74, section 21, is amended
35 49 to read as follows:

35 50 135.31 LOCATION OF BOARDS == RULEMAKING.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

36 1 The offices for the board of medicine, the board of
36 2 pharmacy, the board of nursing, and the dental board
36 3 ~~of dentistry~~ shall be located within the department of
36 4 public health. The individual boards shall have
36 5 policymaking and rulemaking authority.

36 6 Sec. _____. Section 136C.3, subsection 2, unnumbered
36 7 paragraph 1, Code 2007, as amended by 2007 Iowa Acts,
36 8 Senate File 74, section 23, is amended to read as
36 9 follows:

36 10 Establish minimum training standards including
36 11 continuing education requirements, and administer
36 12 examinations and disciplinary procedures for operators
36 13 of radiation machines and users of radioactive
36 14 materials. A state of Iowa license to practice
36 15 medicine, osteopathy, chiropractic, podiatry,
36 16 dentistry, dental hygiene, or veterinary medicine, or
36 17 licensure as a physician assistant pursuant to chapter
36 18 148C, or certification by the dental board ~~of~~
~~36 19 dentistry~~ in dental radiography, or by the board of
36 20 podiatry in podiatric radiography, or enrollment in a
36 21 program or course of study approved by the Iowa
36 22 department of public health which includes the
36 23 application of radiation to humans satisfies the
36 24 minimum training standards for operation of radiation
36 25 machines only.

36 26 Sec. _____. Section 139A.22, subsection 6, Code
36 27 2007, as amended by 2007 Iowa Acts, Senate File 74,
36 28 section 25, is amended to read as follows:

36 29 6. The board of medicine, the board of physician
36 30 assistants, the board of podiatry, the board of
36 31 nursing, the dental board ~~of dentistry~~, and the board
36 32 of optometry shall require that licensees comply with
36 33 the recommendations issued by the centers for disease
36 34 control and prevention of the United States department
36 35 of health and human services for preventing
36 36 transmission of human immunodeficiency virus and
36 37 hepatitis B virus to patients during exposure-prone
36 38 invasive procedures, with the recommendations of the
36 39 expert review panel established pursuant to subsection
36 40 3, with hospital protocols established pursuant to
36 41 subsection 1, and with health care facility procedures
36 42 established pursuant to subsection 2, as applicable.

36 43 Sec. _____. Section 147.13, subsection 8, Code 2007,
36 44 as amended by 2007 Iowa Acts, Senate File 74, section
36 45 32, is amended to read as follows:

36 46 8. For dentistry, dental hygiene, and dental
36 47 assisting, the dental board ~~of dentistry~~.

36 48 Sec. _____. Section 147.40, Code 2007, as amended by
36 49 2007 Iowa Acts, Senate File 74, section 50, is amended
36 50 to read as follows:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

37 1 147.40 CERTIFICATION OF APPLICANTS.
37 2 Every examination shall be passed upon in
37 3 accordance with the established rules of the board and
37 4 shall be satisfactory to at least a majority of the
37 5 professional members of the board. In the case of the
37 6 dental board of dentistry, only licensed dentist
37 7 members of the board shall determine whether an
37 8 applicant has passed the examination to practice as a
37 9 licensed dentist. After each examination, the board
37 10 shall certify the names of the successful applicants
37 11 to the department in the manner prescribed by it. The
37 12 department shall then issue the proper license.
37 13 Sec. _____. Section 147.80, subsections 1 and 11,
37 14 Code 2007, as amended by 2007 Iowa Acts, Senate File
37 15 74, section 63, are amended to read as follows:
37 16 1. License to practice dentistry issued upon the
37 17 basis of an examination given by the dental board of
37 18 ~~dentistry~~, license to practice dentistry issued under
37 19 a reciprocal agreement, resident dentist's license,
37 20 renewal of a license to practice dentistry.
37 21 11. License to practice dental hygiene issued upon
37 22 the basis of an examination given by the dental board
37 23 ~~of dentistry~~, license to practice dental hygiene
37 24 issued under a reciprocal agreement, renewal of a
37 25 license to practice dental hygiene.
37 26 Sec. _____. Section 147.80, unnumbered paragraph 3,
37 27 Code 2007, as amended by 2007 Iowa Acts, Senate File
37 28 74, section 63, is amended to read as follows:
37 29 The board of medicine, the board of pharmacy, the
37 30 dental board of dentistry, and the board of nursing
37 31 shall retain individual executive officers, but shall
37 32 make every effort to share administrative, clerical,
37 33 and investigative staffs to the greatest extent
37 34 possible. The department shall annually submit a
37 35 status report to the general assembly in December
37 36 regarding the sharing of staff during the previous
37 37 fiscal year.
37 38 Sec. _____. Section 147.88, Code 2007, as amended by
37 39 2007 Iowa Acts, Senate File 74, section 65, is amended
37 40 to read as follows:
37 41 147.88 INSPECTIONS.
37 42 The department of inspections and appeals may
37 43 perform inspections as required by this subtitle,
37 44 except for the board of medicine, board of pharmacy,
37 45 board of nursing, and the dental board of dentistry.
37 46 The department of inspections and appeals shall employ
37 47 personnel related to the inspection functions.
37 48 Sec. _____. Section 147.107, subsection 2,
37 49 unnumbered paragraph 1, Code 2007, as amended by 2007
37 50 Iowa Acts, Senate File 74, section 78, is amended to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Amendment 3445 continued

38 1 read as follows:

38 2 A pharmacist, physician, dentist, or podiatric
38 3 physician who dispenses prescription drugs, including
38 4 but not limited to controlled substances, for human
38 5 use, may delegate nonjudgmental dispensing functions
38 6 to staff assistants only when verification of the
38 7 accuracy and completeness of the prescription is
38 8 determined by the pharmacist or practitioner in the
38 9 pharmacist's or practitioner's physical presence.
38 10 However, the physical presence requirement does not
38 11 apply when a pharmacist or practitioner is utilizing
38 12 an automated dispensing system. When using an
38 13 automated dispensing system the pharmacist or
38 14 practitioner shall utilize an internal quality control
38 15 assurance plan that ensures accuracy for dispensing.
38 16 Verification of automated dispensing accuracy and
38 17 completeness remains the responsibility of the
38 18 pharmacist or practitioner and shall be determined in
38 19 accordance with rules adopted by the board of
38 20 pharmacy, the board of medicine, the dental board of
~~38 21 dentistry~~, and the board of podiatry for their
38 22 respective licensees.

38 23 Sec. _____. Section 147.114, Code 2007, as amended
38 24 by 2007 Iowa Acts, Senate File 74, section 81, is
38 25 amended to read as follows:

38 26 147.114 INSPECTOR.

38 27 An inspector may be appointed by the dental board
38 28 ~~of dentistry~~ pursuant to the provisions of chapter 8A,
38 29 subchapter IV.

38 30 Sec. _____. Section 153.12, as enacted by 2007 Iowa
38 31 Acts, Senate File 74, section 132, is amended to read
38 32 as follows:

38 33 153.12 BOARD DEFINED.

38 34 As used in this chapter, "board" means the dental
38 35 board ~~of dentistry~~, created under chapter 147.

38 36 Sec. _____. Section 272C.1, subsection 6, paragraph
38 37 j, Code 2007, as amended by 2007 Iowa Acts, Senate
38 38 File 74, section 171, is amended to read as follows:

38 39 j. The dental board ~~of dentistry~~, created pursuant
38 40 to chapter 147.>

38 41 #60. By renumbering, relettering, or redesignating
38 42 and correcting internal references as necessary.

38 43

38 44

38 45

38 46 COMMITTEE ON APPROPRIATIONS

38 47 ROBERT E. DVORSKY, CHAIRMAN

38 48 HF 909.723 82

38 49 pf/gg/9213



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Concurrent Resolution 6 - Introduced

PAG LIN

S.C.R. _____ H.C.R. _____

1 1 SENATE CONCURRENT RESOLUTION NO.
1 2 BY BLACK and ZAUN
1 3 A Concurrent Resolution requesting the establishment
1 4 of an interim study committee by the legislative
1 5 council to conduct a study of issues related to
1 6 amyotrophic lateral sclerosis.
1 7 WHEREAS, the State recognizes that amyotrophic
1 8 lateral sclerosis (ALS), also known as "Lou Gehrig's
1 9 disease", is a fatal neurodegenerative disease
1 10 characterized by degeneration of cell bodies of the
1 11 lower motor neurons in the gray matter of the anterior
1 12 horns of the spinal cord; and
1 13 WHEREAS, research indicates that military veterans
1 14 are at a 50 percent greater risk of developing ALS
1 15 than those who have not served in the military; and
1 16 WHEREAS, concern has also been expressed by
1 17 citizens of this state regarding long-term care and
1 18 oversight of patients suffering from ALS; and
1 19 WHEREAS, the general assembly believes that a
1 20 comprehensive study of issues related to ALS is
1 21 necessary and in the best interest of the citizens of
1 22 the State of Iowa; NOW THEREFORE,
1 23 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
1 24 REPRESENTATIVES CONCURRING, That the legislative
1 25 council is requested to establish an interim study
1 26 committee to conduct a comprehensive study of issues
1 27 concerning the long-term care and oversight of
1 28 patients suffering from ALS; and
1 29 BE IT FURTHER RESOLVED, That the interim study
1 30 committee should be composed of nine legislative



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Concurrent Resolution 6 - Introduced continued

2 1 members consisting of members from both political
2 2 parties and both houses of the general assembly, in
2 3 addition to four other members consisting of a
2 4 neurologist, a person affected by ALS, a social
2 5 worker, and a representative from a national voluntary
2 6 health association that focuses solely on ALS and that
2 7 has demonstrated experience in ALS research, care, and
2 8 patient services; and
2 9 BE IT FURTHER RESOLVED, That the committee shall be
2 10 staffed by the legislative services agency and shall
2 11 issue its report of recommendations by January 1,
2 12 2008.
2 13 LSB 2908SS 82
2 14 jr:nh/es/88.1



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 602 - Introduced

SENATE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1358)

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Approved

Passed House, Date _____

Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act requiring children enrolling in elementary or high school
- 2 to have a dental screening and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1211SV 82
- 5 nh/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 602 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 135.17 DENTAL SCREENING OF
1 2 CHILDREN.
1 3 1. a. Except as provided in paragraphs "c" and "d", the
1 4 parent or guardian of a child enrolled in elementary school
1 5 shall provide evidence to the school district or accredited
1 6 nonpublic elementary school in which the child is enrolled of
1 7 the child having, no earlier than three years of age but prior
1 8 to reaching six years of age, at a minimum, a dental screening
1 9 performed by a licensed physician as defined in chapter 148 or
1 10 150, a nurse licensed under chapter 152, a licensed physician
1 11 assistant as defined in section 148C.1, or a licensed dental
1 12 hygienist or dentist as defined in chapter 153. Except as
1 13 provided in paragraphs "c" and "d", the parent or guardian of
1 14 a child enrolled in high school shall provide evidence to the
1 15 school district or accredited nonpublic high school in which
1 16 the child is enrolled of the child having, at a minimum, a
1 17 dental screening performed within the prior year by a licensed
1 18 dental hygienist or dentist as defined in chapter 153. A
1 19 school district or accredited nonpublic school shall provide
1 20 access to a process to complete the screenings described in
1 21 this paragraph as appropriate.
1 22 b. A person performing a dental screening required by this
1 23 section shall record the fact of having conducted the
1 24 screening, and such additional information required by the
1 25 department, on uniform forms developed by the department in
1 26 cooperation with the department of education. The form shall
1 27 include a space for the person performing the screening to
1 28 summarize any condition that may indicate a need for special
1 29 services.
1 30 c. The department shall specify the procedures that
1 31 constitute a dental screening and authorize a waiver signed by
1 32 a licensed physician, nurse, physician assistant, dental
1 33 hygienist, or dentist for a person who is unduly burdened by
1 34 the screening requirement.
1 35 d. The dental screening requirement shall not apply to a



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 602 - Introduced continued

2 1 person who submits an affidavit signed by the person or, if
2 2 the person is a minor, the person's parent or legal guardian,
2 3 stating that the dental screening conflicts with a genuine and
2 4 sincere religious belief.

2 5 2. Each public and nonpublic school shall give notice of
2 6 the dental screening requirement to parents of students
2 7 enrolled or to be enrolled in the school at least ninety days
2 8 before the start of the school year in the manner prescribed
2 9 by the department.

2 10 3. A person may be provisionally enrolled in a public or
2 11 nonpublic elementary or high school if the person is in the
2 12 process of obtaining the required dental screening.

2 13 4. Each local board shall furnish the department, within
2 14 sixty days after the start of the school year, evidence that
2 15 each person enrolled in any public or nonpublic school within
2 16 the local board's jurisdiction has met the dental screening
2 17 requirement in this section.

2 18 5. The department shall adopt rules to administer this
2 19 section.

2 20 Sec. 2. EFFECTIVE DATE. This Act takes effect July 1,
2 21 2008.

2 22 EXPLANATION

2 23 This bill requires all children enrolled in a public or
2 24 nonpublic elementary or high school, to obtain a dental
2 25 screening. The bill requires the person performing the
2 26 screening to complete a uniform form regarding the screening
2 27 and requires the department of public health to specify the
2 28 procedures constituting a screening and to authorize a waiver
2 29 for persons who are unduly burdened by the requirement. The
2 30 screen requirement does not apply to a person who submits an
2 31 affidavit stating that the screening conflicts with a genuine
2 32 and sincere religious belief.

2 33 The bill requires schools to give notice to parents of the
2 34 screening requirement. The bill also provides for provisional
2 35 enrollment if a child is in the process of obtaining a



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate File 602 - Introduced continued

3 1 screening. Each local board of health is required to furnish
3 2 the department with evidence that all children enrolled in the
3 3 schools within the board's jurisdiction have met the screening
3 4 requirement.
3 5 The bill takes effect July 1, 2008.
3 6 LSB 1211SV 82
3 7 nh:rj/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 603 - Introduced

SENATE FILE
BY GRONSTAL

(COMPANION TO LSB 2937YH
BY McCARTHY)

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

A BILL FOR

- 1 An Act relating to consumption of alcoholic beverages at the
- 2 state capitol complex.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2937XS 82
- 5 ec/je/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 603 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 7D.16 ALCOHOLIC BEVERAGES IN
1 2 STATE CAPITOL OR ON COMPLEX GROUNDS.
1 3 Notwithstanding any contrary provision of law prohibiting
1 4 the use and consumption of alcoholic beverages in a public
1 5 place, the executive council may authorize, by resolution, the
1 6 temporary use and consumption of alcoholic beverages, as
1 7 defined in section 123.3, in the state capitol or on the state
1 8 capitol complex grounds, as if the state capitol or state
1 9 capitol complex grounds were a private place. The
1 10 authorization by resolution shall be limited to the use and
1 11 consumption of alcoholic beverages as an accompaniment to food
1 12 at a single award ceremony, social event, or other occasion
1 13 deemed appropriate by the executive council. The
1 14 authorization shall require that the person providing the food
1 15 and alcoholic beverages possess an appropriate liquor control
1 16 license in accordance with section 123.95. The secretary of
1 17 the executive council shall inform the director of the
1 18 department of administrative services of the approval of any
1 19 such resolution.

1 20 EXPLANATION

1 21 This bill provides that the executive council may authorize
1 22 by resolution the temporary use and consumption of alcoholic
1 23 beverages, as defined in Code section 123.3, in the state
1 24 capitol or on the state capitol complex grounds, as if the
1 25 state capitol or state capitol complex grounds were a private
1 26 place. The authorization by resolution shall be limited to
1 27 the use and consumption of alcoholic beverages as an
1 28 accompaniment to food at a single award ceremony, social
1 29 event, or other occasion deemed appropriate by the executive
1 30 council. The bill specifies that this authorization requires
1 31 that the person providing the food and alcoholic beverages
1 32 possess an appropriate liquor control license, and that the
1 33 secretary of the executive council inform the director of the
1 34 department of administrative services of the approval of any
1 35 resolution.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate File 603 - Introduced continued

2 1 LSB 2937XS 82
2 2 ec:rj/je/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 604 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1356)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

1 An Act relating to the percentage of actual value at which
2 residential property and certain commercial residential
3 property are assessed for purposes of property taxation and
4 providing an annual appropriation for a specified number of
5 years to replace commercial property tax revenues lost to
6 counties and cities.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

8 TLSB 2910SV 82

9 sc/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 604 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 426C.1 COMMERCIAL PROPERTY TAX
1 2 REPLACEMENT FUND CREATED.
1 3 A commercial property tax replacement fund is created under
1 4 the control of the department of revenue. For the fiscal
1 5 period beginning July 1, 2009, and ending June 30, 2014, there
1 6 is appropriated annually from the general fund of the state to
1 7 the department of revenue to be credited to the commercial
1 8 property tax replacement fund the sum of eighteen million
1 9 dollars. Any balance in the fund on June 30 shall revert to
1 10 the general fund of the state.
1 11 Sec. 2. NEW SECTION. 426C.2 REPLACEMENT.
1 12 For the fiscal year beginning July 1, 2009, through the
1 13 fiscal year ending June 30, 2014, each county treasurer shall
1 14 be paid from the commercial property tax replacement fund an
1 15 amount equal to the amount of the commercial property tax
1 16 replacement claim calculated in section 426C.3.
1 17 If the amount appropriated to the commercial property tax
1 18 replacement fund for a fiscal year is insufficient to pay all
1 19 claims, the director shall prorate the disbursements to the
1 20 county treasurers and shall notify the county auditors of the
1 21 pro rata percentage on or before September 30.
1 22 Sec. 3. NEW SECTION. 426C.3 COMPUTATION OF REPLACEMENT
1 23 CLAIM.
1 24 1. On or before July 1 of each year of the fiscal period
1 25 specified in section 426C.1, the county auditor shall prepare
1 26 a statement listing for the county and each city in the
1 27 county:
1 28 a. The difference between the assessed value of the
1 29 property defined in section 441.21, subsection 13, paragraph
1 30 "b", as assessed on January 1, 2007, and the assessed value of
1 31 such property as assessed pursuant to section 441.21,
1 32 subsection 13, paragraph "a", for the assessment year
1 33 beginning January 1, 2008, January 1, 2009, January 1, 2010,
1 34 January 1, 2011, or January 1, 2012, as applicable.
1 35 b. The tax levy rate for the county and each city



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 604 - Introduced continued

2 1 certified for the fiscal year previous to the fiscal year in
2 2 which the claim will be paid.

2 3 c. The commercial property tax replacement claim for the
2 4 county and each city, which is equal to the amount determined
2 5 pursuant to paragraph "a" multiplied by the applicable tax
2 6 levy rate specified in paragraph "b".

2 7 2. The county auditor shall certify and forward one copy
2 8 of the statement to the department of revenue not later than
2 9 July 1 of each year of the fiscal period specified in section
2 10 426C.1.

2 11 Sec. 4. NEW SECTION. 426C.4 REIMBURSEMENT.

2 12 Each county treasurer shall be reimbursed an amount equal
2 13 to the commercial property tax replacement claim for that
2 14 county determined pursuant to section 426C.3, subsection 1,
2 15 paragraph "c". The reimbursement shall be made in two equal
2 16 installments on or before September 30 and March 31 of each
2 17 year. The county treasurer shall apportion the disbursement
2 18 to the county and to each city in the county, as applicable,
2 19 in the manner provided in section 445.57.

2 20 Sec. 5. Section 441.21, subsection 4, Code 2007, is
2 21 amended by adding the following new unnumbered paragraph:

2 22 NEW UNNUMBERED PARAGRAPH. For valuations established as of
2 23 January 1, 2008, and each year thereafter, the percentage of
2 24 actual value, as equalized by the director of revenue as
2 25 provided in section 441.49, at which residential property
2 26 shall be assessed shall not be less than the percentage of
2 27 actual value determined for residential property for the
2 28 assessment year beginning January 1, 2007. If the percentage
2 29 of actual value of residential property as calculated in
2 30 accordance with this subsection is less than the percentage of
2 31 actual value determined for residential property for the
2 32 assessment year beginning January 1, 2007, the director of
2 33 revenue shall increase the percentage to the percentage of
2 34 actual value determined for residential property for the
2 35 assessment year beginning January 1, 2007. For purposes of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 604 - Introduced continued

3 1 determining valuations in the assessment year beginning
3 2 January 1, 2009, and for each subsequent assessment year, the
3 3 percentage for the prior year as determined under this
3 4 subsection before adjustment under this paragraph, if
3 5 necessary, shall be the percentage used in making the
3 6 calculation of the dividend for that assessment year.

3 7 Sec. 6. Section 441.21, Code 2007, is amended by adding
3 8 the following new subsection:

3 9 NEW SUBSECTION. 13. a. Beginning with valuations
3 10 established on or after January 1, 2008, property that is an
3 11 apartment building, a mobile home park, a manufactured home
3 12 community, or a land=leased community shall be valued as a
3 13 separate class as commercial residential property and shall be
3 14 assessed at a percentage of actual value, as equalized by the
3 15 director of revenue as provided in section 441.49, as follows:

3 16 (1) For valuations established for the assessment year
3 17 beginning January 1, 2008, ninety percent of actual value.

3 18 (2) For valuations established for the assessment year
3 19 beginning January 1, 2009, eighty percent of actual value.

3 20 (3) For valuations established for the assessment year
3 21 beginning January 1, 2010, seventy percent of actual value.

3 22 (4) For valuations established for the assessment year
3 23 beginning January 1, 2011, sixty percent of actual value.

3 24 (5) For valuations established for the assessment year
3 25 beginning January 1, 2012, and each year thereafter, the same
3 26 percentage as the percentage of actual value established for
3 27 residential property.

3 28 b. As used in paragraph "a":

3 29 (1) "Apartment building" means the land and building used
3 30 primarily for human habitation and containing three or more
3 31 separate living quarters, as well as structures and
3 32 improvements used primarily as a part of or in conjunction
3 33 with such land and building. "Apartment building" does not
3 34 include a hotel, motel, inn, or other building where rooms are
3 35 usually rented for less than one month, a nursing home, or a



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate File 604 - Introduced continued

4 1 rest home.

4 2 (2) "Land=leased community" means the same as defined in
4 3 sections 335.30A and 414.28A.

4 4 (3) "Manufactured home community" means the same as a
4 5 land=leased community.

4 6 (4) "Mobile home park" means the same as defined in
4 7 section 435.1.

4 8 EXPLANATION

4 9 This bill sets a percentage of actual value at which
4 10 residential property and a newly created class of property,
4 11 commercial residential property, are to be assessed for
4 12 property tax purposes. The bill defines commercial
4 13 residential property as property that is an apartment
4 14 building, a mobile home park, a manufactured home community,
4 15 or a land=leased community.

4 16 The bill provides that the percentage of actual value at
4 17 which residential property may be assessed shall not be
4 18 reduced below the percentage of actual value established for
4 19 residential property for the assessment year beginning January
4 20 1, 2007, beginning with assessments made January 1, 2008, for
4 21 taxes payable in FY 2009=2010.

4 22 The bill also provides that for the 2008 assessment year,
4 23 the percentage of actual value at which commercial residential
4 24 property shall be assessed is 90 percent of actual value. For
4 25 the 2009 assessment year, the percentage is 80 percent of
4 26 actual value. For the 2010 assessment year, the percentage is
4 27 70 percent of actual value. For the 2011 assessment year, the
4 28 percentage is 60 percent of actual value. For the 2012
4 29 assessment year, and subsequent assessment years, the
4 30 percentage is the percentage of actual value established for
4 31 residential property.

4 32 The bill creates the commercial property tax replacement
4 33 fund and appropriates \$18 million annually to the fund for the
4 34 fiscal period beginning July 1, 2009, and ending June 30,
4 35 2014. A county, on behalf of the county and each city in the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate File 604 - Introduced continued

5 1 county, may, for those fiscal years, claim reimbursement for
5 2 revenues lost due to the reduction in the assessment on
5 3 commercial residential property.
5 4 LSB 2910SV 82
5 5 sc:rj/es/88



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Joint Resolution 5 - Introduced

SENATE JOINT RESOLUTION
BY GRONSTAL

(COMPANION TO LSB 2866HH BY
McCARTHY)

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

SENATE JOINT RESOLUTION

1 A Joint Resolution authorizing the temporary use and consumption
2 of alcoholic beverages on the state capitol complex grounds in
3 conjunction with the Hy-Vee BG World Cup Triathlon, and
4 providing an effective date.
5 WHEREAS, on June 17, 2007, athletes from around the world will
6 gather in Des Moines, Iowa, to compete for the largest purse
7 prize in triathlon history; and
8 WHEREAS, the city of Des Moines has the honor of being the
9 only city in the United States on the 2007 World Cup schedule of
10 16 triathlons; and
11 WHEREAS, Iowa's state capitol complex grounds provide a unique
12 and memorable setting for the finish line of the triathlon and
13 the following awards ceremony; and
14 WHEREAS, a champagne toast is a traditional part of the awards
15 ceremony; and
16 WHEREAS, because 11 IAC 100.4(8) prohibits the consumption of
17 alcoholic beverages on the state capitol complex grounds, it is
18 not possible to serve champagne or other alcoholic beverage at
19 this type of awards ceremony on the state capitol complex
20 grounds; NOW THEREFORE,
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 TLSB 2866SS 82
2 jr/gg/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Joint Resolution 5 - Introduced continued

PAG LIN

1 1 Section 1. Notwithstanding 11 IAC 100.4(8) and any
1 2 contrary provisions of chapter 123, prohibiting the use and
1 3 consumption of alcoholic beverages in public places, alcoholic
1 4 beverages may be used and consumed on the state capitol
1 5 complex grounds at an awards ceremony, to be held on or around
1 6 June 17, 2007, hosted and organized in whole or in part by
1 7 Hy=Vee, Incorporated, if the person providing the food and
1 8 alcoholic beverages at the awards ceremony possesses an
1 9 appropriate valid liquor control license. For the purpose of
1 10 this section and section 123.95, the state capitol complex
1 11 grounds is a private place.

1 12 Sec. 2. EFFECTIVE DATE. This joint resolution, being
1 13 deemed of immediate importance, takes effect upon enactment.

1 14 EXPLANATION

1 15 This joint resolution authorizes the use and consumption of
1 16 alcoholic beverages at an awards ceremony for the Hy=Vee BG
1 17 World Cup Triathlon to be held on the state capitol complex
1 18 grounds on or around June 17, 2007. Current law and rules
1 19 prohibit the use and consumption of alcoholic beverages within
1 20 the state capitol. The joint resolution takes effect upon
1 21 enactment.

1 22 LSB 2866SS 82

1 23 jr:nh/gg/14.1



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Joint Resolution 6 - Introduced

SENATE JOINT RESOLUTION
BY GRONSTAL

(COMPANION TO LSB 2926HH
BY McCARTHY)

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

SENATE JOINT RESOLUTION

1 A joint resolution approving the permanent acknowledgement of
2 elementary and secondary schools and individual citizens of
3 this state for their contributions of foliage and items to be
4 permanently located on the west capitol terrace and other
5 capitol grounds and providing an effective date.
6 WHEREAS, the state has committed resources to the improvement
7 of the West Capitol Terrace project and continues to develop that
8 area for the citizens of Iowa; and
9 WHEREAS, work on phase 1 of this project is scheduled to be
10 completed by June of this year in time for the 2007 Hy=Vee
11 Triathlon == International Triathlon Union World Cup event; and
12 WHEREAS, the General Assembly believes all Iowans should be
13 proud of the improvements being made and given the opportunity to
14 participate in the completion of this project; and
15 WHEREAS, the Department of Administrative Services is planning
16 an event to encourage all Iowans to participate in the
17 sponsorship of trees, benches, and other foliage and items to be
18 located on the West Capitol Terrace and other areas of the
19 Capitol grounds; NOW THEREFORE,
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
21 TLSB 2926SS 82
1 ec/cf/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Joint Resolution 6 - Introduced continued

PAG LIN

1 1 That the department of administrative services is hereby
1 2 authorized, as provided in section 8A.108, subsection 2,
1 3 paragraph "b", to establish permanent acknowledgements for
1 4 contributions made by or on behalf of elementary and secondary
1 5 schools and individual citizens of this state of trees,
1 6 benches, and other foliage and items to be permanently located
1 7 on the west capitol terrace and other areas of the capitol
1 8 grounds. The type and design of plaques to be used for the
1 9 permanent acknowledgements authorized by this joint resolution
1 10 shall be approved by the capitol planning commission prior to
1 11 placement on the west capitol terrace or other capitol
1 12 grounds.

1 13 This joint resolution, being deemed of immediate
1 14 importance, takes effect upon enactment.

1 15 EXPLANATION

1 16 This joint resolution authorizes the department of
1 17 administrative services to establish permanent
1 18 acknowledgements for contributions made by or on behalf of
1 19 elementary and secondary schools and citizens of this state of
1 20 trees, benches, and other foliage and items to be permanently
1 21 located on the west capitol terrace and other areas of the
1 22 capitol grounds. The joint resolution requires that the type
1 23 and design of plaques to be used for the permanent
1 24 acknowledgements be approved by the capitol planning
1 25 commission.

1 26 The joint resolution takes effect upon enactment.

1 27 LSB 2926SS 82

1 28 ec:rj/cf/24



Iowa General Assembly
 Daily Bills, Amendments & Study Bills
 April 24, 2007

Senate Resolution 46 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO. ____
 1 2 BY COURTNEY
 1 3 A Resolution designating May 2007 as Huntington's
 1 4 Disease Awareness Month.
 1 5 WHEREAS, our nation has had a long-standing
 1 6 commitment to the development of techniques and
 1 7 methods of conquering disease; and
 1 8 WHEREAS, Huntington's Disease is a devastating,
 1 9 degenerative brain disorder which afflicts many
 1 10 citizens of this country in a relentless and, at
 1 11 present, incurable way; and
 1 12 WHEREAS, the existence of this dreaded disease
 1 13 presents a challenge to the love and humanitarianism
 1 14 of the American people; and
 1 15 WHEREAS, since the discovery of the genetic basis
 1 16 for the disease in 1993, the pace of research into the
 1 17 cause and nature of the disease has increased
 1 18 dramatically; and
 1 19 WHEREAS, the Huntington's Disease Society of
 1 20 America, Inc., has supported this research, bringing
 1 21 new hope to those who bear the burden of this tragic
 1 22 affliction; NOW THEREFORE,
 1 23 BE IT RESOLVED BY THE SENATE, That the Senate
 1 24 designates the month of May 2007, as Huntington's
 1 25 Disease Awareness Month in Iowa, and urges the
 1 26 citizens of this state to lend their support to
 1 27 efforts to control this disease so that the suffering
 1 28 it induces may be eliminated.
 1 29 LSB 2874SS 82
 1 30 rn:nh/es/88



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Resolution 47 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
 1 2 BY RAGAN
 1 3 A Resolution encouraging the Iowa congressional
 1 4 delegation to support legislation to improve
 1 5 Medicare payments to Iowa physicians under the
 1 6 Medicare Part B program.
 1 7 WHEREAS, Iowa's physicians are reimbursed by the
 1 8 federal Medicare program significantly less than
 1 9 physicians in most of the rest of the United States;
 1 10 and
 1 11 WHEREAS, Iowa's quality of health care, as measured
 1 12 by the federal government, is among the best, rated
 1 13 sixth in the United States; and
 1 14 WHEREAS, Iowa ranks among the lowest, ranked 44th
 1 15 in the nation, in the number of physicians per capita;
 1 16 and
 1 17 WHEREAS, Iowa's population ranks seventh in the
 1 18 nation in the percent of our state's population
 1 19 covered by the federal Medicare program; and
 1 20 WHEREAS, there are clear federal remedies that
 1 21 would significantly narrow or even eliminate the
 1 22 reimbursement disparity, which impedes Iowa's ability
 1 23 to recruit physicians to practice in the state; and
 1 24 WHEREAS, Iowa physicians are facing a projected 10
 1 25 percent reduction in reimbursement in 2008 if Congress
 1 26 does not take action to prevent the cut; NOW
 1 27 THEREFORE,
 1 28 BE IT RESOLVED BY THE SENATE, That Iowa's five
 1 29 United States Congressmen and two United States
 1 30 Senators are requested to place a high priority on



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Resolution 47 - Introduced continued

2 1 enacting a remedy to the disparity in physician
2 2 reimbursement in the federal Medicare Part B program,
2 3 and
2 4 BE IT FURTHER RESOLVED, That Iowa's five United
2 5 States Congressmen and two United States Senators are
2 6 requested to place a high priority on enacting federal
2 7 legislation that would eliminate the 10 percent
2 8 reduction to physician payments in 2008.
2 9 LSB 2935SS 82
2 10 jr:rj/je/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Resolution 48 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY JOHNSON
1 3 A Resolution to recognize the city of Ashton, Iowa,
1 4 on its quasiquicentennial anniversary.
1 5 WHEREAS, the city of Ashton is located in Osceola
1 6 County, Iowa, along U.S. Highway 60 with a population
1 7 of 462; and
1 8 WHEREAS, Ashton was a railroad town and one of the
1 9 only water stops for the steam engines, with the water
1 10 pulled from Otter Creek, and where the water silo and
1 11 the dam are still located by the active railroad
1 12 tracks; and
1 13 WHEREAS, Ashton is very proud of the DeBoer Grocery
1 14 Museum, the home of much of Ashton's history and
1 15 artifacts, with the museum building dating back to
1 16 1882; and
1 17 WHEREAS, Ashton has many active businesses in town,
1 18 including Ashton State Bank, three lovely restaurants,
1 19 Heiman Fire Equipment, Ashton Welding and
1 20 Manufacturing, Corbett Plumbing, three hair salons,
1 21 three auto and truck repair shops, a nearby ethanol
1 22 plant, and United Farmers Cooperative; and
1 23 WHEREAS, Ashton has always been a religious
1 24 community as the founding fathers established the
1 25 Saint Mary's Catholic Church, with Ashton also home to
1 26 the Ashton Presbyterian Church and the Ashton Bible
1 27 Church; and
1 28 WHEREAS, on July 20 through July 22, 2007, Ashton
1 29 will celebrate its 125th anniversary with a Friday
1 30 night dance and fireworks display, a Saturday parade,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Resolution 48 - Introduced continued

2 1 car show, antique tractor show and tractor pulls,
2 2 quilt show, old fashioned ball game, and children's
2 3 games and, to close the evening, a dance, a Sunday
2 4 church service, breakfast put on by the volunteer fire
2 5 department, and dancing tractors, with RAGBRAI
2 6 bicyclists passing through and with a time capsule to
2 7 be buried in the local cemetery; NOW THEREFORE,
2 8 BE IT RESOLVED BY THE SENATE, That the Senate
2 9 recognizes and extends its congratulations to the city
2 10 of Ashton on its 125 years, and invites all Iowans to
2 11 make a visit to the July celebrations in Ashton a part
2 12 of their summer plans.
2 13 LSB 2927SS 82
2 14 jr:rj/je/5.2



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Resolution 49 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO. ____
1 2 BY BLACK, BEALL, BOETTGER, BOLKCOM,
1 3 BEHN, and DANIELSON
1 4 A Resolution supporting a free trade agreement between
1 5 the Republic of China on Taiwan and the United States.
1 6 WHEREAS, the Republic of China on Taiwan and the
1 7 United States enjoy one of the most important economic
1 8 and strategic international relationships that exists
1 9 today; and
1 10 WHEREAS, together, Taiwan and the United States
1 11 promote a shared belief in freedom, democracy, and
1 12 market principles; and
1 13 WHEREAS, the level of mutual investment between
1 14 Taiwan and the United States is substantial; and
1 15 WHEREAS, streamlined foreign investment procedures
1 16 developed under a free trade agreement between Taiwan
1 17 and the United States would create new business
1 18 opportunities and new jobs; and
1 19 WHEREAS, a free trade agreement between Taiwan and
1 20 the United States would encourage greater innovations
1 21 and manufacturing efficiencies by stimulating joint
1 22 technological development, practical applications, and
1 23 new cooperative ventures; and
1 24 WHEREAS, a recent study by the United States
1 25 International Trade Commission supports the
1 26 negotiation of a free trade agreement between Taiwan
1 27 and the United States; and
1 28 WHEREAS, a free trade agreement between Taiwan and
1 29 the United States would build on the existing strong
1 30 relations between Taiwan and the United States to



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Resolution 49 - Introduced continued

2 1 simultaneously boost Taiwan's security and democracy
2 2 and serve the broader interests of the United States
2 3 in the Asia-Pacific region; NOW THEREFORE,
2 4 BE IT RESOLVED BY THE SENATE, That the Senate
2 5 supports the negotiation of a free trade agreement
2 6 between the Republic of China on Taiwan and the United
2 7 States of America; and
2 8 BE IT FURTHER RESOLVED, That upon adoption, an
2 9 official copy of this Resolution be prepared and
2 10 presented to the Taipei Economic and Cultural Office
2 11 located in Chicago, Illinois.
2 12 LSB 2940SS 82
2 13 jr:nh/gg/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360

SENATE FILE
BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON COURTNEY)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to student loans, including the protection of
2 students and parents from certain lenders and institutions of
3 higher education with conflicts of interest, and establishing
4 penalties and a student lending education fund.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2939SC 82
7 kh/gg/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

PAG LIN

1 1 Section 1. NEW SECTION. 261E.1 DEFINITIONS.
1 2 As used in this chapter, unless otherwise specified:
1 3 1. "Administrator" means either the attorney general or
1 4 the attorney general's designee. The attorney general may
1 5 charge the college student aid commission or the
1 6 superintendent of banking, credit unions, or savings and loans
1 7 with enforcing this chapter against the person under
1 8 investigation.
1 9 2. "Borrower" means a student attending a covered
1 10 institution in this state, or a parent or person in parental
1 11 relation to such student, who also obtains an educational loan
1 12 from a lending institution to pay for or finance higher
1 13 education expenses.
1 14 3. "Covered institution" means any educational institution
1 15 that offers a postsecondary educational degree, certificate,
1 16 or program of study and receives state funding or assistance.
1 17 "Covered institution" includes an agent of the educational
1 18 institution, including an alumni association, booster club, or
1 19 other organization directly or indirectly associated with the
1 20 institution.
1 21 4. "Covered institution employee" means any employee,
1 22 agent, contractor, director, officer, or trustee of a covered
1 23 institution.
1 24 5. "Educational loan" means any loan that is made,
1 25 insured, or guaranteed under title IV of the federal Higher
1 26 Education Act of 1965, as amended, any high risk loan, or any
1 27 private loan issued by a lending institution for the purposes
1 28 of paying for or financing higher education expenses.
1 29 6. "Gift" means any discount, favor, gratuity, inducement,
1 30 loan, stock, thing of value, or other item having a monetary
1 31 value of more than ten dollars.
1 32 a. The term "gift" includes but is not limited to:
1 33 (1) Any money, service, loan, entertainment, honoraria,
1 34 hospitality, lodging costs, meals, registration fees, travel
1 35 expenses, discount, forbearance, or promise.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Study Bill 1360 continued

2 1 (2) Gifts provided in kind, by purchase of a ticket,
2 2 payment in advance, or reimbursement after expenses have been
2 3 incurred.

2 4 (3) Any computer hardware for which the recipient pays
2 5 below-market prices.

2 6 (4) Any printing costs or services.

2 7 b. The term "gift" does not include any of the following:

2 8 (1) A lending institution's own brochure or promotional
2 9 literature.

2 10 (2) Food, refreshments, training, or informational
2 11 material furnished to a covered institution employee as an
2 12 integral part of a training session, if such training
2 13 contributes to the professional development of the covered
2 14 institution employee.

2 15 7. "High risk loans" means any agreement between a lending
2 16 institution and a covered institution that provides for the
2 17 lending institution to provide loans to students with a poor
2 18 or no credit history, who would otherwise not be eligible for
2 19 educational loans.

2 20 8. "Higher education expenses" includes all of the
2 21 following:

2 22 a. Tuition and fees.

2 23 b. Costs incurred for books, supplies, transportation, and
2 24 miscellaneous personal expenses.

2 25 c. Room and board costs.

2 26 9. "Lending institution" means any of the following:

2 27 a. Any entity that itself or through an affiliate makes
2 28 educational loans to pay for or finance higher education
2 29 expenses or that securitizes such loans.

2 30 b. Any entity, or association of entities, that guarantees
2 31 educational loans.

2 32 c. Any industry, trade, or professional association or
2 33 other entity that receives money from any entity described in
2 34 paragraph "a" or "b".

2 35 10. "Preferred lender list" means a list of one or more



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

3 1 recommended or suggested lending institutions that a covered
3 2 institution makes available for use, in print or any other
3 3 medium or form, by borrowers, prospective borrowers, or
3 4 others.

3 5 11. "Revenue sharing" means any arrangement whereby a
3 6 lending institution pays a covered institution or an
3 7 affiliated entity or organization of such covered institution
3 8 a percentage of the principal of each loan directed towards
3 9 the lending institution from a borrower at the covered
3 10 institution.

3 11 Sec. 2. NEW SECTION. 261E.2 PROHIBITION OF GIFTS BY
3 12 LENDING INSTITUTIONS TO COVERED INSTITUTIONS AND EMPLOYEES.

3 13 1. A lending institution shall not, directly or
3 14 indirectly, offer or provide any gift to a covered institution
3 15 or a covered institution employee in exchange for any
3 16 advantage or consideration provided to such lending
3 17 institution related to its educational loan activities.

3 18 2. A lending institution shall not engage in revenue
3 19 sharing with a covered institution.

3 20 Sec. 3. NEW SECTION. 261E.3 PROHIBITION OF RECEIPT OF
3 21 GIFTS BY COVERED INSTITUTIONS.

3 22 1. A covered institution shall not, directly or
3 23 indirectly, solicit, accept, or receive any gift from or on
3 24 behalf of a lending institution in exchange for any advantage
3 25 or consideration provided to such lending institution related
3 26 to its educational loan activities.

3 27 2. A covered institution shall not engage in revenue
3 28 sharing with a lending institution.

3 29 Sec. 4. NEW SECTION. 261E.4 PROHIBITION OF RECEIPT OF
3 30 GIFTS BY COVERED INSTITUTION EMPLOYEES.

3 31 1. A covered institution shall prohibit a covered
3 32 institution employee, on the employee's behalf or on behalf of
3 33 another, directly or indirectly, from soliciting, accepting,
3 34 or receiving any gift from or on behalf of a lending
3 35 institution. Nothing in this subsection shall be construed as



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

4 1 prohibiting a covered institution employee from conducting
4 2 business with a lending institution, provided that such
4 3 business is unrelated in any manner whatsoever to a covered
4 4 institution.

4 5 2. A covered institution employee, on the employee's
4 6 behalf or on behalf of another, shall not directly or
4 7 indirectly solicit, accept, or receive any gift from or on
4 8 behalf of a lending institution. Nothing in this subsection
4 9 shall be construed as prohibiting a covered institution
4 10 employee from conducting business with any lending
4 11 institution, provided that such business is unrelated in any
4 12 manner whatsoever with the covered institution.

4 13 3. A covered institution employee shall report to the
4 14 administrator any instance of a lending institution attempting
4 15 to give a gift to the covered institution employee.

4 16 Sec. 5. NEW SECTION. 261E.5 COVERED INSTITUTION EMPLOYEE
4 17 PROHIBITIONS AND REPORTING REQUIREMENTS.

4 18 1. A lending institution shall not provide any
4 19 remuneration or expense reimbursement to a covered institution
4 20 employee for serving as a member of or participant on an
4 21 advisory board of a lending institution.

4 22 2. A covered institution shall prohibit a covered
4 23 institution employee from receiving any remuneration for
4 24 serving as a member of or participant on an advisory board of
4 25 a lending institution or receiving any reimbursement of
4 26 expenses for so serving, notwithstanding section 261.4.

4 27 3. Nothing in this section shall be construed as
4 28 prohibiting any of the following:

4 29 a. A covered institution employee's participation on an
4 30 advisory board of a lending institution that is unrelated in
4 31 any manner whatsoever to educational loans.

4 32 b. A covered institution employee, who does not have a
4 33 direct interest in or does not benefit from the functions of
4 34 the covered institution's financial aid office, from serving
4 35 on a board of directors of a publicly traded or privately held



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

5 1 company.

5 2 4. A covered institution employee who is directly involved
5 3 with or benefits from the functions of the covered
5 4 institution's financial aid office shall report to the
5 5 administrator, in a form and manner prescribed by the
5 6 administrator, all participation or financial interests
5 7 related to any lending institution.

5 8 Sec. 6. NEW SECTION. 261E.6 MISLEADING IDENTIFICATION OF
5 9 LENDING INSTITUTIONS' EMPLOYEES.

5 10 1. A lending institution shall prohibit an employee or
5 11 agent of the lending institution from being identified to
5 12 borrowers or prospective borrowers of a covered institution as
5 13 an employee, representative, or agent of the covered
5 14 institution.

5 15 2. A covered institution shall prohibit an employee or
5 16 agent of a lending institution from being identified as an
5 17 employee, representative, or agent of the covered institution.

5 18 3. An employee, representative, or agent of a lending
5 19 institution shall not staff a covered institution's financial
5 20 aid offices.

5 21 Sec. 7. NEW SECTION. 261E.7 LOAN DISCLOSURE AND
5 22 PROHIBITION OF QUID PRO QUO HIGH RISK LOANS.

5 23 1. A covered institution shall inform the borrower or
5 24 prospective borrower of all available state education
5 25 financing options, and financing options under title IV of the
5 26 federal Higher Education Act of 1965, as amended, including
5 27 information on any terms and conditions of available loans
5 28 under such title that are more favorable to the borrower,
5 29 before a lending institution may provide a private educational
5 30 loan to a borrower attending a covered institution with which
5 31 a lending institution has an educational loan arrangement.

5 32 2. Neither a lending institution nor a covered institution
5 33 shall enter into an agreement or otherwise provide any high
5 34 risk loans in exchange for the covered institution providing
5 35 concessions or promises to the lending institution that may



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

6 1 prejudice other borrowers or prospective borrowers.
6 2 Sec. 8. NEW SECTION. 261E.8 STANDARDS FOR PREFERRED
6 3 LENDER LISTS.
6 4 A covered institution that provides or makes available a
6 5 preferred lender list shall comply with all of the following
6 6 standards:
6 7 1. A preferred lender list shall disclose the process by
6 8 which the covered institution selected lending institutions
6 9 for such preferred lender list, including, but not limited to,
6 10 the method and criteria used to choose the lending
6 11 institutions and the relative importance of those criteria.
6 12 2. A preferred lender list shall state in the same font
6 13 size and same manner as the predominant text on the document
6 14 that borrowers have the right and ability to select the
6 15 education loan provider of their choice, are not required to
6 16 use any of the lenders on such preferred lender list, and will
6 17 suffer no penalty for choosing a lender that is not on such
6 18 preferred lender list.
6 19 3. The covered institution's decision to include a lending
6 20 institution on any preferred lender list and the covered
6 21 institution's decision as to where on the preferred lender
6 22 list the lending institution's name appears shall be
6 23 determined solely by consideration of the best interests of
6 24 the borrowers who may use such preferred lender list without
6 25 regard to the pecuniary interests of the covered institution.
6 26 4. The contents of any preferred lender list shall be
6 27 reviewed and updated at least annually.
6 28 5. A lending institution shall not be placed on a
6 29 preferred lender list unless the lending institution provides
6 30 assurance to the covered institution and to borrowers who take
6 31 out loans from the lending institution that the advertised
6 32 benefits upon repayment will continue to inure to the benefit
6 33 of borrowers regardless of whether the lending institution's
6 34 loans are sold.
6 35 6. A lending institution that, to the covered



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

7 1 institution's knowledge after reasonable inquiry, has an
7 2 agreement to sell its loans to another unaffiliated lending
7 3 institution shall not be included on a preferred lender list
7 4 unless such agreement is disclosed therein in the same font
7 5 size and same manner as the predominant text on the document
7 6 in which the preferred lender list appears.

7 7 7. A lending institution shall not be placed on a covered
7 8 institution's preferred lender lists or in favored placement
7 9 on a covered institution's preferred lender lists for a
7 10 particular type of loan, in exchange for benefits provided to
7 11 the covered institution or to the covered institution's
7 12 students in connection with a different type of loan.

7 13 Sec. 9. NEW SECTION. 261E.9 PROPER EXECUTION OF MASTER
7 14 PROMISSORY NOTES.

7 15 A covered institution shall not direct potential borrowers
7 16 to any electronic master promissory notes or other loan
7 17 agreements that do not allow the borrower to enter the lender
7 18 code or name for any lending institution offering the relevant
7 19 loan.

7 20 Sec. 10. NEW SECTION. 261E.10 DISCLOSURES AT REQUEST OF
7 21 COVERED INSTITUTIONS.

7 22 Except for educational loans made, insured, or guaranteed
7 23 by the federal government, upon the request of any covered
7 24 institution, a lending institution shall disclose to such
7 25 covered institution, in reasonable detail and form, the
7 26 historic default rates of the borrowers from such covered
7 27 institution, and the rates of interest charged to borrowers
7 28 from such covered institution in the year preceding the
7 29 disclosures and the number of borrowers obtaining each rate of
7 30 interest.

7 31 Sec. 11. NEW SECTION. 261E.11 PENALTIES.

7 32 1. If after providing notice and an opportunity for a
7 33 hearing the administrator determines that a covered
7 34 institution or lending institution has violated a provision of
7 35 this chapter, the covered institution or lending institution



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Study Bill 1360 continued

8 1 may be liable for a civil penalty of up to fifty thousand
8 2 dollars. In taking action against a covered institution or
8 3 lending institution, consideration shall be given to the
8 4 nature and severity of a violation of this chapter.
8 5 2. If after providing notice and an opportunity for a
8 6 hearing the administrator determines that a covered
8 7 institution employee has violated a provision of this chapter,
8 8 the covered institution employee may be liable for a civil
8 9 penalty of up to seven thousand five hundred dollars. In
8 10 taking action against a covered institution employee,
8 11 consideration shall be given to the nature and severity of a
8 12 violation of this chapter.
8 13 3. If after providing notice and an opportunity for a
8 14 hearing the administrator determines that a lending
8 15 institution has violated a provision of this chapter, such
8 16 lending institution shall not be placed or remain on any
8 17 covered institution's preferred lender list unless notice of
8 18 such violation is provided to all potential borrowers of the
8 19 covered institution.
8 20 4. Nothing in this section shall prohibit the
8 21 administrator from reaching a settlement agreement with a
8 22 covered institution, covered institution employee, or lending
8 23 institution in order to effectuate the purposes of this
8 24 section. Provided, however, if such settlement agreement is
8 25 reached with a covered institution or lending institution, the
8 26 administrator shall provide notice of such action to the
8 27 borrowers in a form and manner prescribed by the
8 28 administrator.
8 29 5. The administrator shall deposit the funds generated
8 30 pursuant to this section into the student lending education
8 31 fund, created in section 261E.13. Such funds shall be given
8 32 to covered institutions upon application to the attorney
8 33 general for the purposes provided pursuant to section 261E.13.
8 34 Sec. 12. NEW SECTION. 261E.12 RULES AND REGULATIONS.
8 35 The attorney general and any official or agency charged by



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

9 1 the attorney general with enforcing this chapter against a
9 2 person under investigation shall promulgate rules and
9 3 regulations necessary for the implementation of this chapter.
9 4 Sec. 13. NEW SECTION. 261E.13 STUDENT LENDING EDUCATION
9 5 FUND.

9 6 1. There is established in the state treasury a student
9 7 lending education fund.

9 8 2. The fund shall consist of all revenues generated
9 9 pursuant to section 261E.11 and all other moneys credited or
9 10 transferred to the fund from any other fund or source pursuant
9 11 to law.

9 12 3. Moneys in the fund shall be made available to the
9 13 attorney general for the purposes of:

9 14 a. Supporting programs that educate students, prospective
9 15 students, and parents of such students on the loan process
9 16 including but not limited to available loan options and
9 17 understanding rates and terms of student loans.

9 18 b. Reimbursing students from inflated loan prices caused
9 19 by revenue sharing agreements between such covered institution
9 20 and a lending institution.

9 21 EXPLANATION

9 22 This bill relates to protection of students and parents
9 23 from certain lenders and institutions of higher education with
9 24 conflicts of interest, and establishes penalties and a student
9 25 lending education fund under the control of the attorney
9 26 general.

9 27 DEFINITIONS. The bill defines "covered institution" as any
9 28 educational institution that offers a postsecondary
9 29 educational degree, certificate, or program of study and
9 30 receives state funding or assistance. The term includes an
9 31 agent of the educational institution, including an alumni
9 32 association, booster club, or other organization directly or
9 33 indirectly associated with the institution. "Gift" means
9 34 anything having a monetary value of more than \$10 except a
9 35 lending institution's own brochure or promotional literature



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

10 1 and food, refreshments, training, or informational material
10 2 furnished to a covered institution employee as an integral
10 3 part of a training session, if such training contributes to
10 4 the professional development of the covered institution
10 5 employee.

10 6 GIFTS AND REMUNERATION PROHIBITED. The bill prohibits a
10 7 lending institution from providing a covered institution with
10 8 a gift in exchange for any advantage or consideration relating
10 9 to the lending institution's educational loan activities.
10 10 Likewise, the bill prohibits a covered institution and its
10 11 employees from accepting or soliciting a gift from a lending
10 12 institution for any advantage or consideration relating to the
10 13 lending institution's educational loan activities and from
10 14 revenue sharing with the lending institution. However,
10 15 nothing in the bill prohibits a covered institution employee
10 16 from conducting business with a lending institution unrelated
10 17 to a covered institution.

10 18 GIFT REPORTING. Covered institution employees are required
10 19 to report to the administrator any instance of a lending
10 20 institution attempting to give a gift to such covered
10 21 institution employees.

10 22 ADMINISTRATOR. The administrator of the chapter is the
10 23 attorney general or the attorney general's designee. However,
10 24 the bill authorizes the attorney general to charge the college
10 25 student aid commission or the superintendent of banking,
10 26 credit unions, or savings and loans with enforcing the
10 27 chapter, and those entities are permitted to adopt rules to
10 28 implement the chapter.

10 29 REMUNERATION PROHIBITED. An employee of a covered
10 30 institution is prohibited from receiving remuneration or
10 31 expense reimbursement for serving as a member or participant
10 32 of an advisory board of a lending institution. Lending
10 33 institutions are prohibited from providing remuneration or
10 34 expense reimbursement to a covered institution employee for
10 35 serving as a member or participant of an advisory board of a



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007**

Senate Study Bill 1360 continued

11 1 lending institution.
11 2 EMPLOYEE DISCLOSURE OF BENEFIT. Covered institution
11 3 employees who are directly involved with or benefit from the
11 4 functions of the covered institution's financial aid office
11 5 are required to report to the administrator all participation
11 6 or financial interests related to any lending institution.
11 7 EMPLOYEE AND AGENT MISREPRESENTATION PROHIBITED. A lending
11 8 institution is prohibited from representing its employees or
11 9 agents to borrowers or prospective borrowers of a covered
11 10 institution as employees, representatives, or agents of a
11 11 covered institution. Employees or agents of a covered
11 12 institution are also prohibited from identifying themselves as
11 13 employees or agents of a lending institution to borrowers or
11 14 prospective borrowers of the covered institution.
11 15 FINANCIAL AID STAFFING PROHIBITION. An employee,
11 16 representative, or agent of a lending institution is
11 17 prohibited from staffing a covered institution's financial aid
11 18 offices.
11 19 DISCLOSURE OF FAVORABLE LOAN OPTIONS. A covered
11 20 institution must inform the borrower or prospective borrower
11 21 of all available federal financing options that are more
11 22 favorable to the borrower before a lending institution may
11 23 provide a private educational loan to a borrower attending a
11 24 covered institution with which a lending institution has an
11 25 educational loan arrangement.
11 26 HIGH RISK LOAN PROHIBITION. Lending institutions and
11 27 covered institutions are prohibited from entering into an
11 28 agreement, or otherwise providing any high risk loans, in
11 29 exchange for the covered institution providing concessions or
11 30 promises to the lending institution that may prejudice other
11 31 borrowers or prospective borrowers.
11 32 PREFERRED LENDER LIST STANDARDS. The bill establishes a
11 33 number of standards with which a covered institution that
11 34 provides or makes available a preferred lender list must
11 35 comply. A lending institution that violates a provision of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 24, 2007

Senate Study Bill 1360 continued

12 1 the bill shall not be placed or remain on any covered
12 2 institution's preferred lender list unless notice of the
12 3 violation is provided to all potential borrowers.
12 4 ELECTRONIC MASTER PROMISSORY NOTE PROHIBITION. A covered
12 5 institution is prohibited from directing potential borrowers
12 6 to any electronic master promissory notes or other loan
12 7 agreements that do not allow the borrower to enter the lender
12 8 code or name for any lending institution offering the relevant
12 9 loan.
12 10 DEFAULT RATE DISCLOSURE. Lending institutions must
12 11 disclose to covered institutions the historic default rates of
12 12 the borrowers and the rates of interest charged to borrowers
12 13 from such covered institution in the year preceding the
12 14 disclosures and the number of borrowers obtaining each rate of
12 15 interest.
12 16 CIVIL PENALTY. An institution that violates a provision of
12 17 the bill may be liable for a civil penalty of up to \$50,000.
12 18 A covered institution employee who violates a provision of the
12 19 bill may be liable for a civil penalty of up to \$7,500.
12 20 FUND USE. Funds collected which result from the imposition
12 21 of penalties are to be deposited in the student lending
12 22 education account, which is established in the state treasury
12 23 and is available to the attorney general. Moneys in the fund
12 24 may be given to covered institutions to educate borrowers and
12 25 prospective borrowers on the loan process and to reimburse
12 26 borrowers from inflated loan prices caused by revenue sharing
12 27 agreements between covered institutions and lending
12 28 institutions.
12 29 LSB 2939SC 82
12 30 kh:nh/gg/14