



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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# Conference Committee Report 551

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1 1                                   REPORT OF THE CONFERENCE COMMITTEE  
 1 2                                   ON SENATE FILE 551  
 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 551, a bill for an Act  
 1 9 relating to and making appropriations involving state  
 1 10 government, by providing for agriculture, natural resources,  
 1 11 and environmental protection, respectfully make the following  
 1 12 report:  
 1 13        1. That the Senate recedes from its amendment, H=2040.  
 1 14        2. That the House amendment, S=3436, to Senate File 551, as  
 1 15 amended, passed, and reprinted by the Senate, is amended to  
 1 16 read as follows:  
 1 17        #1. Page 1, by inserting before line 3, the following:  
 1 18        <#\_\_\_. Page 3, by striking line 9, and inserting the  
 1 19 following: <maintenance, miscellaneous purposes, and for not  
 1 20 more than the following full-time equivalent positions:>  
 1 21        #\_\_\_. Page 3, by inserting after line 10, the following:  
 1 22 <..... FTEs                   1.00>  
 1 23        #\_\_\_. Page 11, line 26, by striking the figure <1,500,000>  
 1 24 and inserting the following: <1,480,000>.  
 1 25        #\_\_\_. Page 12, line 35, by striking the figure <600,000>  
 1 26 and inserting the following: <580,000>.  
 1 27        #\_\_\_. Page 13, line 2, by striking the figure <400,000> and  
 1 28 inserting the following: <386,667>.  
 1 29        #\_\_\_. Page 13, line 8, by striking the figure <200,000> and  
 1 30 inserting the following: <193,333>.  
 1 31        #\_\_\_. Page 13, by inserting after line 17, the following:  
 1 32        <\_\_\_. For purposes of supporting a farm-to-school program,  
 1 33 as provided in chapter 190A, if enacted by 2007 Iowa Acts,  
 1 34 Senate File 601, including salaries, support, maintenance, and  
 1 35 miscellaneous purposes:  
 1 36 ..... \$                   80,000  
 1 37        \_\_\_. For purposes of supporting the office of state



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2 1 apiarist, including the state apiarist who shall be appointed  
 2 2 by the secretary of agriculture pursuant to section 160.1, and  
 2 3 for carrying out the duties of the state apiarist as provided  
 2 4 in chapter 160:  
 2 5 ..... \$ 40,000>  
 2 6 #\_\_. Page 14, line 5, by striking the figure <2,490,000>  
 2 7 and inserting the following: <2,470,000>.  
 2 8 #\_\_. Page 14, line 19, by striking the figure <400,000>  
 2 9 and inserting the following: <360,000>.  
 2 10 #\_\_. Page 15, line 9, by striking the figure <500,000> and  
 2 11 inserting the following: <480,000>.>  
 2 12 #2. Page 2, by inserting after line 16 the following:  
 2 13 <#\_\_. Page 20, by inserting after line 27 the following:  
 2 14 <DIVISION  
 2 15 CODE LANGUAGE == E=85 GASOLINE STORING AND  
 2 16 DISPENSING INFRASTRUCTURE  
 2 17 Sec. \_\_\_\_. Section 15G.203, subsection 7, Code 2007, is  
 2 18 amended to read as follows:  
 2 19 7. An award of financial incentives to a participating  
 2 20 person shall be in the form of a grant.  
 2 21 In order to participate in the program an eligible person  
 2 22 must execute a cost=share agreement with the department as  
 2 23 approved by the infrastructure board in which the person  
 2 24 contributes a percentage of the total costs related to  
 2 25 improving the retail motor fuel site.  
 2 26 a. The Except as provided in paragraph "b", a participating  
 2 27 person may be awarded standard financial incentives. The  
 2 28 standard financial incentives awarded to the participating  
 2 29 person shall not exceed fifty percent of the actual cost of  
 2 30 making the improvement or thirty thousand dollars, whichever is  
 2 31 less. The infrastructure board may approve multiple awards to  
 2 32 make improvements to a retail motor fuel site so long as the  
 2 33 total amount of the awards does not exceed the limitations  
 2 34 provided in this paragraph.  
 2 35 b. In addition to any standard financial incentives awarded  
 2 36 to a participating person under paragraph "a", the  
 2 37 participating person may be awarded supplemental financial



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3 1 incentives to upgrade or replace a dispenser which is part of  
3 2 gasoline storage and dispensing infrastructure used to store  
3 3 and dispense E=85 gasoline as provided in section 455G.31. The  
3 4 person is only eligible to receive the supplemental financial  
3 5 incentives if the person installed the dispenser not later than  
3 6 sixty days after the date of the publication in the Iowa  
3 7 administrative bulletin of the state fire marshal's order  
3 8 providing that a commercially available dispenser is listed as  
3 9 compatible for use with E=85 gasoline by an independent testing  
3 10 laboratory as provided in section 455G.31. The supplemental  
3 11 financial incentives awarded to the participating person shall  
3 12 not exceed seventy=five percent of the actual cost of making  
3 13 the improvement or thirty thousand dollars, whichever is less.  
3 14 Sec. \_\_\_\_\_. Section 455G.31, subsection 1, paragraph a, Code  
3 15 2007, is amended to read as follows:  
3 16 a. "E=85 gasoline", "ethanol blended gasoline", and "retail  
3 17 dealer" mean the same as defined in section 214A.1.  
3 18 Sec. \_\_\_\_\_. Section 455G.31, subsection 2, paragraph b, Code  
3 19 2007, is amended to read as follows:  
3 20 b. (1) For a dispenser, ~~the manufacturer must state all of~~  
3 21 ~~the following shall apply:~~  
3 22 (1) (a) ~~That the dispenser is, in the opinion of the~~  
3 23 ~~manufacturer, not incompatible with E=85 gasoline. The~~  
3 24 ~~dispenser must be listed by an independent testing laboratory~~  
3 25 ~~as compatible with ethanol blended gasoline.~~  
3 26 (2) (b) ~~The manufacturer has initiated the process of~~  
3 27 ~~applying to an independent testing laboratory for listing of~~  
3 28 ~~the equipment for use in dispensing E=85 gasoline.~~  
3 29 ~~A manufacturer's statement must include a written statement,~~  
3 30 ~~with reference to a particular type and model of equipment for~~  
3 31 ~~use in dispensing E=85 gasoline, signed by a responsible~~  
3 32 ~~official on behalf of the manufacturer, provided either to the~~  
3 33 ~~retail dealer using the gasoline storage and dispensing~~  
3 34 ~~infrastructure or to the department of natural resources or the~~  
3 35 ~~state fire marshal. If the written statement is provided to a~~  
3 36 ~~retail dealer, the statement shall be retained in the files on~~  
3 37 ~~the premises of the retail dealer and shall be available to~~





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5 1		
5 2		
5 3		
5 4	DENNIS H. BLACK	BETTY DE BOEF
5 5		
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5 7		
5 8	E. THURMAN GASKILL	DOLORES MERTZ
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5 11		
5 12	HUBERT HOUSER	STEVE OLSON
5 13		
5 14		
5 15		
5 16	THOMAS RIELLY	MIKE REASONER
5 17	CCS 551	
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# Conference Committee Report 909.1

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1 1                                   REPORT OF THE CONFERENCE COMMITTEE  
1 2                                   ON HOUSE FILE 909  
1 3  
1 4        To the Speaker of the House of Representatives and the  
1 5 President of the Senate:  
1 6        We, the undersigned members of the conference committee  
1 7 appointed to resolve the differences between the House of  
1 8 Representatives and the Senate on House File 909, a bill for an  
1 9 Act relating to and making appropriations for health and human  
1 10 services and including other related provisions and  
1 11 appropriations, and including effective date provisions,  
1 12 respectfully make the following report:  
1 13        1. That the Senate recedes from its amendment, H=2041.  
1 14        2. That House File 909, as amended, passed, and reprinted  
1 15 by the House, is amended to read as follows:  
1 16        #1. Page 5, line 16, by striking the word <if> and  
1 17 inserting the following: <as>.  
1 18        #2. Page 6, by striking lines 10 through 12 and inserting  
1 19 the following: <shall be used to administer or implement the  
1 20 information and>.  
1 21        #3. Page 7, line 13, by striking the figure <1,690,000> and  
1 22 inserting the following: <2,215,000>.  
1 23        #4. Page 7, by inserting after line 13 the following:  
1 24        <The amount appropriated in this subsection for addictive  
1 25 disorders reflects an increase of \$525,000 from the funding  
1 26 remaining in the gambling treatment fund from the carryforward  
1 27 of appropriations made for addictive disorders in previous  
1 28 fiscal years. Of this amount, \$50,000 shall be transferred to  
1 29 the department of corrections to supplement funding for the  
1 30 adult drug court program in the fifth judicial district,  
1 31 \$25,000 shall be transferred to the department of corrections  
1 32 to supplement funding for the adult drug court program in the  
1 33 second judicial district, \$150,000 shall be transferred to the  
1 34 department of human rights to supplement funding for the family  
1 35 development and self=sufficiency grant program, and \$300,000  
1 36 shall be transferred to the department of human rights to be  
1 37 used in addition to any other funding appropriated in this Act



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2 1 for the energy utility assessment and resolution program  
2 2 established pursuant to section 216A.104, as enacted by this  
2 3 Act.>  
2 4 #5. Page 8, line 21, by striking the figure <1,500,000> and  
2 5 inserting the following: <500,000>.  
2 6 #6. By striking page 9, line 18, through page 10, line 17,  
2 7 and inserting the following:  
2 8 <Sec. \_\_\_\_ . VETERANS TRUST FUND. If the balance in the  
2 9 veterans trust fund for the fiscal year beginning July 1, 2007,  
2 10 exceeds \$5,000,000, exclusive of any amount from interest or  
2 11 earnings on moneys in the trust fund or otherwise received from  
2 12 a source other than the general fund of the state or the  
2 13 rebuild Iowa infrastructure fund, the amount in excess of  
2 14 \$5,000,000 is appropriated to the department of veterans  
2 15 affairs for the fiscal year beginning July 1, 2007, and ending  
2 16 June 30, 2008, for transfer to the Iowa finance authority to be  
2 17 used as funding in addition to the specific appropriations made  
2 18 for that fiscal year for the home ownership assistance  
2 19 program.>  
2 20 #7. Page 10, line 26, by striking the word <commission> and  
2 21 inserting the following: <department>.  
2 22 #8. Page 10, lines 29 and 30, by striking the words <,  
2 23 which shall be done by> and inserting the following: <no later  
2 24 than>.  
2 25 #9. Page 11, by inserting after line 18 the following:  
2 26 <Notwithstanding section 8.33, not more than 5 percent of  
2 27 the moneys designated in this subsection that are allocated by  
2 28 the department for contracted services other than family  
2 29 self=sufficiency grant services allocated under this  
2 30 subsection, that remain unencumbered or unobligated at the  
2 31 close of the fiscal year shall not revert but shall remain  
2 32 available for expenditure for the purposes designated until the  
2 33 close of the succeeding fiscal year. However, unless such  
2 34 moneys are encumbered or obligated on or before September 30,  
2 35 2008, the moneys shall revert.>  
2 36 #10. Page 14, by inserting after line 22 the following:  
2 37 <0a. To be retained by the department of human services to



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3 1 be used for coordinating with the department of human rights to  
3 2 more effectively serve participants in the FIP program and  
3 3 other shared clients and to meet federal reporting requirements  
3 4 under the federal temporary assistance for needy family block  
3 5 grant:

3 6 ..... \$ 20,000>

3 7 #11. Page 14, line 27, by striking the figure <5,583,042>  
3 8 and inserting the following: <5,563,042>.

3 9 #12. Page 14, line 32, by inserting after the word  
3 10 <department> the following: <of human rights>.

3 11 #13. By striking page 14, line 35, through page 15, line 4,  
3 12 and inserting the following:

3 13 <(3) The department of human rights is responsible for  
3 14 complying with all federal temporary assistance for needy  
3 15 family block grant requirements with respect to the funds  
3 16 allocated in this lettered paragraph and for any federal  
3 17 penalty that may result from a failure to meet the  
3 18 requirements. These responsibilities include but are not  
3 19 limited to ensuring that all expenditures of federal block  
3 20 grant and state maintenance of effort funds are appropriate and  
3 21 allowable in accordance with federal requirements and meet  
3 22 federal work participation requirements with respect to the  
3 23 population receiving benefits or services under the family  
3 24 development and self-sufficiency grant program that are subject  
3 25 to work requirements.

3 26 (4) With the allocation of funding for the family  
3 27 development and self-sufficiency grant program directly to the  
3 28 department of human rights in lieu of allocation through the  
3 29 department of human services, the department of human rights  
3 30 shall assume all responsibility for the grant program. The  
3 31 responsibility includes identifying and addressing  
3 32 implementation of any revisions in state law or administrative  
3 33 rule needed to effect this change, including but not limited to  
3 34 identifying any amendments needed to section 217.12.

3 35 (5) The department of human rights, consistent with the  
3 36 Accountable Government Act in chapter 8E, shall adopt  
3 37 appropriate performance measures for the grant program,



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4 1 including but not limited to measures demonstrating how the  
4 2 program helps families achieve self-sufficiency. The  
4 3 department of human rights shall submit to the governor and  
4 4 general assembly on or before October 31, 2008, a report  
4 5 detailing these measures and the outcomes achieved for fiscal  
4 6 year 2007=2008.  
4 7 (6) The department of human rights shall develop a  
4 8 memorandum of agreement with the department of human services  
4 9 to coordinate referrals and delivery of services to  
4 10 participants in the FIP program and other shared clients and  
4 11 shall provide the department of human services with information  
4 12 necessary for compliance with federal temporary assistance for  
4 13 needy families block grant state plan and reporting  
4 14 requirements, including but not limited to financial and data  
4 15 reports.>  
4 16 #14. By striking page 15, line 34, through page 16, line 8.  
4 17 #15. Page 16, line 21, by inserting after the word  
4 18 <funding.> the following: <If child support collections  
4 19 assigned under FIP are greater than estimated or are otherwise  
4 20 determined not to be required for maintenance of effort, the  
4 21 state share of either amount may be transferred to or retained  
4 22 in the child support payment account.>  
4 23 #16. Page 16, line 35, by inserting after the word  
4 24 <designated> the following: <and for not more than the  
4 25 following full-time equivalent positions>.  
4 26 #17. Page 17, by inserting after line 4 the following:  
4 27 <..... FTEs 16.50>  
4 28 #18. Page 17, line 10, by inserting after the word <Act.>  
4 29 the following: <The department of human rights shall ensure  
4 30 that the expenditures of moneys allocated from the general fund  
4 31 of the state pursuant to this subsection are eligible to be  
4 32 considered as state maintenance of effort expenditures under  
4 33 federal temporary assistance for needy families block grant  
4 34 requirements.>  
4 35 #19. Page 20, line 10, by striking the figure <618,926,820>  
4 36 and inserting the following: <616,771,820>.  
4 37 #20. Page 23, line 2, by inserting after the figure <2008.>



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5 1 the following: <If a prescriber determines that all smoking  
 5 2 cessation aids on the preferred drug list are not effective or  
 5 3 medically appropriate for a patient, the prescriber may apply  
 5 4 for an exception to policy for another product approved by the  
 5 5 United States food and drug administration for smoking  
 5 6 cessation pursuant to 441 IAC 1.8(1).>  
 5 7 #21. Page 24, line 9, by inserting after the word  
 5 8 <purposes> the following: <and for not more than the following  
 5 9 full-time equivalent positions>.  
 5 10 #22. Page 24, by inserting after line 10 the following:  
 5 11 <..... FTEs 21.00>  
 5 12 #23. Page 24, line 17, by inserting after the word  
 5 13 <purposes> the following: <and for not more than the following  
 5 14 full-time equivalent positions>.  
 5 15 #24. Page 24, by inserting after line 18, the following:  
 5 16 <..... FTEs 6.00>  
 5 17 #25. Page 25, line 22, by inserting after the word  
 5 18 <PROGRAM.> the following:  
 5 19 <1.>  
 5 20 #26. Page 25, by inserting after line 33 the following:  
 5 21 <2. If sufficient funding is available under this Act, and  
 5 22 if federal reauthorization of the state children's health  
 5 23 insurance program provides sufficient federal allocations to  
 5 24 the state and authorization to cover the following populations  
 5 25 as an option under the state children's health insurance  
 5 26 program, the department may expand coverage under the state  
 5 27 children's health insurance program as follows:  
 5 28 a. By eliminating the categorical exclusion of state  
 5 29 employees from receiving state children's health insurance  
 5 30 program benefits.  
 5 31 b. By providing coverage for legal immigrant children and  
 5 32 pregnant women not eligible under current federal guidelines.  
 5 33 c. By covering children up to age twenty-one, or up to age  
 5 34 twenty-three if the child is attending school.>  
 5 35 #27. Page 25, by inserting after line 33 the following:  
 5 36 <3. If the United States congress does not authorize  
 5 37 additional federal funds necessary to address the shortfall for



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6 1 the state children's health insurance program for the federal  
6 2 fiscal year beginning October 1, 2006, and ending September 30,  
6 3 2007, the department may use 100 percent state funds from the  
6 4 appropriation made in this section for the period beginning  
6 5 July 1, 2007, and ending September 30, 2007, and may, after  
6 6 consultation with the governor and the general assembly,  
6 7 utilize funding from the appropriations made in this Act for  
6 8 medical assistance to maintain the state children's health  
6 9 insurance program. If deemed necessary, the department shall  
6 10 request a supplemental appropriation from the Eighty=second  
6 11 General Assembly, 2008 Session, to address any remaining  
6 12 shortfall for the fiscal year beginning July 1, 2007.>  
6 13 #28. Page 26, line 5, by striking the figure <38,225,701>  
6 14 and inserting the following: <37,875,701>.  
6 15 #29. Page 26, line 23, by striking the figure <1,530,288>  
6 16 and inserting the following: <1,180,288>.  
6 17 #30. Page 33, line 31, by striking the words <and related>.  
6 18 #31. Page 37, line 25, by striking the figure <5,273,361>  
6 19 and inserting the following: <5,367,652>.  
6 20 #32. Page 37, line 31, by striking the figure <6,409,501>  
6 21 and inserting the following: <6,540,101>.  
6 22 #33. Page 38, line 2, by striking the figure <9,358,177>  
6 23 and inserting the following: <9,606,542>.  
6 24 #34. Page 38, line 8, by striking the figure <1,339,216>  
6 25 and inserting the following: <1,522,598>.  
6 26 #35. Page 43, line 10, by striking the figure <63,768,895>  
6 27 and inserting the following: <63,358,895>.  
6 28 #36. Page 43, line 29, by striking the figure <15,901,927>  
6 29 and inserting the following: <15,851,927>.  
6 30 #37. Page 44, by inserting after line 3 the following:  
6 31 <3. Of the funds appropriated in this section, \$100,000 is  
6 32 transferred to the department of human rights to be used in  
6 33 addition to any other funding appropriated in this Act for the  
6 34 energy utility assessment and resolution program established  
6 35 pursuant to section 216A.104, as enacted by this Act.>  
6 36 #38. Page 47, line 3, by striking the figure <160.71> and  
6 37 inserting the following: <165.53>.



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7 1 #39. Page 50, by inserting after line 19 the following:  
 7 2 <Sec. \_\_\_\_\_. DEPARTMENT OF CORRECTIONS. There is  
 7 3 appropriated from the general fund of the state to the  
 7 4 department of corrections for the fiscal year beginning July 1,  
 7 5 2007, and ending June 30, 2008, the following amount, or so  
 7 6 much thereof as is necessary, for the purposes designated:  
 7 7 For additional funding for the drug court program in the  
 7 8 fourth judicial district:  
 7 9 ..... \$ 25,000>  
 7 10 #40. Page 51, by inserting after line 32 the following:  
 7 11 <Sec. \_\_\_\_\_. Section 217.23, subsection 2, Code 2007, is  
 7 12 amended to read as follows:  
 7 13 2. The department ~~is hereby authorized to~~ may expend moneys  
 7 14 from the support allocation of the department as reimbursement  
 7 15 for replacement or repair of personal items of the department's  
 7 16 employees damaged or destroyed by clients of the department  
 7 17 during the employee's tour of duty. However, the reimbursement  
 7 18 shall not exceed ~~one~~ three hundred fifty dollars for each item.  
 7 19 The department shall establish rules in accordance with chapter  
 7 20 17A to carry out the purpose of this section.>  
 7 21 #41. Page 51, by inserting after line 32 the following:  
 7 22 <Sec. \_\_\_\_\_. Section 231.33, Code 2007, is amended by adding  
 7 23 the following new subsection:  
 7 24 NEW SUBSECTION. 21. Provide the opportunity for elders  
 7 25 residing in the planning and service area to offer substantive  
 7 26 suggestions regarding the employment practices of the area  
 7 27 agency on aging.>  
 7 28 #42. Page 57, by inserting after line 31 the following:  
 7 29 <Sec. \_\_\_\_\_. 2006 Iowa Acts, chapter 1184, section 5,  
 7 30 subsection 1, is amended by adding the following new unnumbered  
 7 31 paragraph:  
 7 32 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
 7 33 moneys appropriated in this section for department of veterans  
 7 34 affairs administration that remain unencumbered or unobligated  
 7 35 at the close of the fiscal year shall not revert but shall  
 7 36 remain available to be used for the purchase of crypts for the  
 7 37 veterans cemetery until the close of the succeeding fiscal



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8 1 year.>

8 2 #43. Page 62, by striking lines 3 through 5 and inserting  
8 3 the following: <fiscal year. In addition, notwithstanding  
8 4 section 8.33, moneys appropriated in this section that remain  
8 5 unencumbered or unobligated at the close of the fiscal year  
8 6 shall not revert but shall remain available for expenditure for  
8 7 the purposes designated until the close of the succeeding  
8 8 fiscal year and of this amount, the initial \$250,000 shall be  
8 9 credited to the risk>.

8 10 #44. Page 63, by inserting after line 23 the following:  
8 11 <Sec. \_\_\_\_\_. 2006 Iowa Acts, chapter 1184, section 5,  
8 12 subsection 4, as enacted by 2007 Iowa Acts, Senate File 95,  
8 13 section 1, is amended by adding the following new unnumbered  
8 14 paragraph:

8 15 NEW UNNUMBERED PARAGRAPH. If during the fiscal year  
8 16 beginning July 1, 2007, the funding available under all  
8 17 contingencies for the home ownership assistance program  
8 18 implemented pursuant to section 35A.15 for persons who are or  
8 19 were eligible members of the armed forces of the United States  
8 20 has been exhausted, and the amount available for the purposes  
8 21 of this subsection is projected to be sufficient to allow for  
8 22 transfer of funds that would otherwise be unused, not more than  
8 23 \$250,000 of the funds appropriated in this subsection may be  
8 24 transferred to the Iowa finance authority to be used for the  
8 25 home ownership assistance program.>

8 26 #45. Page 64, line 6, by striking the word <provision> and  
8 27 inserting the following: <provisions>.

8 28 #46. By striking page 72, line 35, through page 73, line 8.

8 29 #47. Page 74, by inserting before line 14 the following:

8 30 <Sec. \_\_\_\_\_. Section 331.439, subsection 5, Code 2007, is  
8 31 amended to read as follows:

8 32 5. a. A county shall implement the county's management  
8 33 plan in a manner so as to provide adequate funding for the  
8 34 entire fiscal year by budgeting for ninety-nine percent of the  
8 35 funding anticipated to be available for the plan. A county may  
8 36 expend all of the funding anticipated to be available for the  
8 37 plan.



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9 1 b. If a county determines that the county cannot provide  
9 2 services in accordance with the county's management plan and  
9 3 remain in compliance with the budgeting requirement of  
9 4 paragraph "a" for the fiscal year, the county may implement a  
9 5 waiting list for the services. The procedures for establishing  
9 6 and applying a waiting list shall be specified in the county's  
9 7 management plan. If a county implements a waiting list for  
9 8 services, the county shall notify the department of human  
9 9 services. The department shall maintain on the department's  
9 10 internet website an up-to-date listing of the counties that  
9 11 have implemented a waiting list and the services affected by  
9 12 each waiting list.

9 13 Sec. \_\_\_\_ . Section 331.440, subsection 4, as enacted by 2006  
9 14 Iowa Acts, chapter 1115, section 17, is amended to read as  
9 15 follows:

9 16 4. a. An application for services may be made through the  
9 17 central point of coordination process of an adult person's  
9 18 county of residence. Effective July 1, 2007, if an adult  
9 19 person who is subject to a central point of coordination  
9 20 process has legal settlement in another county, the central  
9 21 point of coordination process functions relating to the  
9 22 application shall be performed by the central point of  
9 23 coordination process of the person's county of residence in  
9 24 accordance with the county of residence's management plan  
9 25 approved under section 331.439 and the person's county of legal  
9 26 settlement is responsible for the cost of the services or other  
9 27 support authorized at the rates reimbursed by the county of  
9 28 residence.

9 29 b. The county of residence shall determine whether or not  
9 30 the person's county of legal settlement has implemented a  
9 31 waiting list in accordance with section 331.439, subsection 5.  
9 32 If the person's county of legal settlement has implemented a  
9 33 waiting list, the services or other support for the person  
9 34 shall be authorized by the county of residence in accordance  
9 35 with the county of legal settlement's waiting list provisions.

9 36 c. At the time services or other support are authorized,  
9 37 the county of residence shall send the county of legal



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10 1 settlement a copy of the authorization notice.>  
10 2 #48. Page 84, line 30, by inserting after the word <pool.>  
10 3 the following: <The mental health, mental retardation,  
10 4 developmental disabilities, and brain injury commission shall  
10 5 adopt rules pursuant to chapter 17A providing criteria for the  
10 6 purposes of this lettered paragraph and as necessary to  
10 7 implement the other provisions of this subsection.>  
10 8 #49. Page 85, line 19, by striking the word <A>.  
10 9 #50. Page 85, by striking lines 20 and 21 and inserting the  
10 10 following: <Any unobligated>.  
10 11 #51. Page 85, line 30, by inserting after the word  
10 12 <individual.> the following: <A county may submit a  
10 13 preapproval application beginning on July 1 for the fiscal year  
10 14 of submission and the risk pool board shall notify the county  
10 15 of the risk pool board's decision concerning the application  
10 16 within forty-five days of receiving the application.>  
10 17 #52. Page 86, line 12, by striking the word <The> and  
10 18 inserting the following: <The Subject to the amount available  
10 19 and obligated from the risk pool for a fiscal year, the>.  
10 20 #53. Page 86, by inserting after line 27 the following:  
10 21 <1. If the board has made its decisions but has determined  
10 22 that there are otherwise qualifying requests for risk pool  
10 23 assistance that are beyond the amount available in the risk  
10 24 pool fund for a fiscal year, the board shall compile a list of  
10 25 such requests and the supporting information for the requests.  
10 26 The list and information shall be submitted to the mental  
10 27 health, mental retardation, developmental disabilities, and  
10 28 brain injury commission, the department of human services, and  
10 29 the general assembly.>  
10 30 #54. Page 94, line 18, by inserting after the figure  
10 31 <331.424A.> the following: <A county transferring moneys from  
10 32 other funds of the county to the county's services fund  
10 33 pursuant to this section or utilizing the nonreversion  
10 34 authority provided in the division of this Act relating to  
10 35 decategorization project funding, shall submit a report  
10 36 detailing the transfers made and fund affected and explaining  
10 37 how the moneys made available by the nonreversion authority



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11 1 were expended. The county shall submit the report along with  
11 2 the county expenditure and information report submitted by  
11 3 December 1, 2007, in accordance with section 331.439.>  
11 4 #55. Page 94, line 31, by striking the figure <9,332,254>  
11 5 and inserting the following: <6,993,754>.  
11 6 #56. Page 95, line 14, by striking the figure <8,200,254>  
11 7 and inserting the following: <5,861,754>.  
11 8 #57. Page 95, line 24, by inserting after the word  
11 9 <promotion.> the following: <Of the funds allocated in this  
11 10 lettered paragraph, not more than \$500,000 shall be used for  
11 11 cessation media promotion. Of the funds allocated in this  
11 12 lettered paragraph, \$255,000 may be utilized by the department  
11 13 for administrative purposes.>  
11 14 #58. Page 95, by striking lines 25 and 26.  
11 15 #59. Page 95, line 30, by striking the figure <439,000> and  
11 16 inserting the following: <687,500>.  
11 17 #60. Page 96, line 8, by striking the figure <337> and  
11 18 inserting the following: <910>.  
11 19 #61. Page 96, line 12, by striking the figure <517> and  
11 20 inserting the following: <906>.  
11 21 #62. Page 96, by inserting after line 12 the following:  
11 22 <e. Of the funds appropriated in this subsection, \$10,000  
11 23 shall be used for public health education and awareness of the  
11 24 children's vision initiatives, including the InfantSee program  
11 25 and the student vision program, administered through a  
11 26 statewide association of optometric professionals for infants  
11 27 and preschool children.  
11 28 f. Of the funds appropriated in this subsection, \$238,500  
11 29 shall be used to provide audiological services and hearing aids  
11 30 for children. The department may enter into a contract to  
11 31 administer this paragraph.>  
11 32 #63. Page 96, line 14, by striking the figure <1,178,981>  
11 33 and inserting the following: <1,188,981>.  
11 34 #64. Page 96, by striking lines 20 and 21 and inserting the  
11 35 following: <shall be used for the comprehensive cancer control  
11 36 program to reduce the burden of cancer in Iowa through>.  
11 37 #65. Page 96, by inserting after line 31 the following:



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12 1 <e. Of the funds appropriated in this subsection, \$10,000  
12 2 shall be allocated to the university of Iowa, Carver college of  
12 3 medicine, department of cardiothoracic surgery, to offer  
12 4 extracorporeal support for donation after cardiac death.>  
12 5 #66. Page 96, line 33, by striking the figure <3,025,000>  
12 6 and inserting the following: <2,790,000>.  
12 7 #67. Page 98, by striking lines 18 through 20.  
12 8 #68. Page 98, by inserting after line 26 the following:  
12 9 <ff. Of the funds appropriated in this subsection, \$75,000  
12 10 shall be used for implementation of the recommendations of the  
12 11 direct care worker task force established pursuant to 2005 Iowa  
12 12 Acts, chapter 88, based upon the report submitted to the  
12 13 governor and the general assembly in December 2006.  
12 14 fff. Of the funds appropriated in this subsection, \$140,000  
12 15 shall be used for allocation to an independent statewide direct  
12 16 care worker association for education, outreach, leadership  
12 17 development, mentoring, and other initiatives intended to  
12 18 enhance the recruitment and retention of direct care workers in  
12 19 health and long-term care.>  
12 20 #69. Page 99, line 8, by striking the figure <97,103,096>  
12 21 and inserting the following: <99,518,096>.  
12 22 #70. Page 99, line 10, by striking the figure <78,065,357>  
12 23 and inserting the following: <80,480,357>.  
12 24 #71. Page 100, by striking lines 28 through 32.  
12 25 #72. Page 106, by striking lines 23 through 35 and  
12 26 inserting the following: <providers for provision to patients  
12 27 at the point of care, including the development of a  
12 28 centralized intake concept to determine the eligibility of  
12 29 safety net provider patients for the prescription drug donation  
12 30 repository program pursuant to chapter 135M and pharmaceutical  
12 31 manufacturer assistance programs.>  
12 32 #73. Page 107, by striking lines 5 through 7 and inserting  
12 33 the following:  
12 34 <3. Utilization of a fully transparent pharmacy benefits  
12 35 manager to work with local pharmacies to provide low cost  
12 36 patient access to drug therapies.>  
12 37 #74. Page 107, by striking lines 8 through 10.



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13 1 #75. Page 107, line 18, by striking the word <three> and  
13 2 inserting the following: <two>.  
13 3 #76. Page 117, by striking lines 24 through 29 and  
13 4 inserting the following:  
13 5 <Sec. \_\_\_\_\_. FUNDING == CONTINGENCY.  
13 6 1. The provision in this division of this Act relating to  
13 7 eligibility for certain persons with disabilities under the  
13 8 medical assistance program shall only be implemented if the  
13 9 department of human services determines that funding is  
13 10 available in appropriations made in this Act, in combination  
13 11 with federal allocations to the state, for the state children's  
13 12 health insurance program, in excess of the amount needed to  
13 13 cover the current and projected enrollment under the state  
13 14 children's health insurance program. If such a determination  
13 15 is made, the department of human services shall transfer  
13 16 funding from the appropriations made in this Act for the state  
13 17 children's health insurance program, not otherwise required for  
13 18 that program, to the appropriations made in this Act for  
13 19 medical assistance, as necessary, to implement such provision  
13 20 of this division of this Act.  
13 21 2. The provision in this division of this Act relating to  
13 22 the development and support of a family=to=family health  
13 23 information center shall be implemented only if discretionary  
13 24 funding is received from the health resources and services  
13 25 administration of the United States department of health and  
13 26 human services for this purpose.>  
13 27 #77. Page 124, by inserting after line 21 the following:  
13 28 <DIVISION  
13 29 ENERGY UTILITY ASSESSMENT AND  
13 30 RESOLUTION PROGRAM  
13 31 Sec. \_\_\_\_\_. NEW SECTION. 216A.104 ENERGY UTILITY ASSESSMENT  
13 32 AND RESOLUTION PROGRAM.  
13 33 1. The general assembly finds that provision of assistance  
13 34 to prevent utility disconnections will also prevent the  
13 35 development of public health risks due to such disconnections.  
13 36 The division shall establish an energy utility assessment and  
13 37 resolution program administered by each community action agency



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14 1 for persons with low incomes who have or need a deferred  
14 2 payment agreement or are in need of an emergency fuel delivery  
14 3 to address home energy utility costs.  
14 4 2. A person must meet all of the following requirements to  
14 5 be eligible for the program:  
14 6 a. The person is eligible for the federal low-income home  
14 7 energy assistance program.  
14 8 b. The person is a residential customer of an energy  
14 9 utility approved for the program by the division.  
14 10 c. The person has or is in need of a deferred payment  
14 11 agreement to address the person's home energy utility costs.  
14 12 d. The person is able to maintain or regain residential  
14 13 energy utility service in the person's own name.  
14 14 e. The person provides the information necessary to  
14 15 determine the person's eligibility for the program.  
14 16 f. The person complies with other eligibility requirements  
14 17 adopted in rules by the division.  
14 18 3. The program components shall include but are not limited  
14 19 to all of the following:  
14 20 a. Analysis of a program participant's current financial  
14 21 situation.  
14 22 b. Review of a program participant's resource and money  
14 23 management options.  
14 24 c. Skills development and assistance for a program  
14 25 participant in negotiating a deferred payment agreement with  
14 26 the participant's energy utility.  
14 27 d. Development of a written household energy affordability  
14 28 plan.  
14 29 e. Provision of energy conservation training and  
14 30 assistance.  
14 31 f. A requirement that a program participant must make  
14 32 uninterrupted, regular utility payments while participating in  
14 33 the program.  
14 34 4. The division shall implement accountability measures for  
14 35 the program and require regular reporting on the measures by  
14 36 the community action agencies.  
14 37 5. The division shall implement the program statewide,



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15 1 subject to the funding made available for the program.

15 2 DIVISION

15 3 PASSPORT SANCTIONS

15 4 Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph a, Code  
15 5 2007, is amended to read as follows:

15 6 a. Comply with federal procedures to periodically certify  
15 7 to the secretary of the United States department of health and  
15 8 human services, a list of the names of obligors determined by  
15 9 the unit to owe delinquent support, under a support order as  
15 10 defined in section 252J.1, in excess of five two thousand five  
15 11 hundred dollars. The certification of the delinquent amount  
15 12 owed may be based upon one or more support orders being  
15 13 enforced by the unit if the delinquent support owed exceeds  
15 14 five two thousand five hundred dollars. The certification  
15 15 shall include any amounts which are delinquent pursuant to the  
15 16 periodic payment plan when a modified order has been  
15 17 retroactively applied. The certification shall be in a format  
15 18 and shall include any supporting documentation required by the  
15 19 secretary.

15 20 Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph b,  
15 21 subparagraph (1), subparagraph subdivision (b), Code 2007, is  
15 22 amended to read as follows:

15 23 (b) A statement providing information that if the  
15 24 delinquency is in excess of five two thousand five hundred  
15 25 dollars, the United States secretary of state may apply a  
15 26 passport sanction by revoking, restricting, limiting, or  
15 27 refusing to issue a passport as provided in 42 U.S.C. } 652(k).

15 28 Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph b,  
15 29 subparagraph (2), subparagraph subdivision (a), unnumbered  
15 30 paragraph 1, Code 2007, is amended to read as follows:

15 31 A challenge shall be based upon mistake of fact. For the  
15 32 purposes of this subsection, "mistake of fact" means a mistake  
15 33 in the identity of the obligor or a mistake in the amount of  
15 34 the delinquent child support owed if the amount did not exceed  
15 35 five two thousand five hundred dollars on the date of the  
15 36 unit's decision on the challenge.

15 37 Sec. \_\_\_\_\_. Section 252B.5, subsection 11, paragraph c, Code



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16 1 2007, is amended to read as follows:

16 2 c. Following certification to the secretary, if the unit  
16 3 determines that an obligor no longer owes delinquent support in  
16 4 excess of ~~five~~ two thousand five hundred dollars, the unit  
16 5 shall provide information and notice as the secretary requires  
16 6 to withdraw the certification for passport sanction.

16 7 Sec. \_\_\_\_ . EFFECTIVE DATE. This division of this Act takes  
16 8 effect October 1, 2007.

16 9

DIVISION

16 10

MANDATORY REVIEW AND ADJUSTMENT

16 11

OF CHILD SUPPORT ORDERS

16 12

16 13 Sec. \_\_\_\_ . Section 252B.26, Code 2007, is amended to read as  
16 13 follows:

16 14

252B.26 SERVICE OF PROCESS.

16 15

16 16 Notwithstanding any provision of law to the contrary, the  
16 17 unit may serve a petition, notice, or rule to show cause under  
16 18 chapter 252A, 252C, 252F, 252H, 252K, 598, or 665 as specified  
16 18 in each chapter, or as follows:

16 19

16 20 1. The unit may serve a petition, notice, or rule to show  
16 20 cause by certified mail. Return acknowledgment is required to

16 21

16 21 prove service by certified mail, rules of civil procedure

16 22

16 22 1.303(5) and 1.308(5) shall not apply, and the return

16 23

16 23 acknowledgment shall be filed with the clerk of court.

16 24

16 24 2. The unit may serve a notice of intent under chapter

16 25

16 25 252H, or a notice of decision under section 252H.14A, upon any

16 26

16 26 party or parent who is receiving family investment program

16 27

16 27 assistance for the parent or child by sending the notice by

16 28

16 28 regular mail to the address maintained by the department.

16 29

16 29 Rules of civil procedure 1.303(5) and 1.308(5) shall not apply

16 30

16 30 and the unit shall file proof of service as provided in chapter

16 31

16 31 252H. If the notice is determined to be undeliverable, the

16 32

16 32 unit shall serve the notice as otherwise provided in this

16 33

16 33 section or by personal service.

16 34

16 34 Sec. \_\_\_\_ . Section 252H.7, subsection 2, unnumbered

16 35

16 35 paragraph 1, Code 2007, is amended to read as follows:

16 36

16 36 A parent may waive the postreview waiting period provided

16 37

16 37 for in section 252H.8, subsection 1A or 6, for a court hearing



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17 1 or in section 252H.17 for requesting of a second review.

17 2 Sec. \_\_\_\_\_. Section 252H.8, subsection 1, Code 2007, is

17 3 amended to read as follows:

17 4 1. For actions initiated under ~~subchapter II~~ section

17 5 252H.15, either parent or the unit may request a court hearing

17 6 within thirty days from the date of issuance of the notice of

17 7 decision under section 252H.16, or within ten days of the date

17 8 of issuance of the second notice of decision under section

17 9 252H.17, whichever is later.

17 10 Sec. \_\_\_\_\_. Section 252H.8, Code 2007, is amended by adding

17 11 the following new subsection:

17 12 NEW SUBSECTION. 1A. For actions initiated under section

17 13 252H.14A, either parent or the unit may request a court hearing

17 14 within ten days of the issuance of the second notice of

17 15 decision under section 252H.17.

17 16 Sec. \_\_\_\_\_. Section 252H.8, subsection 4, paragraph b, Code

17 17 2007, is amended to read as follows:

17 18 b. The return of service, proof of service, acceptance of

17 19 service, or signed statement by the parent requesting review

17 20 and adjustment or requesting modification, waiving service of

17 21 the notice.

17 22 Sec. \_\_\_\_\_. Section 252H.8, subsection 6, Code 2007, is

17 23 amended to read as follows:

17 24 6. For actions initiated under ~~subchapter II~~ section

17 25 252H.15, a hearing shall not be held for at least thirty=one

17 26 days following the date of issuance of the notice of decision

17 27 unless the parents have jointly waived, in writing, the

17 28 thirty=day postreview period.

17 29 Sec. \_\_\_\_\_. Section 252H.9, subsection 1, Code 2007, is

17 30 amended to read as follows:

17 31 1. If timely request for a court hearing is not made

17 32 pursuant to section 252H.8, the unit shall prepare and present

17 33 an administrative order for adjustment or modification, as

17 34 applicable, for review and approval, ex parte, to the district

17 35 court where the order to be adjusted or modified is filed.

17 36 Notwithstanding any other law to the contrary, if more than one

17 37 support order exists involving children with the same legally



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18 1 established parents, for the purposes of this subsection, the  
18 2 district court reviewing and approving the matter shall have  
18 3 jurisdiction over all other support orders entered by a court  
18 4 of this state and affected under this subsection.

18 5 Sec. \_\_\_\_\_. Section 252H.10, unnumbered paragraph 1, Code  
18 6 2007, is amended to read as follows:

18 7 Pursuant to section 598.21C, any administrative or court  
18 8 order resulting from an action initiated under this chapter may  
18 9 be made retroactive only ~~to~~ from three months after the date  
18 10 that all parties were successfully served the notice required  
18 11 under section 252H.14A, 252H.15, or section 252H.19, as  
18 12 applicable.

18 13 Sec. \_\_\_\_\_. Section 252H.11, subsection 2, Code 2007, is  
18 14 amended to read as follows:

18 15 2. If the modification action filed by the parent is  
18 16 subsequently dismissed before being heard by the court, the  
18 17 unit shall continue the action previously initiated under  
18 18 subchapter II or III, or initiate a new action as follows:

18 19 a. If the unit previously initiated an action under  
18 20 subchapter II, and had not issued a notice of decision as  
18 21 required under section 252H.14A or 252H.16, the unit shall  
18 22 proceed as follows:

18 23 (1) If notice of intent to review was served ninety days or  
18 24 less prior to the date the modification action filed by the  
18 25 parent is dismissed, the unit shall complete the review and  
18 26 issue the notice of decision.

18 27 (2) If the modification action filed by the parent is  
18 28 dismissed more than ninety days after the original notice of  
18 29 intent to review was served, the unit shall serve or issue a  
18 30 new notice of intent to review and conduct the review.

18 31 (3) If the unit initiated a review under section 252H.14A,  
18 32 the unit may issue the notice of decision.

18 33 b. If the unit previously initiated an action under  
18 34 subchapter II and had issued the notice of decision as required  
18 35 under section 252H.14A or 252H.16, the unit shall proceed as  
18 36 follows:

18 37 (1) If the notice of decision was issued ninety days or



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19 1 less prior to the date the modification action filed by the  
19 2 parent is dismissed, the unit shall request, obtain, and verify  
19 3 any new or different information concerning the financial  
19 4 circumstances of the parents and issue a revised notice of  
19 5 decision to each parent, or if applicable, to the parent's  
19 6 attorney.

19 7 (2) If the modification action filed by the parent is  
19 8 dismissed more than ninety days after the date of issuance of  
19 9 the notice of decision, the unit shall serve or issue a new  
19 10 notice of intent to review pursuant to section 252H.15 and  
19 11 conduct a review pursuant to section 252H.16, or conduct a  
19 12 review and serve a new notice of decision under section  
19 13 252H.14A.

19 14 c. If the unit previously initiated an action under  
19 15 subchapter III, the unit shall proceed as follows:

19 16 (1) If the modification action filed by the parent is  
19 17 dismissed more than ninety days after the original notice of  
19 18 intent to modify was served, the unit shall serve a new notice  
19 19 of intent to modify pursuant to section 252H.19.

19 20 (2) If the modification action filed by the parent is  
19 21 dismissed ninety days or less after the original notice of  
19 22 intent to modify was served, the unit shall complete the  
19 23 original modification action initiated by the unit under this  
19 24 subchapter.

19 25 (3) Each parent shall be allowed at least twenty days from  
19 26 the date the administrative modification action is reinstated  
19 27 to request a court hearing as provided for in section 252H.8.

19 28 Sec. \_\_\_\_ . NEW SECTION. 252H.14A REVIEWS INITIATED BY THE  
19 29 CHILD SUPPORT RECOVERY UNIT == ABBREVIATED METHOD.

19 30 1. Notwithstanding section 252H.15, to assist the unit in  
19 31 meeting the requirement for reviews and adjustments under the  
19 32 federal Deficit Reduction Act of 2005, Pub. L. No. 109=171, the  
19 33 unit may use procedures under this section to review a support  
19 34 order if all the following apply:

19 35 a. The right to ongoing child support is assigned to the  
19 36 state of Iowa due to the receipt of family investment program  
19 37 assistance, and a review of the support order is required under



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20 1 section 7302 of the federal Deficit Reduction Act of 2005, Pub.  
20 2 L. No. 109=171.  
20 3     b. The unit has access to information concerning the  
20 4 financial circumstances of each parent and one of the following  
20 5 applies:  
20 6       (1) The parent is a recipient of family investment program  
20 7 assistance, medical assistance, or food assistance from the  
20 8 department.  
20 9       (2) The parent's income is from supplemental security  
20 10 income paid pursuant to 42 U.S.C. } 1381a.  
20 11       (3) The parent is a recipient of disability benefits under  
20 12 the Act because of the parent's disability.  
20 13       (4) The parent is an inmate of an institution under the  
20 14 control of the department of corrections.  
20 15     2. If the conditions of subsection 1 are met, the unit may  
20 16 conduct a review and determine whether an adjustment is  
20 17 appropriate using information accessible by the unit without  
20 18 issuing a notice under section 252H.15 or requesting additional  
20 19 information from the parent.  
20 20     3. Upon completion of the review, the unit shall issue a  
20 21 notice of decision to each parent, or if applicable, to each  
20 22 parent's attorney. The notice shall be served in accordance  
20 23 with the rules of civil procedure or as provided in section  
20 24 252B.26.  
20 25     4. All of the following shall be included in the notice of  
20 26 decision:  
20 27       a. The legal basis and purpose of the action, including an  
20 28 explanation of the procedures for determining child support,  
20 29 the criteria for determining the appropriateness of an  
20 30 adjustment, and a statement that the unit used the child  
20 31 support guidelines established pursuant to section 598.21B and  
20 32 the provisions for medical support pursuant to chapter 252E.  
20 33       b. Information sufficient to identify the affected parties  
20 34 and the support order or orders affected.  
20 35       c. An explanation of the legal rights and responsibilities  
20 36 of the affected parties, including time frames in which the  
20 37 parties must act.



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21 1 d. A statement indicating whether the unit finds that an  
21 2 adjustment is appropriate and the basis for the determination.  
21 3 e. Procedures for contesting the action, including that if  
21 4 a parent requests a second review both parents will be  
21 5 requested to submit financial or income information as  
21 6 necessary for application of the child support guidelines  
21 7 established pursuant to section 598.21B.  
21 8 f. Other information as appropriate.  
21 9 5. Section 252H.16, subsection 5, regarding a revised  
21 10 notice of decision shall apply to a notice of decision issued  
21 11 under this section.  
21 12 6. Each parent shall have the right to challenge the notice  
21 13 of decision issued under this section by requesting a second  
21 14 review by the unit as provided in section 252H.17. If there is  
21 15 no new or different information to consider for the second  
21 16 review, the unit shall issue a second notice of decision based  
21 17 on prior information. Each parent shall have the right to  
21 18 challenge the second notice of decision by requesting a court  
21 19 hearing as provided in section 252H.8.  
21 20 Sec. \_\_\_\_\_. Section 252H.15, subsection 1, Code 2007, is  
21 21 amended to read as follows:  
21 22 1. ~~Prior~~ Unless an action is initiated under section  
21 23 252H.14A, prior to conducting a review of a support order, the  
21 24 unit shall issue a notice of intent to review and adjust to  
21 25 each parent, or if applicable, to each parent's attorney.  
21 26 However, notice to a child support agency or an agency entitled  
21 27 to receive child or medical support payments as the result of  
21 28 an assignment of support rights is not required.  
21 29 Sec. \_\_\_\_\_. Section 252H.16, subsection 1, Code 2007, is  
21 30 amended to read as follows:  
21 31 1. ~~The~~ For actions initiated under section 252H.15, the  
21 32 unit shall conduct the review and determine whether an  
21 33 adjustment is appropriate. As necessary, the unit shall make a  
21 34 determination of the controlling order or the amount of  
21 35 delinquent support due based upon the receipt of social  
21 36 security disability payments as provided in sections 598.22 and  
21 37 598.22C.



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22 1 Sec. \_\_\_\_\_. Section 252H.17, subsections 1, 2, and 6, Code  
22 2 2007, are amended to read as follows:

22 3 1. Each parent shall have the right to challenge the notice  
22 4 of decision issued under section 252H.14A or 252H.16, by  
22 5 requesting a second review by the unit.

22 6 2. A challenge shall be submitted, in writing, to the local  
22 7 child support office that issued the notice of decision, within  
22 8 thirty days of service of the notice of decision under section  
22 9 252H.14A or within ten days of the issuance of the notice of  
22 10 decision under section 252H.16.

22 11 6. The unit shall conduct a second review, utilizing any  
22 12 new or additional information provided or available since  
22 13 issuance of the notice of decision under section 252H.14A or  
22 14 under section 252H.16, to determine whether an adjustment is  
22 15 appropriate.

22 16 Sec. \_\_\_\_\_. RULES. Until the department of human services  
22 17 amends rules pursuant to chapter 17A necessary to conform with  
22 18 this Act, any existing rule relating to review and adjustment  
22 19 of support orders shall also apply to reviews initiated under  
22 20 section 252H.14A, as created in this Act, except that a  
22 21 provision for a time limit, notice, or other procedure which  
22 22 conflicts with a provision of this Act shall not apply.

22 23 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act takes  
22 24 effect October 1, 2007.

22 25 DIVISION  
22 26 MEDICAL SUPPORT

22 27 Sec. \_\_\_\_\_. Section 252B.5, subsection 2, Code 2007, is  
22 28 amended to read as follows:

22 29 2. Aid in establishing paternity and securing a court or  
22 30 administrative order for support pursuant to chapter 252A,  
22 31 252C, 252F, or 600B, or any other chapter providing for the  
22 32 establishment of paternity or support. In an action to  
22 33 establish support, the resident parent may be a proper party  
22 34 defendant for purposes of determining medical support as  
22 35 provided in section 252E.1A. The unit's independent cause of  
22 36 action shall not bar a party from seeking support in a  
22 37 subsequent proceeding.



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23 1 Sec. \_\_\_\_\_. Section 252C.1, subsection 6, Code 2007, is  
23 2 amended to read as follows:  
23 3 6. "Medical support" means either the provision of coverage  
23 4 under a health benefit plan, including a group or  
23 5 employment-related or an individual health benefit plan, or a  
23 6 health benefit plan provided pursuant to chapter 514E, to meet  
23 7 the medical needs of a dependent and the cost of any premium  
23 8 required by a health benefit plan, or the payment to the  
23 9 obligee of a monetary amount in lieu of providing coverage  
23 10 under a health benefit plan, either of which is an obligation  
23 11 separate from any monetary amount of child support ordered to  
23 12 be paid. "Medical support" which consists of payment of a  
23 13 monetary amount in lieu of a health benefit plan is also an  
23 14 obligation separate from any monetary amount a parent is  
23 15 ordered to pay for uncovered medical expenses pursuant to the  
23 16 guidelines established pursuant to section 598.21B.

23 17 Sec. \_\_\_\_\_. Section 252C.3, subsection 1, unnumbered  
23 18 paragraph 1, Code 2007, is amended to read as follows:  
23 19 The administrator may issue a notice stating the intent to  
23 20 secure an order for either ~~payment of~~ medical support  
23 21 ~~established as defined~~ provided in chapter 252E or payment of  
23 22 an accrued or accruing support debt due and owed to the  
23 23 department or an individual under section 252C.2, or both. The  
23 24 notice shall be served upon the responsible person in  
23 25 accordance with the rules of civil procedure. The notice shall  
23 26 include all of the following:

23 27 Sec. \_\_\_\_\_. Section 252C.3, subsection 1, paragraph c,  
23 28 subparagraph (1), Code 2007, is amended to read as follows:  
23 29 (1) A statement that if the responsible person desires to  
23 30 discuss the amount of support that ~~the~~ a responsible person  
23 31 should be required to pay, the responsible person may, within  
23 32 ten days after being served, contact the office of the child  
23 33 support recovery unit which sent the notice and request a  
23 34 negotiation conference.

23 35 Sec. \_\_\_\_\_. Section 252C.12, subsection 2, Code 2007, is  
23 36 amended to read as follows:

23 37 2. Upon receipt of a signed statement from ~~the~~ each



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24 1 responsible person waiving the time limitations established in  
24 2 section 252C.3, the administrator may proceed to enter an order  
24 3 for support and the court may approve the order, whether or not  
24 4 the time limitations have expired.

24 5 Sec. \_\_\_\_\_. Section 252D.18A, Code 2007, is amended to read  
24 6 as follows:

24 7 252D.18A MULTIPLE INCOME WITHHOLDING ORDERS == ORDERS FOR  
24 8 HEALTH BENEFIT PLANS == AMOUNTS WITHHELD BY PAYOR.

24 9 When the obligor ~~is responsible for paying~~ has more than one  
24 10 support obligation ~~and or~~ the payor of income has received more  
24 11 than one ~~income withholding~~ order or notice ~~of an order~~ for the  
24 12 obligor for income withholding or for coverage under a health  
24 13 benefit plan pursuant to chapter 252E, the payor shall withhold  
24 14 amounts in accordance with all of the following:

24 15 1. The total of all amounts withheld shall not exceed the  
24 16 amounts specified in 15 U.S.C. } 1673(b). For orders or notices  
24 17 issued by the child support recovery unit, the limit for the  
24 18 amount to be withheld shall be specified in the order or  
24 19 notice.

24 20 2. As reimbursement for the payor's processing costs, the  
24 21 payor may deduct a fee of no more than two dollars for each  
24 22 payment withheld in addition to the amount withheld for  
24 23 support.

24 24 3. Priority shall be given to the withholding of current  
24 25 support ~~rather than delinquent support~~. The payor shall not  
24 26 allocate amounts withheld in a manner which results in the  
24 27 failure to withhold an amount for one or more of the current  
24 28 child or spousal support obligations. If the limits specified  
24 29 in subsection 1 prevent withholding the full amount specified  
24 30 in the order or notice, the payor shall withhold amounts in the  
24 31 following priority:

24 32 a. Withhold the amount specified for current child and  
24 33 spousal support. To arrive at the amount to be withheld for  
24 34 each obligee, the payor shall total the amounts due for current  
24 35 child and spousal support under the income withholding orders  
24 36 and the notices of orders and determine the proportionate share  
24 37 for each obligee. The proportionate share shall be determined



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25 1 by dividing the amount due for current child and spousal  
25 2 support for each order or notice of order by the total due for  
25 3 current child and spousal support for all orders and notices of  
25 4 orders. The results are the percentages of the obligor's net  
25 5 income which shall be withheld for each obligee.  
25 6 b. If, after completing the calculation in paragraph "a",  
25 7 the withholding limit specified under subsection 1 has not been  
25 8 attained, the payor shall withhold the amount necessary to  
25 9 comply with an order or notice of order for a current premium  
25 10 for coverage of a child under a health benefit plan as provided  
25 11 in section 252D.30 or section 252E.1A, subsection 2, or for a  
25 12 current monetary amount for the child for medical support. If  
25 13 there is more than one medical support order or notice of order  
25 14 for a current monetary amount for a child, the payor shall  
25 15 total the amounts due for current monetary amounts for all  
25 16 children for medical support and determine the proportionate  
25 17 share for each obligee. The proportionate amounts shall be  
25 18 established utilizing the procedures established in paragraph  
25 19 "a" for current child and spousal support obligations.  
25 20 b. c. If, after completing the ~~calculation~~ calculations in  
25 21 paragraph paragraphs "a" and "b", the withholding limit  
25 22 specified under subsection 1 has not been attained, the payor  
25 23 shall total the amounts due for arrearages and determine the  
25 24 proportionate share for each obligee. The proportionate share  
25 25 amounts shall be established utilizing the procedures  
25 26 established in paragraph "a" for current child and spousal  
25 27 support obligations.  
25 28 d. If after completing the calculations in paragraphs "a",  
25 29 "b", and "c", the withholding limit specified in subsection 1  
25 30 has not been attained, the payor shall withhold the amount  
25 31 necessary for other child support obligations, unless the order  
25 32 or notice directs otherwise as provided by Title IV, part D, of  
25 33 the federal Social Security Act.  
25 34 4. The payor shall identify and report payments by the  
25 35 obligor's name, account number, amount, and date withheld  
25 36 pursuant to section 252D.17. ~~Until October 1, 1999, if~~  
25 37 ~~payments for multiple obligees are combined, the portion of the~~



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~~26 1 payment attributable to each obligee shall be specifically  
26 2 identified. Beginning October 1, 1999, if If payments for  
26 3 multiple obligees are combined, the portion of the payment  
26 4 attributable to each obligee shall be specifically identified  
26 5 only if the payor is directed to do so by the child support  
26 6 recovery unit.~~

26 7 Sec. \_\_\_\_ . Section 252E.1, subsection 9, Code 2007, is  
26 8 amended to read as follows:

26 9 9. "Medical support" means either the provision of a health  
26 10 benefit plan, including a group or employment-related or an  
26 11 individual health benefit plan, or a health benefit plan  
26 12 provided pursuant to chapter 514E, to meet the medical needs of  
26 13 a dependent and the cost of any premium required by a health  
26 14 benefit plan, or the payment to the obligee of a monetary  
26 15 amount in lieu of a health benefit plan, either of which is an  
26 16 obligation separate from any monetary amount of child support  
26 17 ordered to be paid. Medical support is not alimony. "Medical  
26 18 support" which consists of payment of a monetary amount in lieu  
26 19 of a health benefit plan is also an obligation separate from  
26 20 any monetary amount a parent is ordered to pay for uncovered  
26 21 medical expenses pursuant to the guidelines established  
26 22 pursuant to section 598.21B.

26 23 Sec. \_\_\_\_ . NEW SECTION. 252E.1A ESTABLISHING AND MODIFYING  
26 24 ORDERS FOR MEDICAL SUPPORT.

26 25 This section shall apply to all initial or modified orders  
26 26 for support entered under chapter 234, 252A, 252C, 252F, 252H,  
26 27 598, 600B, or any other applicable chapter.

26 28 1. An order or judgment that provides for temporary or  
26 29 permanent support for a child shall include a provision for  
26 30 medical support for the child as provided in this section.

26 31 2. The court shall order as medical support for the child a  
26 32 health benefit plan if available to either parent at the time  
26 33 the order is entered or modified. A plan is available if the  
26 34 plan is accessible and the cost of the plan is reasonable.

26 35 a. The cost of a health benefit plan is considered  
26 36 reasonable, and such amount shall be stated in the order, if  
26 37 one of the following applies:



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27 1       (1) The premium cost for a child to the parent ordered to  
27 2 provide the plan does not exceed five percent of that parent's  
27 3 gross income.

27 4       (2) The premium cost for a child exceeds five percent of  
27 5 the gross income of the parent ordered to provide the plan and  
27 6 that parent consents or does not object to entry of that order.

27 7       b. For purposes of this section, "gross income" has the  
27 8 same meaning as gross income for calculation of support under  
27 9 the guidelines established under section 598.21B.

27 10       c. For purposes of this section, the premium cost for a  
27 11 child to the parent ordered to provide the plan means the  
27 12 amount of the premium cost for family coverage to the parent  
27 13 which is in excess of the premium cost for single coverage,  
27 14 regardless of the number of individuals covered under the plan.  
27 15 However, this paragraph shall not be interpreted to reduce the  
27 16 amount of the health insurance premium deduction a parent may  
27 17 be entitled to when calculating the amount of a child support  
27 18 obligation under Iowa court rule 9.5 of the child support  
27 19 guidelines.

27 20       3. If a health benefit plan is not available at the time of  
27 21 the entry of the order, the court shall order a reasonable  
27 22 monetary amount in lieu of a health benefit plan, which amount  
27 23 shall be stated in the order. For purposes of this subsection,  
27 24 a reasonable amount means five percent of the gross income of  
27 25 the parent ordered to provide the monetary amount for medical  
27 26 support. This subsection shall not apply in any of the  
27 27 following circumstances:

27 28       a. If the parent's monthly support obligation established  
27 29 pursuant to the child support guidelines prescribed by the  
27 30 supreme court pursuant to section 598.21B is the minimum  
27 31 obligation amount.

27 32       b. If subsection 7, paragraph "e" applies.

27 33       4. If the court orders the custodial parent to provide a  
27 34 health benefit plan under subsection 2, the court may also  
27 35 order the noncustodial parent to provide a reasonable monetary  
27 36 amount in lieu of a health benefit plan. For purposes of this  
27 37 subsection, a reasonable monetary amount means an amount not to



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28 1 exceed the lesser of a reasonable amount as described in  
28 2 subsection 3, or the premium cost of coverage for the child to  
28 3 the custodial parent as described in subsection 2, paragraph  
28 4 "c".  
28 5 5. Notwithstanding the requirements of this section, the  
28 6 court may order provisions in the alternative to those provided  
28 7 in this section to address the health care needs of the child  
28 8 if the court determines that extreme circumstances so require  
28 9 and documents the court's written findings in the order.  
28 10 6. An order, decree, or judgment entered before March 1,  
28 11 2008, that provides for the support of a child may be modified  
28 12 in accordance with this section.  
28 13 7. If the child support recovery unit is providing services  
28 14 under chapter 252B and initiating an action to establish or  
28 15 modify support, all the following shall also apply:  
28 16 a. If a health benefit plan is available as described in  
28 17 subsection 2 to the noncustodial parent, the unit shall seek an  
28 18 order for the noncustodial parent to provide the plan.  
28 19 b. If a health benefit plan is available as described in  
28 20 subsection 2 to the custodial parent and not to the  
28 21 noncustodial parent, the unit shall seek an order for the  
28 22 custodial parent to provide the plan.  
28 23 c. If a health benefit plan is available as described in  
28 24 subsection 2 to each parent, and if there is an order for joint  
28 25 physical care, the unit shall seek an order for the parent  
28 26 currently ordered to provide a health benefit plan to provide  
28 27 the plan. If there is no current order for a health benefit  
28 28 plan for the child, the unit shall seek an order for the parent  
28 29 who is currently providing a health benefit plan to provide the  
28 30 plan.  
28 31 d. If a health benefit plan is not available, and the  
28 32 noncustodial parent does not have income which may be subject  
28 33 to income withholding for collection of a reasonable monetary  
28 34 amount in lieu of a health benefit plan at the time of the  
28 35 entry of the order, the unit shall seek an order that the  
28 36 noncustodial parent provide a health benefit plan when a plan  
28 37 becomes available at reasonable cost, and the order shall



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29 1 specify the amount of reasonable cost as defined in subsection  
29 2 2.  
29 3 e. This section shall not apply to chapter 252H, subchapter  
29 4 IV.  
29 5 Sec. \_\_\_\_ . NEW SECTION. 252E.2A SATISFACTION OF MEDICAL  
29 6 SUPPORT ORDER.  
29 7 This section shall apply if the child support recovery unit  
29 8 is providing services under chapter 252B.  
29 9 1. Notwithstanding any law to the contrary and without a  
29 10 court order, a medical support order for a child shall be  
29 11 deemed satisfied with regard to the department, the child, the  
29 12 obligor, and the obligee for the period during which all the  
29 13 following conditions are met:  
29 14 a. The order is issued under any applicable chapter of the  
29 15 Code.  
29 16 b. The unit is notified that the conditions of paragraph  
29 17 "c" are met and there is a pending action to establish or  
29 18 modify support initiated by the unit, or the parent ordered to  
29 19 provide medical support submits a written statement to the unit  
29 20 that the requirements of paragraph "c" are met.  
29 21 c. The parent ordered to provide medical support or the  
29 22 parent from whom the unit is seeking to establish or modify  
29 23 medical support meets at least one of the following conditions:  
29 24 (1) The parent is an inmate of an institution under the  
29 25 control of the department of corrections or a comparable  
29 26 institution in another state.  
29 27 (2) The parent's monthly child support obligation under the  
29 28 guidelines established pursuant to section 598.21B is the  
29 29 minimum obligation amount.  
29 30 (3) The parent is a recipient of assistance under chapter  
29 31 239B or 249A, or under comparable laws of another state.  
29 32 (4) The parent is residing with any child for whom the  
29 33 parent is legally responsible and that child is a recipient of  
29 34 assistance under chapter 239B, 249A, or 514I, or under  
29 35 comparable laws of another state. For purposes of this  
29 36 subparagraph, "legally responsible" means the parent has a  
29 37 legal obligation to the child as specified in Iowa court rule



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30 1 9.7 of the child support guidelines.  
30 2 d. The unit files a notice of satisfaction with the clerk  
30 3 of the district court. The effective date of the satisfaction  
30 4 shall be stated in the notice and the effective date shall be  
30 5 no later than forty=five days after the unit issues the notice  
30 6 of satisfaction.  
30 7 2. If a medical support order is satisfied under subsection  
30 8 1, the satisfaction shall continue until all of the following  
30 9 apply:  
30 10 a. The unit is notified that none of the conditions  
30 11 specified in subsection 1, paragraph "c", still applies.  
30 12 b. The unit files a satisfaction termination notice that  
30 13 the requirements for a satisfaction under this section no  
30 14 longer apply. The effective date shall be stated in the  
30 15 satisfaction termination notice and the effective date shall be  
30 16 no later than forty=five days after the unit issues the  
30 17 satisfaction termination notice.  
30 18 3. The unit shall mail a copy of the notice of satisfaction  
30 19 and the satisfaction termination notice to the last known  
30 20 address of the obligor and obligee.  
30 21 4. The department of human services may match data for  
30 22 enrollees of the hawk=i program created pursuant to chapter  
30 23 514I with data of the unit to assist the unit in implementing  
30 24 this section.  
30 25 5. An order, decree, or judgment entered or pending on or  
30 26 before March 1, 2008, that provides for the support of a child  
30 27 may be satisfied as provided in this section.  
30 28 Sec. \_\_\_\_\_. Section 252E.4, subsection 1, Code 2007, is  
30 29 amended to read as follows:  
30 30 1. When a support order requires an obligor to provide  
30 31 coverage under a health benefit plan, the district court or the  
30 32 department may enter an ex parte order directing an employer to  
30 33 take all actions necessary to enroll an obligor's dependent for  
30 34 coverage under a health benefit plan or may include the  
30 35 provisions in an ex parte income withholding order or notice of  
30 36 income withholding pursuant to chapter 252D. The child support  
30 37 recovery unit, where appropriate, shall issue a national



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31 1 medical support notice to an employer within two business days  
31 2 after the date information regarding a newly hired employee is  
31 3 entered into the centralized employee registry and matched with  
31 4 a noncustodial parent in the case being enforced by the unit,  
31 5 or upon receipt of other employment information for such  
31 6 parent. The department may amend the information in the ex  
31 7 parte order or may amend or terminate the national medical  
31 8 support notice regarding health insurance provisions if  
31 9 necessary to comply with health insurance requirements  
31 10 including but not limited to the provisions of section 252E.2,  
31 11 subsection 2, or to correct a mistake of fact.

31 12 Sec. \_\_\_\_\_. Section 252E.5, subsection 3, Code 2007, is  
31 13 amended to read as follows:

31 14 3. The employer shall withhold from the employee's  
31 15 compensation, the employee's share, if any, of premiums for the  
31 16 health benefit plan in an amount that does not exceed the  
31 17 amount specified in the national medical support notice or  
31 18 order or the amount specified in 15 U.S.C. } 1673(b) and which  
31 19 is consistent with federal law. The employer shall forward the  
31 20 amount withheld to the insurer. If the employee has more than  
31 21 one obligation and if there is insufficient compensation  
31 22 available to meet the employee's share necessary for coverage  
31 23 of the child under a health benefit plan as required under this  
31 24 section or section 252D.30, and to comply with an order to  
31 25 withhold or notice under section 252D.17, the employer shall  
31 26 allocate the funds available in accordance with section  
31 27 252D.18A.

31 28 Sec. \_\_\_\_\_. Section 252F.1, Code 2007, is amended by adding  
31 29 the following new subsection:

31 30 NEW SUBSECTION. 3A. "Party" means a putative father or a  
31 31 mother.

31 32 Sec. \_\_\_\_\_. Section 252F.3, subsection 1, unnumbered  
31 33 paragraph 1, Code 2007, is amended to read as follows:

31 34 The unit may prepare a notice of alleged paternity and  
31 35 support debt to be served on ~~the putative father~~ a party if the  
31 36 mother of the child provides a written statement to the unit  
31 37 certifying in accordance with section 622.1 that the putative



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32 1 father is or may be the biological father of the child or  
32 2 children involved. The notice shall be accompanied by a copy  
32 3 of the statement and served on the putative father in  
32 4 accordance with rule of civil procedure 1.305. Service upon the  
32 5 mother shall not constitute valid service upon the putative  
32 6 father. The notice shall include or be accompanied by all of  
32 7 the following:

32 8 Sec. \_\_\_\_ . Section 252F.3, subsection 1, paragraphs d, f, g,  
32 9 h, j, k, and m, Code 2007, are amended to read as follows:

32 10 d. A statement that if paternity is established, ~~the~~  
~~32 11 putative father a party~~ has a duty to provide accrued and  
32 12 accruing medical support to the child or children in accordance  
32 13 with chapter 252E.

32 14 f. (1) The right of ~~the putative father~~ a party to request  
32 15 a conference with the unit to discuss paternity establishment  
32 16 and the amount of support that ~~the putative father~~ a party may  
32 17 be required to ~~pay~~ provide, within ten days of the date of  
32 18 service of the original notice or, if paternity is contested  
32 19 and paternity testing is conducted, within ten days of the date  
32 20 the paternity test results are issued or mailed to ~~the putative~~  
~~32 21 father a party~~ by the unit.

32 22 (2) A statement that if a conference is requested, ~~the~~  
~~32 23 putative father a party~~ shall have one of the following time  
32 24 frames, whichever is the latest, to send a written request for  
32 25 a court hearing on the issue of support to the unit:

32 26 (a) Ten days from the date set for the conference.

32 27 (b) Twenty days from the date of service of the original  
32 28 notice.

32 29 (c) If paternity was contested and paternity testing was  
32 30 conducted, and ~~the putative father~~ a party does not deny  
32 31 paternity after the testing or challenge the paternity test  
32 32 results, twenty days from the date paternity test results are  
32 33 issued or mailed by the unit to the ~~putative father~~ party.

32 34 (3) A statement that after the holding of the conference,  
32 35 the unit shall issue a new notice of alleged paternity and  
32 36 finding of financial responsibility for child support or  
32 37 medical support, or both, to be provided in person to ~~the~~



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~~33 1 putative father~~ each party or sent to ~~the putative father~~ each  
33 2 party by regular mail addressed to the ~~putative father's~~  
33 3 party's last known address or, if applicable, to the last known  
33 4 address of the ~~putative father's~~ party's attorney.  
33 5 (4) A statement that if the unit issues a new notice of  
33 6 alleged paternity and finding of financial responsibility for  
33 7 child support or medical support, or both, ~~the putative father~~  
33 8 a party shall have one of the following time frames, whichever  
33 9 is the latest, to send a written request for a court hearing on  
33 10 the issue of support to the unit:  
33 11 (a) Ten days from the date of issuance of the new notice.  
33 12 (b) Twenty days from the date of service of the original  
33 13 notice.  
33 14 (c) If paternity was contested and paternity testing  
33 15 conducted, and ~~the putative father~~ a party does not deny  
33 16 paternity after the testing or challenge the paternity test  
33 17 results, twenty days from the date the paternity test results  
33 18 are issued or mailed to the ~~putative father~~ party by the unit.  
33 19 g. A statement that if a conference is not requested, and  
33 20 ~~the putative father~~ a party does not deny paternity or  
33 21 challenge the results of any paternity testing conducted but  
33 22 objects to the finding of financial responsibility or the  
33 23 amount of child support or medical support, or both, the  
33 24 ~~putative father~~ party shall send a written request for a court  
33 25 hearing on the issue of support to the unit within twenty days  
33 26 of the date of service of the original notice, or, if paternity  
33 27 was contested and paternity testing conducted, and ~~the putative~~  
~~33 28 father~~ a party does not deny paternity after the testing or  
33 29 challenge the paternity test results, within twenty days from  
33 30 the date the paternity test results are issued or mailed to the  
33 31 ~~putative father~~ party by the unit, whichever is later.  
33 32 h. A statement that if a timely written request for a  
33 33 hearing on the issue of support is received by the unit, the  
33 34 ~~putative father~~ party shall have the right to a hearing to be  
33 35 held in district court and that if no timely written request is  
33 36 received and paternity is not contested, the administrator  
33 37 shall enter an order establishing the putative father as the



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34 1 father of the child or children and establishing child support  
34 2 or medical support, or both, in accordance with the notice of  
34 3 alleged paternity and support debt.

34 4 j. A written explanation of ~~the putative father's~~ a party's  
34 5 right to deny paternity, the procedures for denying paternity,  
34 6 and the consequences of the denial.

34 7 k. A statement that if ~~the putative father~~ a party contests  
34 8 paternity, the ~~putative father~~ party shall have twenty days  
34 9 from the date of service of the original notice to submit a  
34 10 written denial of paternity to the unit.

34 11 m. A statement that if paternity tests are conducted, the  
34 12 unit shall provide a copy of the test results to ~~the putative~~  
~~34 13 father~~ each party in person or send a copy to ~~the putative~~  
~~34 14 father~~ each party by regular mail, addressed to the ~~putative~~  
~~34 15 father's~~ party's last known address, or, if applicable, to the  
34 16 last known address of the ~~putative father's~~ party's attorney.

34 17 Sec. \_\_\_\_\_. Section 252F.3, subsection 3, unnumbered  
34 18 paragraph 1, Code 2007, is amended to read as follows:

34 19 If notice is served on ~~the putative father~~ a party, the unit  
34 20 shall file a true copy of the notice and the original return of  
34 21 service with the appropriate clerk of the district court as  
34 22 follows:

34 23 Sec. \_\_\_\_\_. Section 252F.3, subsection 4, unnumbered  
34 24 paragraph 1, Code 2007, is amended to read as follows:

34 25 A ~~putative father~~ party or the child support recovery unit  
34 26 may request a court hearing regarding establishment of  
34 27 paternity or a determination of support, or both.

34 28 Sec. \_\_\_\_\_. Section 252F.3, subsection 4, paragraph c, Code  
34 29 2007, is amended to read as follows:

34 30 c. Any objection to the results of paternity tests shall be  
34 31 filed no later than twenty days after the date paternity test  
34 32 results are issued or mailed to ~~the putative father~~ each party  
34 33 by the unit. Any objection to paternity test results filed by  
34 34 a party more than twenty days after the date paternity tests  
34 35 are issued or mailed to the ~~putative father~~ party by the unit  
34 36 shall not be accepted or considered by the court.

34 37 Sec. \_\_\_\_\_. Section 252F.3, subsection 5, Code 2007, is



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35 1 amended to read as follows:

35 2 5. If a timely written response and request for a court  
35 3 hearing is not received by the unit and ~~the putative father a~~  
35 4 party does not deny paternity, the administrator shall enter an  
35 5 order in accordance with section 252F.4.

35 6 Sec. \_\_\_\_\_. Section 252F.3, subsection 6, paragraphs a, f,  
35 7 and m, Code 2007, are amended to read as follows:

35 8 a. If a party contests the establishment of paternity, the  
35 9 party shall submit, within twenty days of service of the notice  
35 10 on the ~~putative father party~~ under subsection 1, a written  
35 11 statement contesting paternity establishment to the unit. Upon  
35 12 receipt of a written challenge of paternity establishment, or  
35 13 upon initiation by the unit, the administrator shall enter ex  
35 14 parte administrative orders requiring the mother, child or  
35 15 children involved, and the putative father to submit to  
35 16 paternity testing. Either the mother or putative father may  
35 17 contest paternity under this chapter.

35 18 f. An original copy of the test results shall be filed with  
35 19 the clerk of the district court in the county where the notice  
35 20 was filed. The child support recovery unit shall issue a copy  
35 21 of the filed test results to ~~the putative father and mother of~~  
35 22 ~~the child or children~~ each party in person, or by regular mail  
35 23 to the last known address of each, or if applicable, to the  
35 24 last known address of the attorney for each. However, if the  
35 25 action is the result of a request from a foreign jurisdiction,  
35 26 the unit shall issue a copy of the results to the initiating  
35 27 agency in that foreign jurisdiction.

35 28 m. If the paternity test results exclude the putative  
35 29 father as a potential biological father of the child or  
35 30 children, and additional tests are not requested by either  
35 31 party or conducted on the unit's initiative, or if additional  
35 32 tests exclude the putative father as a potential biological  
35 33 father, the unit shall withdraw its action against the putative  
35 34 father and shall file a notice of the withdrawal with the clerk  
35 35 of the district court, and shall provide a copy of the notice  
35 36 to ~~the putative father~~ each party in person, or by regular mail  
35 37 sent to ~~the putative father's~~ each party's last known address,



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36 1 or if applicable, the last known address of the ~~putative~~  
~~36 2 father's~~ party's attorney.  
36 3 Sec. \_\_\_\_\_. Section 252F.4, Code 2007, is amended to read as  
36 4 follows:  
36 5 252F.4 ENTRY OF ORDER.  
36 6 1. If ~~the putative father fails~~ both parties fail to  
36 7 respond to the initial notice within twenty days after the date  
36 8 of service of the notice or ~~fails fail~~ to appear at a  
36 9 conference pursuant to section 252F.3 on the scheduled date of  
36 10 the conference, and paternity has not been contested and ~~the~~  
~~36 11 putative father fails~~ both parties fail to timely request a  
36 12 court hearing on the issue of support, the administrator shall  
36 13 enter an order against the ~~putative father~~ parties, declaring  
36 14 the putative father to be the legal father of the child or  
36 15 children involved and assessing any accrued and accruing child  
36 16 support obligation pursuant to the guidelines established under  
36 17 section 598.21B, and medical support pursuant to chapter 252E,  
~~36 18 against the father.~~  
36 19 2. If paternity is contested pursuant to section 252F.3,  
36 20 subsection 6, and the party contesting paternity fails to  
36 21 appear for a paternity test and fails to request a rescheduling  
36 22 pursuant to section 252F.3, or fails to appear for both the  
36 23 initial and the rescheduled paternity tests and ~~the putative~~  
~~36 24 father fails~~ both parties fail to timely request a court  
36 25 hearing on the issue of support, the administrator shall enter  
36 26 an order against the ~~putative father~~ parties declaring the  
36 27 putative father to be the legal father of the child or children  
36 28 involved and assessing any accrued and accruing child support  
36 29 obligation pursuant to the guidelines established under section  
36 30 598.21B, and medical support pursuant to chapter 252E, ~~against~~  
~~36 31 the father.~~  
36 32 3. If ~~the putative father appears at~~ a conference pursuant  
36 33 to section 252F.3 is held, and paternity is not contested, and  
36 34 ~~the putative father fails~~ both parties fail to timely request a  
36 35 court hearing on the issue of support, the administrator shall  
36 36 enter an order against the ~~putative father~~ parties after the  
36 37 second notice has been sent declaring the putative father to be



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37 1 the legal father of the child or children involved and  
37 2 assessing any accrued and accruing child support obligation  
37 3 pursuant to the guidelines established under section 598.21B,  
37 4 and medical support pursuant to chapter 252E, ~~against the~~  
~~37 5 father.~~  
37 6 4. If paternity was contested and paternity testing was  
37 7 performed and the putative father was not excluded, if the test  
37 8 results indicate that the probability of the putative father's  
37 9 paternity is ninety-five percent or greater, if the test  
37 10 results are not timely challenged, and if ~~the putative father~~  
~~37 11 fails~~ both parties fail to timely request a court hearing on  
37 12 the issue of support, the administrator shall enter an order  
37 13 against the ~~putative father~~ parties declaring the putative  
37 14 father to be the legal father of the child or children involved  
37 15 and assessing any accrued and accruing child support obligation  
37 16 pursuant to the guidelines established under section 598.21B,  
37 17 and medical support pursuant to chapter 252E, ~~against the~~  
~~37 18 father.~~  
37 19 5. The administrator shall establish a support obligation  
37 20 under this section based upon the best information available to  
37 21 the unit and pursuant to section 252B.7A.  
37 22 6. The order shall contain all of the following:  
37 23 a. A declaration of paternity.  
37 24 b. The amount of monthly support to be paid, with direction  
37 25 as to the manner of payment.  
37 26 c. The amount of accrued support.  
37 27 d. The name of the custodial parent or caretaker.  
37 28 e. The name and birth date of the child or children to whom  
37 29 the order applies.  
37 30 f. A statement that property of ~~the father~~ a party ordered  
37 31 to provide support is subject to income withholding, liens,  
37 32 garnishment, tax offset, and other collection actions.  
37 33 g. The medical support required pursuant to chapter 598 and  
37 34 chapter 252E.  
37 35 h. A statement that ~~the father~~ a party who is ordered to  
37 36 provide support is required to inform the child support  
37 37 recovery unit, on a continuing basis, of the name and address



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38 1 of the ~~father's~~ party's current employer, whether the ~~father~~  
38 2 party has access to health insurance coverage ~~through~~  
~~38 3 employment or at reasonable cost through other sources as~~  
38 4 required in the order, and if so, the health insurance policy  
38 5 information.

38 6 i. If paternity was contested by the putative father, the  
38 7 amount of any judgment assessed to the father for costs of  
38 8 paternity tests conducted pursuant to this chapter.

38 9 j. Statements as required pursuant to section 598.22B.

38 10 7. If paternity is not contested but ~~the putative father a~~  
38 11 party does wish to challenge the issues of child or medical  
38 12 support, the administrator shall enter an order establishing  
38 13 paternity and reserving the issues of child or medical support  
38 14 for determination by the district court.

38 15 Sec. \_\_\_\_\_. Section 252F.5, subsection 2, Code 2007, is  
38 16 amended to read as follows:

38 17 2. An action under this chapter may be certified to the  
38 18 district court if a party timely contests paternity  
38 19 establishment or paternity test results, or if ~~the putative~~  
~~38 20 father a party~~ requests a court hearing on the issues of child  
38 21 or medical support, or both, or upon the initiation of the unit  
38 22 as provided in this chapter. Review by the district court  
38 23 shall be an original hearing before the court.

38 24 Sec. \_\_\_\_\_. Section 252F.5, subsection 3, paragraph c, Code  
38 25 2007, is amended to read as follows:

38 26 c. A timely written objection to paternity establishment or  
38 27 paternity test results has been received from a party, or a  
38 28 timely written request for a court hearing on the issue of  
38 29 support has been received from ~~the putative father a party~~ by  
38 30 the unit, or the unit has requested a court hearing on the  
38 31 unit's own initiative.

38 32 Sec. \_\_\_\_\_. Section 252H.2, subsection 2, paragraph b, Code  
38 33 2007, is amended to read as follows:

38 34 b. An addition of or change to provisions for medical  
38 35 support as defined provided in section 252E.1 chapter 252E.

38 36 Sec. \_\_\_\_\_. Section 252H.2, subsection 13, Code 2007, is  
38 37 amended to read as follows:



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39 1 13. "Support order" means a ~~"court order" as defined in~~  
~~39 2 section 252C.1 or an order establishing support entered~~  
~~39 3 pursuant to an administrative or quasi-judicial process if~~  
~~39 4 authorized by law an order for support issued pursuant to~~  
~~39 5 chapter 232, 234, 252A, 252C, 252E, 252F, 252H, 598, 600B, or~~  
~~39 6 any other applicable chapter, or under a comparable statute of~~  
~~39 7 a foreign jurisdiction as registered with the clerk of court or~~  
~~39 8 certified to the child support recovery unit.~~

39 9 Sec. \_\_\_\_ . NEW SECTION. 252H.3A ADDING A PARTY.

39 10 A mother or father may be added as a proper party defendant  
39 11 to a support order upon service of a notice as provided in this  
39 12 chapter and without a court order as provided in the rules of  
39 13 civil procedure.

39 14 Sec. \_\_\_\_ . Section 252H.14, subsection 1, paragraph b, Code  
39 15 2007, is amended to read as follows:

39 16 ~~b. The right to any ongoing medical support obligation is~~  
~~39 17 currently assigned to the state due to the receipt of public~~  
~~39 18 assistance unless:~~

39 19 ~~(1) b. The support order does not already includes include~~  
39 20 provisions requiring the parent ordered to pay child support to  
~~39 21 also provide for medical support.~~

39 22 ~~(2) The parent entitled to receive support has satisfactory~~  
~~39 23 health insurance coverage for the children, excluding coverage~~  
~~39 24 resulting from the receipt of public assistance benefits.~~

39 25 Sec. \_\_\_\_ . Section 252H.14, subsection 2, Code 2007, is  
39 26 amended to read as follows:

39 27 2. The unit may periodically initiate a request to a child  
39 28 support agency of another state to conduct a review of a  
39 29 support order entered in that state when the right to any  
39 30 ongoing child or medical support obligation due under the order  
39 31 is currently assigned to the state of Iowa or if the order does  
39 32 not include provisions for medical support.

39 33 Sec. \_\_\_\_ . Section 598.21B, subsection 3, Code 2007, is  
39 34 amended to read as follows:

39 35 3. MEDICAL SUPPORT. The court shall order ~~as~~ child medical  
39 36 support ~~a health benefit plan as defined in chapter 252E if~~  
~~39 37 available to either parent at a reasonable cost. A health~~



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~~40 1 benefit plan is considered reasonable in cost if it is  
40 2 employment-related or other group health insurance, regardless  
40 3 of the service delivery mechanism as provided in section  
40 4 252E.1A. The premium cost of the a health benefit plan may be  
40 5 considered by the court as a reason for varying from the child  
40 6 support guidelines. If a health benefit plan is not available  
40 7 at a reasonable cost, the court may order any other provisions  
40 8 for medical support as defined in chapter 252E.~~

40 9 Sec. \_\_\_\_ . Section 598.21C, subsection 2, paragraph a, Code  
40 10 2007, is amended to read as follows:

40 11 a. Subject to 28 U.S.C. } 1738B, but notwithstanding  
40 12 subsection 1, a substantial change of circumstances exists when  
40 13 the court order for child support varies by ten percent or more  
40 14 from the amount which would be due pursuant to the most current  
40 15 child support guidelines established pursuant to section  
40 16 598.21B or ~~the obligor~~ a parent has ~~access to~~ a health benefit  
40 17 plan, available as provided in section 252E.1A and the current  
40 18 order for support does not contain provisions for medical  
40 19 support, ~~and the dependents are not covered by a health benefit  
40 20 plan provided by the obligee, excluding coverage pursuant to  
40 21 chapter 249A or a comparable statute of a foreign jurisdiction.~~

40 22 Sec. \_\_\_\_ . AMENDING AND NULLIFICATION OF ADMINISTRATIVE  
40 23 RULES.

40 24 1. Until the department of human services amends rules  
40 25 pursuant to chapter 17A necessary to conform with this Act, all  
40 26 of the following shall apply:

40 27 a. The child support recovery unit may initiate proceedings  
40 28 to establish or modify orders for medical support for a child  
40 29 in accordance with section 252E.1A as created in this Act,  
40 30 regardless of whether support is assigned to the state.

40 31 b. The term "child support account" in existing rules shall  
40 32 also mean a specified monetary amount for medical support,  
40 33 unless the context otherwise requires.

40 34 c. A reference to a health benefit plan at reasonable cost  
40 35 shall mean reasonable cost as defined in section 252E.1A, as  
40 36 enacted in this Act.

40 37 d. A requirement for including a provision for an



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41 1 employment-related or other group health benefit plan, or for  
41 2 determining medical support, shall be limited and applied in  
41 3 accordance with section 252E.1A, as created in this Act.  
41 4 2. 441 Iowa administrative Code, rule 98.3, relating to the  
41 5 establishment of medical support is nullified.  
41 6 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this Act takes  
41 7 effect March 1, 2008.

DIVISION

PHYSICIAN ASSISTANTS

41 8  
41 9 Sec. \_\_\_\_\_. Section 147.14, subsection 12, Code 2007, is  
41 10 amended to read as follows:  
41 11 12. For the board of physician assistant examiners, ~~three~~  
41 12 five members licensed to practice as physician assistants, at  
41 13 least two of whom practice in counties with a population of  
41 14 less than fifty thousand, one member licensed to practice  
41 15 medicine and surgery who supervises a physician assistant, one  
41 16 member licensed to practice osteopathic medicine and surgery  
41 17 who supervises a physician assistant, and two members who are  
41 18 not licensed to practice either medicine and surgery or  
41 19 osteopathic medicine and surgery or licensed as a physician  
41 20 assistant and who shall represent the general public. At least  
41 21 one of the physician members shall be in practice in a county  
41 22 with a population of less than fifty thousand. A majority of  
41 23 members of the board constitutes a quorum.  
41 24 Sec. \_\_\_\_\_. NEW SECTION. 148C.12 ANNUAL REPORT.  
41 25 By January 31 of each year the board and the board of  
41 26 medical examiners shall provide to the general assembly and the  
41 27 governor a joint report detailing the boards' collaborative  
41 28 efforts and team building practices.

DIVISION

TELECOMMUTING

41 30  
41 31 Sec. \_\_\_\_\_. STATE EMPLOYEE TELECOMMUTING == POLICY  
41 32 DEVELOPMENT == IMPLEMENTATION.  
41 33 1. The director of a department or state agency to which  
41 34 appropriations are made pursuant to the provisions of this Act  
41 35 shall assess the extent to which job classifications or  
41 36 individual employment positions with the department or agency  
41 37



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42 1 might be effectively performed from an employee's residence or  
42 2 other remote location through telecommuting, thereby increasing  
42 3 office space within the department or agency and reducing  
42 4 administrative costs. The assessment shall include an estimate  
42 5 of the number of department or agency employees whose job  
42 6 responsibilities could be effectively performed on a  
42 7 telecommuting basis, projected costs of establishing and  
42 8 maintaining work stations at an employee's residence or other  
42 9 remote location and providing telecommuter support, anticipated  
42 10 savings to the department or agency through a reduction in the  
42 11 office-based workforce, and anticipated time and cost savings  
42 12 to telecommuting employees. A report summarizing the  
42 13 assessment shall be submitted to the director of the department  
42 14 of administrative services, and the members of the general  
42 15 assembly, by November 1, 2007.

42 16 2. Based on the assessment conducted pursuant to subsection  
42 17 1, the director shall develop a telecommuter employment policy  
42 18 for the department or agency and a timeline for initial policy  
42 19 implementation and plans for expanding the number of  
42 20 telecommuting employees. Specific office-based workforce  
42 21 reduction percentages shall be left to the discretion of the  
42 22 director, but the director shall implement a policy  
42 23 transferring some number of office-based employees to  
42 24 telecommuter status by January 1, 2008. The director shall  
42 25 report to the director of the department of administrative  
42 26 services and the members of the general assembly on an annual  
42 27 basis beginning January 1, 2009, the number of telecommuting  
42 28 employees, cost savings achieved by the department or agency,  
42 29 and plans for continued transfer of office-based employees to  
42 30 telecommuter status.

42 31 DIVISION  
42 32 DENTAL BOARD

42 33 Sec. \_\_\_\_\_. Section 10A.402, subsection 1, Code 2007, as  
42 34 amended by 2007 Iowa Acts, Senate File 74, section 6, is  
42 35 amended to read as follows:

42 36 1. Investigations relative to the practice of regulated  
42 37 professions and occupations, except those within the



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43 1 jurisdiction of the board of medicine, the board of pharmacy,  
43 2 the dental board ~~of dentistry~~, and the board of nursing.  
43 3 Sec. \_\_\_\_\_. Section 135.11A, unnumbered paragraph 1, Code  
43 4 2007, as amended by 2007 Iowa Acts, Senate File 74, section 19,  
43 5 is amended to read as follows:

43 6 There shall be a professional licensure division within the  
43 7 department of public health. Each board under chapter 147 or  
43 8 under the administrative authority of the department, except  
43 9 the board of nursing, board of medicine, dental board ~~of~~  
~~43 10 dentistry~~, and board of pharmacy, shall receive administrative  
43 11 and clerical support from the division and may not employ its  
43 12 own support staff for administrative and clerical duties.

43 13 Sec. \_\_\_\_\_. Section 135.24, subsection 2, paragraph a, Code  
43 14 2007, as amended by 2007 Iowa Acts, Senate File 74, section 20,  
43 15 is amended to read as follows:

43 16 a. Procedures for registration of health care providers  
43 17 deemed qualified by the board of medicine, the board of  
43 18 physician assistants, the dental board ~~of dentistry~~, the board  
43 19 of nursing, the board of chiropractic, the board of psychology,  
43 20 the board of social work, the board of behavioral science, the  
43 21 board of pharmacy, the board of optometry, the board of  
43 22 podiatry, the board of physical and occupational therapy, the  
43 23 board for respiratory care, and the Iowa department of public  
43 24 health, as applicable.

43 25 Sec. \_\_\_\_\_. Section 135.31, Code 2007, as amended by 2007  
43 26 Iowa Acts, Senate File 74, section 21, is amended to read as  
43 27 follows:

43 28 135.31 LOCATION OF BOARDS == RULEMAKING.

43 29 The offices for the board of medicine, the board of  
43 30 pharmacy, the board of nursing, and the dental board ~~of~~  
~~43 31 dentistry~~ shall be located within the department of public  
43 32 health. The individual boards shall have policymaking and  
43 33 rulemaking authority.

43 34 Sec. \_\_\_\_\_. Section 136C.3, subsection 2, unnumbered  
43 35 paragraph 1, Code 2007, as amended by 2007 Iowa Acts, Senate  
43 36 File 74, section 23, is amended to read as follows:

43 37 Establish minimum training standards including continuing



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44 1 education requirements, and administer examinations and  
44 2 disciplinary procedures for operators of radiation machines and  
44 3 users of radioactive materials. A state of Iowa license to  
44 4 practice medicine, osteopathy, chiropractic, podiatry,  
44 5 dentistry, dental hygiene, or veterinary medicine, or licensure  
44 6 as a physician assistant pursuant to chapter 148C, or  
44 7 certification by the dental board ~~of dentistry~~ in dental  
44 8 radiography, or by the board of podiatry in podiatric  
44 9 radiography, or enrollment in a program or course of study  
44 10 approved by the Iowa department of public health which includes  
44 11 the application of radiation to humans satisfies the minimum  
44 12 training standards for operation of radiation machines only.

44 13 Sec. \_\_\_\_\_. Section 139A.22, subsection 6, Code 2007, as  
44 14 amended by 2007 Iowa Acts, Senate File 74, section 25, is  
44 15 amended to read as follows:

44 16 6. The board of medicine, the board of physician  
44 17 assistants, the board of podiatry, the board of nursing, the  
44 18 dental board ~~of dentistry~~, and the board of optometry shall  
44 19 require that licensees comply with the recommendations issued  
44 20 by the centers for disease control and prevention of the United  
44 21 States department of health and human services for preventing  
44 22 transmission of human immunodeficiency virus and hepatitis B  
44 23 virus to patients during exposure-prone invasive procedures,  
44 24 with the recommendations of the expert review panel established  
44 25 pursuant to subsection 3, with hospital protocols established  
44 26 pursuant to subsection 1, and with health care facility  
44 27 procedures established pursuant to subsection 2, as applicable.

44 28 Sec. \_\_\_\_\_. Section 147.13, subsection 8, Code 2007, as  
44 29 amended by 2007 Iowa Acts, Senate File 74, section 32, is  
44 30 amended to read as follows:

44 31 8. For dentistry, dental hygiene, and dental assisting, the  
44 32 dental board ~~of dentistry~~.

44 33 Sec. \_\_\_\_\_. Section 147.40, Code 2007, as amended by 2007  
44 34 Iowa Acts, Senate File 74, section 50, is amended to read as  
44 35 follows:

44 36 147.40 CERTIFICATION OF APPLICANTS.

44 37 Every examination shall be passed upon in accordance with



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45 1 the established rules of the board and shall be satisfactory to  
45 2 at least a majority of the professional members of the board.  
45 3 In the case of the dental board ~~of dentistry~~, only licensed  
45 4 dentist members of the board shall determine whether an  
45 5 applicant has passed the examination to practice as a licensed  
45 6 dentist. After each examination, the board shall certify the  
45 7 names of the successful applicants to the department in the  
45 8 manner prescribed by it. The department shall then issue the  
45 9 proper license.

45 10 Sec. \_\_\_\_\_. Section 147.80, subsections 1 and 11, Code 2007,  
45 11 as amended by 2007 Iowa Acts, Senate File 74, section 63, are  
45 12 amended to read as follows:

45 13 1. License to practice dentistry issued upon the basis of  
45 14 an examination given by the dental board ~~of dentistry~~, license  
45 15 to practice dentistry issued under a reciprocal agreement,  
45 16 resident dentist's license, renewal of a license to practice  
45 17 dentistry.

45 18 11. License to practice dental hygiene issued upon the  
45 19 basis of an examination given by the dental board ~~of dentistry~~,  
45 20 license to practice dental hygiene issued under a reciprocal  
45 21 agreement, renewal of a license to practice dental hygiene.

45 22 Sec. \_\_\_\_\_. Section 147.80, unnumbered paragraph 3, Code  
45 23 2007, as amended by 2007 Iowa Acts, Senate File 74, section 63,  
45 24 is amended to read as follows:

45 25 The board of medicine, the board of pharmacy, the dental  
45 26 board ~~of dentistry~~, and the board of nursing shall retain  
45 27 individual executive officers, but shall make every effort to  
45 28 share administrative, clerical, and investigative staffs to the  
45 29 greatest extent possible. The department shall annually submit  
45 30 a status report to the general assembly in December regarding  
45 31 the sharing of staff during the previous fiscal year.

45 32 Sec. \_\_\_\_\_. Section 147.88, Code 2007, as amended by 2007  
45 33 Iowa Acts, Senate File 74, section 65, is amended to read as  
45 34 follows:

45 35 147.88 INSPECTIONS.

45 36 The department of inspections and appeals may perform  
45 37 inspections as required by this subtitle, except for the board



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46 1 of medicine, board of pharmacy, board of nursing, and the  
46 2 dental board ~~of dentistry~~. The department of inspections and  
46 3 appeals shall employ personnel related to the inspection  
46 4 functions.

46 5 Sec. \_\_\_\_\_. Section 147.107, subsection 2, unnumbered  
46 6 paragraph 1, Code 2007, as amended by 2007 Iowa Acts, Senate  
46 7 File 74, section 78, is amended to read as follows:

46 8 A pharmacist, physician, dentist, or podiatric physician who  
46 9 dispenses prescription drugs, including but not limited to  
46 10 controlled substances, for human use, may delegate  
46 11 nonjudgmental dispensing functions to staff assistants only  
46 12 when verification of the accuracy and completeness of the  
46 13 prescription is determined by the pharmacist or practitioner in  
46 14 the pharmacist's or practitioner's physical presence. However,  
46 15 the physical presence requirement does not apply when a  
46 16 pharmacist or practitioner is utilizing an automated dispensing  
46 17 system. When using an automated dispensing system the  
46 18 pharmacist or practitioner shall utilize an internal quality  
46 19 control assurance plan that ensures accuracy for dispensing.  
46 20 Verification of automated dispensing accuracy and completeness  
46 21 remains the responsibility of the pharmacist or practitioner  
46 22 and shall be determined in accordance with rules adopted by the  
46 23 board of pharmacy, the board of medicine, the dental board ~~of~~  
~~46 24 dentistry~~, and the board of podiatry for their respective  
46 25 licensees.

46 26 Sec. \_\_\_\_\_. Section 147.114, Code 2007, as amended by 2007  
46 27 Iowa Acts, Senate File 74, section 81, is amended to read as  
46 28 follows:

46 29 147.114 INSPECTOR.

46 30 An inspector may be appointed by the dental board ~~of~~  
~~46 31 dentistry~~ pursuant to the provisions of chapter 8A, subchapter  
46 32 IV.

46 33 Sec. \_\_\_\_\_. Section 153.12, as enacted by 2007 Iowa Acts,  
46 34 Senate File 74, section 132, is amended to read as follows:

46 35 153.12 BOARD DEFINED.

46 36 As used in this chapter, "board" means the dental board ~~of~~  
~~46 37 dentistry~~, created under chapter 147.



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47 1 Sec. \_\_\_\_\_. Section 272C.1, subsection 6, paragraph j, Code  
47 2 2007, as amended by 2007 Iowa Acts, Senate File 74, section  
47 3 171, is amended to read as follows:

47 4 j. The dental board ~~of dentistry~~, created pursuant to  
47 5 chapter 147.

47 6

DIVISION

47 7

GRANDPARENT AND GREAT=GRANDPARENT VISITATION

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47 9

Sec. \_\_\_\_\_. NEW SECTION. 600C.1 GRANDPARENT AND  
GREAT=GRANDPARENT VISITATION.

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1. The grandparent or great=grandparent of a minor child  
may petition the court for grandchild or great=grandchild  
visitation.

2. The court shall consider a fit parent's objections to  
granting visitation under this section. A rebuttable  
presumption arises that a fit parent's decision to deny  
visitation to a grandparent or great=grandparent is in the best  
interest of a minor child.

3. The court may grant visitation to the grandparent or  
great=grandparent if the court finds all of the following by  
clear and convincing evidence:

a. The grandparent or great=grandparent has established a  
substantial relationship with the child prior to the filing of  
the petition.

b. The parent who is being asked to temporarily relinquish  
care, custody, and control of the child to provide visitation  
is unfit to make the decision regarding visitation.

c. It is in the best interest of the child to grant such  
visitation.

4. For the purposes of this section, "court" means the  
district court or the juvenile court if that court currently  
has jurisdiction over the child in a pending action. If an  
action is not pending, the district court has jurisdiction.

5. Notwithstanding any provision of this chapter to the  
contrary, venue for any action to establish, enforce, or modify  
visitation under this section shall be in the county where  
either parent resides if no final custody order determination  
relating to the grandchild or great=grandchild has been entered



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48 1 by any other court. If a final custody order has been entered  
48 2 by any other court, venue shall be located exclusively in the  
48 3 county where the most recent final custody order was entered.  
48 4 If any other custodial proceeding is pending when an action to  
48 5 establish, enforce, or modify visitation under this section is  
48 6 filed, venue shall be located exclusively in the county where  
48 7 the pending custodial proceeding was filed.  
48 8 6. Notice of any proceeding to establish, enforce, or  
48 9 modify visitation under this section shall be personally served  
48 10 upon all parents of a child whose interests are affected by a  
48 11 proceeding brought pursuant to this section and all  
48 12 grandparents or great-grandparents who have previously obtained  
48 13 a final order or commenced a proceeding under this section.  
48 14 7. The court shall not enter any temporary order to  
48 15 establish, enforce, or modify visitation under this section.  
48 16 8. An action brought under this section is subject to  
48 17 chapter 598B, and in an action brought to establish, enforce,  
48 18 or modify visitation under this section, each party shall  
48 19 submit in its first pleading or in an attached affidavit all  
48 20 information required by section 598B.209.  
48 21 9. In any action brought to establish, enforce, or modify  
48 22 visitation under this section, the court may award attorney  
48 23 fees to the prevailing party in an amount deemed reasonable by  
48 24 the court.  
48 25 10. If a proceeding to establish or enforce visitation  
48 26 under this section is commenced when a dissolution of marriage  
48 27 proceeding is pending concerning the parents of the affected  
48 28 minor child, the record and evidence of the dissolution action  
48 29 shall remain impounded pursuant to section 598.26. The  
48 30 impounded information shall not be released or otherwise made  
48 31 available to any person who is not the petitioner or respondent  
48 32 or an attorney of record in the dissolution of marriage  
48 33 proceeding. Access to the impounded information by the  
48 34 attorney of record for the grandparent or great-grandparent  
48 35 shall be limited to only that information relevant to the  
48 36 grandparent's or great-grandparent's request for visitation.  
48 37 Sec. \_\_\_\_\_. Section 600.11, subsection 2, paragraph e, Code



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Conference Committee Report 909.1 continued

49 1 2007, is amended to read as follows:  
49 2 e. A person who has been granted visitation rights with the  
49 3 child to be adopted pursuant to section ~~598.35~~ 600C.1.  
49 4 Sec. \_\_\_\_\_. Section 598.35, Code 2007, is repealed.>  
49 5 #78. By renumbering, relettering, or redesignating and  
49 6 correcting internal references as necessary.  
49 7  
49 8 ON THE PART OF THE HOUSE: ON THE PART OF THE SENATE:  
49 9  
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49 12  
49 13 RO FOEGE, CHAIRPERSON JACK HATCH, CHAIRPERSON  
49 14  
49 15  
49 16  
49 17 JO OLDSON JOE BOLKCOM  
49 18  
49 19  
49 20  
49 21 PHIL WISE ROBERT E. DVORSKY  
49 22  
49 23 CCH 909.1  
49 24 pf/gg/14



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# Conference Committee Report 551

PAG LIN

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 551

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 551, a bill for an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, respectfully make the following report:

1. That the Senate recedes from its amendment, H=2040.

2. That the House amendment, S=3436, to Senate File 551, as amended, passed, and reprinted by the Senate, is amended to read as follows:

#1. Page 1, by inserting before line 3, the following:  
 <#\_\_\_. Page 3, by striking line 9, and inserting the following: <maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:>  
 #\_\_\_. Page 3, by inserting after line 10, the following:  
 <..... FTEs 1.00>  
 #\_\_\_. Page 11, line 26, by striking the figure <1,500,000> and inserting the following: <1,480,000>.  
 #\_\_\_. Page 12, line 35, by striking the figure <600,000> and inserting the following: <580,000>.  
 #\_\_\_. Page 13, line 2, by striking the figure <400,000> and inserting the following: <386,667>.  
 #\_\_\_. Page 13, line 8, by striking the figure <200,000> and inserting the following: <193,333>.  
 #\_\_\_. Page 13, by inserting after line 17, the following:  
 <\_\_\_. For purposes of supporting a farm-to-school program, as provided in chapter 190A, if enacted by 2007 Iowa Acts, Senate File 601, including salaries, support, maintenance, and miscellaneous purposes:  
 ..... \$ 80,000  
 \_\_\_\_\_. For purposes of supporting the office of state



**Iowa General Assembly  
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Conference Committee Report 551 continued

2 1 apiarist, including the state apiarist who shall be appointed  
 2 2 by the secretary of agriculture pursuant to section 160.1, and  
 2 3 for carrying out the duties of the state apiarist as provided  
 2 4 in chapter 160:  
 2 5 ..... \$ 40,000>  
 2 6 #\_\_. Page 14, line 5, by striking the figure <2,490,000>  
 2 7 and inserting the following: <2,470,000>.  
 2 8 #\_\_. Page 14, line 19, by striking the figure <400,000>  
 2 9 and inserting the following: <360,000>.  
 2 10 #\_\_. Page 15, line 9, by striking the figure <500,000> and  
 2 11 inserting the following: <480,000>.>  
 2 12 #2. Page 2, by inserting after line 16 the following:  
 2 13 <#\_\_. Page 20, by inserting after line 27 the following:  
 2 14 <DIVISION  
 2 15 CODE LANGUAGE == E=85 GASOLINE STORING AND  
 2 16 DISPENSING INFRASTRUCTURE  
 2 17 Sec. \_\_\_\_. Section 15G.203, subsection 7, Code 2007, is  
 2 18 amended to read as follows:  
 2 19 7. An award of financial incentives to a participating  
 2 20 person shall be in the form of a grant.  
 2 21 In order to participate in the program an eligible person  
 2 22 must execute a cost=share agreement with the department as  
 2 23 approved by the infrastructure board in which the person  
 2 24 contributes a percentage of the total costs related to  
 2 25 improving the retail motor fuel site.  
 2 26 a. The Except as provided in paragraph "b", a participating  
 2 27 person may be awarded standard financial incentives. The  
 2 28 standard financial incentives awarded to the participating  
 2 29 person shall not exceed fifty percent of the actual cost of  
 2 30 making the improvement or thirty thousand dollars, whichever is  
 2 31 less. The infrastructure board may approve multiple awards to  
 2 32 make improvements to a retail motor fuel site so long as the  
 2 33 total amount of the awards does not exceed the limitations  
 2 34 provided in this paragraph.  
 2 35 b. In addition to any standard financial incentives awarded  
 2 36 to a participating person under paragraph "a", the  
 2 37 participating person may be awarded supplemental financial



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Conference Committee Report 551 continued

3 1 incentives to upgrade or replace a dispenser which is part of  
3 2 gasoline storage and dispensing infrastructure used to store  
3 3 and dispense E=85 gasoline as provided in section 455G.31. The  
3 4 person is only eligible to receive the supplemental financial  
3 5 incentives if the person installed the dispenser not later than  
3 6 sixty days after the date of the publication in the Iowa  
3 7 administrative bulletin of the state fire marshal's order  
3 8 providing that a commercially available dispenser is listed as  
3 9 compatible for use with E=85 gasoline by an independent testing  
3 10 laboratory as provided in section 455G.31. The supplemental  
3 11 financial incentives awarded to the participating person shall  
3 12 not exceed seventy=five percent of the actual cost of making  
3 13 the improvement or thirty thousand dollars, whichever is less.  
3 14 Sec. \_\_\_\_\_. Section 455G.31, subsection 1, paragraph a, Code  
3 15 2007, is amended to read as follows:  
3 16 a. "E=85 gasoline", "ethanol blended gasoline", and "retail  
3 17 dealer" mean the same as defined in section 214A.1.  
3 18 Sec. \_\_\_\_\_. Section 455G.31, subsection 2, paragraph b, Code  
3 19 2007, is amended to read as follows:  
3 20 b. (1) For a dispenser, ~~the manufacturer must state all of~~  
3 21 ~~the following shall apply:~~  
3 22 (1) (a) ~~That the dispenser is, in the opinion of the~~  
3 23 ~~manufacturer, not incompatible with E=85 gasoline. The~~  
3 24 ~~dispenser must be listed by an independent testing laboratory~~  
3 25 ~~as compatible with ethanol blended gasoline.~~  
3 26 (2) (b) ~~The manufacturer has initiated the process of~~  
3 27 ~~applying to an independent testing laboratory for listing of~~  
3 28 ~~the equipment for use in dispensing E=85 gasoline.~~  
3 29 ~~A manufacturer's statement must include a written statement,~~  
3 30 ~~with reference to a particular type and model of equipment for~~  
3 31 ~~use in dispensing E=85 gasoline, signed by a responsible~~  
3 32 ~~official on behalf of the manufacturer, provided either to the~~  
3 33 ~~retail dealer using the gasoline storage and dispensing~~  
3 34 ~~infrastructure or to the department of natural resources or the~~  
3 35 ~~state fire marshal. If the written statement is provided to a~~  
3 36 ~~retail dealer, the statement shall be retained in the files on~~  
3 37 ~~the premises of the retail dealer and shall be available to~~





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Conference Committee Report 551 continued

5 1		
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5 4	DENNIS H. BLACK	BETTY DE BOEF
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5 8	E. THURMAN GASKILL	DOLORES MERTZ
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5 12	HUBERT HOUSER	STEVE OLSON
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5 16	THOMAS RIELLY	MIKE REASONER
5 17	CCS 551	
5 18	da/je/5	



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House Amendment 2067

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 58, line 1, by inserting after the figure  
1 4 <122.> the following:  
1 5 <EDUCATION TASK FORCES.  
1 6 1. STRATEGIC EDUCATION GOALS TASK FORCE.  
1 7 a. The department of education, the state board of  
1 8 regents, and the Iowa association of community college  
1 9 presidents, shall convene a task force to develop and  
1 10 coordinate strategic goals by which the kindergarten  
1 11 through grade twelve, community college, and  
1 12 university systems shall improve the coordination and  
1 13 communication between the systems to provide positive  
1 14 transitions between systems, raise expectations for  
1 15 student achievement, create greater learning  
1 16 opportunities for students in all geographic areas of  
1 17 the state, create professional development  
1 18 opportunities for educators across the systems, and  
1 19 share data for continuous improvement of the systems.  
1 20 The task force shall also develop recommendations on  
1 21 appropriate policy and reform actions to be taken by  
1 22 the general assembly and affected state and local  
1 23 education agencies, including, to the degree possible,  
1 24 timelines for implementation of the proposals.  
1 25 b. The task force shall consist, at a minimum, of  
1 26 representatives from school districts, community  
1 27 colleges, institutions of higher learning governed by  
1 28 the state board of regents, accredited private  
1 29 institutions, and business and industry.  
1 30 c. The task force shall select a chairperson from  
1 31 among its members. The department of education and  
1 32 the state board of regents shall provide staff  
1 33 support. The department of education shall convene  
1 34 the initial meeting no later than July 30, 2007.  
1 35 Subsequent meetings shall be held at least quarterly  
1 36 and at the request of the chairperson. The task force  
1 37 shall submit its findings and recommendations in a  
1 38 report to the governor and the general assembly by  
1 39 January 15, 2009.  
1 40 2.>  
1 41 #2. Page 59, line 3, by inserting after the word  
1 42 <study> the following: <task force and a strategic  
1 43 education goals task force>.  
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1 47 STAED of Linn  
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House Amendment 2067 continued

2 1 MAY of Dickinson  
2 2 SF 601.527 82  
2 3 mg/je/9806



Iowa General Assembly  
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# House Amendment 2068

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 5, by striking lines 6 through 9.  
1 4  
1 5  
1 6  
1 7 RANTS of Woodbury  
1 8  
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1 10  
1 11 RAECKER of Polk  
1 12 SF 601.726 82  
1 13 mg/gg/10037  
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# House Amendment 2069

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 40, by inserting after line 3 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 135.105D, subsection 1A, as  
1 6 enacted by 2007 Iowa Acts, House File 158, section 2,  
1 7 is amended by adding the following new paragraph:  
1 8 NEW PARAGRAPH. d. Notwithstanding any other  
1 9 provision to the contrary, nothing in this section  
1 10 shall subject a parent, guardian, or legal custodian  
1 11 of a child of compulsory attendance age to any  
1 12 penalties under chapter 299.>  
1 13  
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1 16 HEDDENS of Story  
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1 20 FORD of Polk  
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1 23  
1 24 MASCHER of Johnson  
1 25 SF 601.2  
1 26 mg/jg/25  
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House Amendment 2070

PAG LIN

1 1 Amend Senate File 578, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 3, by striking lines 27 through 29 and  
1 4 inserting the following: <APPROPRIATION. There is  
1 5 appropriated from the general fund of the state to  
1 6 the>.  
1 7  
1 8  
1 9  
1 10 KAUFMANN of Cedar  
1 11 SF 578.201 82  
1 12 ec/es/9748  
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## House Amendment 2071

PAG LIN

1 1 Amend the amendment, H=2025, to Senate File 601, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:

1 4 #1. Page 3, by inserting after line 1 the  
1 5 following:

1 6 <Sec. \_\_\_\_\_. Section 137C.28, Code 2007, is amended  
1 7 to read as follows:

1 8 137C.28 PENALTY.

1 9 1. A person who violates a provision of the Iowa  
~~1 10 hotel sanitation code this chapter or rules adopted~~  
1 11 pursuant to this chapter shall be guilty of a simple  
1 12 misdemeanor and subject to a civil penalty of one  
1 13 hundred dollars for each violation. Each day upon  
1 14 which a violation occurs constitutes a separate  
1 15 violation.

1 16 2. A person who is issued a violation as a result  
1 17 of an inspection, a reinspection or a complaint  
1 18 inspection shall be subject to a civil penalty ranging  
1 19 from fifty dollars to one thousand dollars for each  
1 20 violation based on criteria established by rule of the  
1 21 department.

1 22 3. A penalty may be issued by either the  
1 23 department or by a municipal corporation under  
1 24 agreement with the department pursuant to section  
1 25 137C.6.

1 26 4. Penalties collected by the department shall be  
1 27 deposited in the general fund of the state. Penalties  
1 28 collected by a municipal corporation shall be retained  
1 29 by the municipal corporation for use in regulation of  
1 30 entities licensed under this chapter.>

1 31 #2. Page 3, by inserting after line 13 the  
1 32 following:

1 33 <Sec. \_\_\_\_\_. Section 137D.3, Code 2007, is amended  
1 34 to read as follows:

1 35 137D.3 PENALTY.

1 36 1. A person who violates a provision of this  
1 37 chapter, including a standard adopted by departmental  
~~1 38 rule, or rules adopted pursuant to this chapter~~  
1 39 relating to home food establishments or prepared foods  
1 40 created in a home food establishment, is guilty of a  
1 41 simple misdemeanor and subject to a civil penalty of  
1 42 one hundred dollars for each violation. Each day that  
1 43 the violation continues constitutes a separate  
1 44 offense.

1 45 2. A person who is issued a violation as a result  
1 46 of an inspection, a reinspection, or a complaint  
1 47 inspection shall be subject to a civil penalty ranging  
1 48 from fifty dollars to five hundred dollars for each  
1 49 violation based on criteria established by rule of the  
1 50 department.



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House Amendment 2071 continued

2 1 3. A penalty may be issued by either the  
2 2 department or by a municipal corporation under  
2 3 agreement with the department.

2 4 4. Penalties collected by the department shall be  
2 5 deposited in the general fund of the state. Penalties  
2 6 collected by a municipal corporation shall be retained  
2 7 by the municipal corporation for use in regulation of  
2 8 entities licensed under this chapter.>

2 9 #3. Page 11, by inserting after line 50 the  
2 10 following:

2 11 <Sec. \_\_\_\_\_. Section 137F.17, Code 2007, is amended  
2 12 to read as follows:

2 13 137F.17 PENALTY.

2 14 1. A person who violates this chapter or rules  
2 15 adopted pursuant to this chapter shall be subject to a  
2 16 civil penalty of one hundred dollars for each  
2 17 violation. Each day upon which a violation occurs  
2 18 constitutes a separate violation.

2 19 2. A person who is issued a violation as a result  
2 20 of an inspection, a reinspection, or a complaint  
2 21 inspection that is considered a critical or swing  
2 22 violation shall be subject to a civil penalty ranging  
2 23 between fifty dollars and one thousand dollars for  
2 24 each violation based on criteria established by rule  
2 25 of the department.

2 26 3. A penalty may be issued by either the  
2 27 department or by a municipal corporation under  
2 28 agreement with the department pursuant to section  
2 29 137F.3.

2 30 4. Penalties collected by the department shall be  
2 31 deposited in the general fund of the state. Penalties  
2 32 collected by a municipal corporation shall be retained  
2 33 by the municipal corporation for use in regulation of  
2 34 entities licensed under this chapter.>

2 35

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2 38 FORD of Polk

2 39 SF 601.526 82

2 40 mg/je/10038



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House Amendment 2072

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 37, by inserting after line 19 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 12B.10, subsection 4, paragraph  
1 6 a, Code 2007, is amended by adding the following new  
1 7 subparagraph:  
1 8 NEW SUBPARAGRAPH. (9) Obligations of the Iowa  
1 9 finance authority issued pursuant to chapter 16,  
1 10 bearing interest at market rates, provided that at the  
1 11 time of purchase the Iowa finance authority has an  
1 12 issuer credit rating within the two highest  
1 13 classifications or the obligations to be purchased are  
1 14 rated within the two highest classifications, as  
1 15 established by at least one of the standard rating  
1 16 services approved by the superintendent of banking by  
1 17 rule adopted pursuant to chapter 17A.>  
1 18  
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1 21 THOMAS of Clayton  
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1 25 HUNTER of Polk  
1 26 SF 601.520 82  
1 27 mg/je/10013  
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House Amendment 2073

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 54, by inserting after line 13 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_ . Section 423B.7, subsection 4, Code  
 1 6 2007, is amended to read as follows:  
 1 7 4. a. ~~Twenty-five~~ Except as provided in paragraph  
 1 8 "b", ~~twenty-five~~ percent of each county's account  
 1 9 shall be remitted based on the sum of property tax  
 1 10 dollars levied by the board of supervisors if the tax  
 1 11 was imposed in the unincorporated areas and each city  
 1 12 in the county where the tax was imposed during the  
 1 13 three-year period beginning July 1, 1982, and ending  
 1 14 June 30, 1985, as follows:  
 1 15 a. (1) To the board of supervisors a pro rata  
 1 16 share based upon the percentage of the total property  
 1 17 tax dollars levied by the board of supervisors during  
 1 18 the above three-year period.  
 1 19 b. (2) To each city council where the tax was  
 1 20 imposed a pro rata share based upon the percentage of  
 1 21 property tax dollars levied by the city during the  
 1 22 above three-year period of the above total property  
 1 23 tax dollars levied by the board of supervisors and  
 1 24 each city where the tax was imposed during the above  
 1 25 three-year period.  
 1 26 b. In the case of a county where the tax is not  
 1 27 imposed in any area of the county on June 30, 2007,  
 1 28 and subsequently is imposed in an area of the county  
 1 29 on or after July 1, 2007, twenty-five percent of each  
 1 30 county's account shall be remitted based on the sum of  
 1 31 property tax dollars levied by the board of  
 1 32 supervisors if the tax was imposed in the  
 1 33 unincorporated areas and each city in the county where  
 1 34 the tax was imposed during the fiscal year ending  
 1 35 after the most recent certified federal decennial  
 1 36 census as follows:  
 1 37 (1) To the board of supervisors a pro rata share  
 1 38 based upon the percentage of the total property tax  
 1 39 dollars levied by the board of supervisors during the  
 1 40 above fiscal year.  
 1 41 (2) To each city council where the tax was imposed  
 1 42 a pro rata share based upon the percentage of property  
 1 43 tax dollars levied by the city during the above fiscal  
 1 44 year of the above total property tax dollars levied by  
 1 45 the board of supervisors and each city where the tax  
 1 46 was imposed during the above fiscal year.>  
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 1 50 WATTS of Dallas



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House Amendment 2073 continued

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- 2 4 BOAL of Polk
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- 2 8 RAECKER of Polk
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- 2 12 JACOBS of Polk
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- 2 16 TOMENGA of Polk
- 2 17 SF 601.320 82
- 2 18 mg/cf/10036



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**House Amendment 2074**

PAG LIN

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1 1 Amend Senate File 601, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 4, by striking line 1 and inserting the
1 4 following:
1 5 <..... $ 99,254,781>
1 6 #2. Page 4, by striking line 10 and inserting the
1 7 following:
1 8 <..... $ 23,204,000>
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1 12 GASKILL of Wapello
1 13 SF 601.528 82
1 14 mg/je/10039
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**House Amendment 2075**

PAG LIN

1 1 Amend Senate File 590, 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 422.12, subsection 2,  
 1 6 unnumbered paragraph 1, Code 2007, is amended to read  
 1 7 as follows:  
 1 8 A tuition credit equal to ~~twenty-five~~ fifty percent  
 1 9 of the first one thousand dollars which the taxpayer  
 1 10 has paid to others for each dependent in grades  
 1 11 kindergarten through twelve, for tuition and textbooks  
 1 12 of each dependent in attending an elementary or  
 1 13 secondary school situated in Iowa, which school is  
 1 14 accredited or approved under section 256.11, which is  
 1 15 not operated for profit, and which adheres to the  
 1 16 provisions of the federal Civil Rights Act of 1964 and  
 1 17 chapter 216. As used in this subsection, "textbooks"  
 1 18 means books and other instructional materials and  
 1 19 equipment used in elementary and secondary schools in  
 1 20 teaching only those subjects legally and commonly  
 1 21 taught in public elementary and secondary schools in  
 1 22 this state and does not include instructional books  
 1 23 and materials used in the teaching of religious  
 1 24 tenets, doctrines, or worship, the purpose of which is  
 1 25 to inculcate those tenets, doctrines, or worship.  
 1 26 "Textbooks" includes books or materials used for  
 1 27 extracurricular activities including sporting events,  
 1 28 musical or dramatic events, speech activities,  
 1 29 driver's education, or programs of a similar nature.  
 1 30 Notwithstanding any other provision, all other credits  
 1 31 allowed under this section and section 422.12B shall  
 1 32 be deducted before the tuition credit under this  
 1 33 subsection. The department, when conducting an audit  
 1 34 of a taxpayer's return, shall also audit the tuition  
 1 35 tax credit portion of the tax return.>  
 1 36 #2. Title page, line 1, by inserting after the  
 1 37 words <relating to> the following: <the increase in  
 1 38 the tuition tax credit and to>.  
 1 39  
 1 40  
 1 41  
 1 42 GRASSLEY of Butler  
 1 43 SF 590.205 82  
 1 44 mg/es/10046  
 1 45  
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House Amendment 2076

PAG LIN

1 1 Amend Senate File 590, 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 422.7, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 50. Subtract, to the extent  
1 8 included, the amount of gain realized from the sale of  
1 9 farmland to the state department of transportation, if  
1 10 such gain is deposited into a qualified pension plan  
1 11 pursuant to section 401 of the Internal Revenue Code  
1 12 for the benefit of the taxpayer. If only a portion of  
1 13 the gain realized is deposited into the qualified  
1 14 pension plan, then only that portion shall be  
1 15 subtracted under this subsection. For purposes of  
1 16 this subsection, "farmland" means land of two acres or  
1 17 more that in good faith is used for agricultural or  
1 18 horticultural purposes.>  
1 19 #2. Title page, line 1, by inserting after the  
1 20 words <relating to> the following: <the taxable gain  
1 21 from the sale of farmland to the department of  
1 22 transportation and to>.  
1 23  
1 24  
1 25  
1 26 SANDS of Louisa  
1 27 SF 590.502 82  
1 28 mg/je/10047  
1 29  
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House Amendment 2077

PAG LIN

1 1 Amend Senate File 590, 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 422.7, subsection 8, Code  
1 6 2007, is amended to read as follows:

1 7 8. a. Subtract the amount of the federal work  
1 8 opportunity tax credit allowable for the tax year  
1 9 under section 51 of the Internal Revenue Code to the  
1 10 extent that the credit increased federal adjusted  
1 11 gross income.

1 12 b. Add the amount of the state work opportunity  
1 13 tax credit allowable for the tax year.

---

1 14 Sec. \_\_\_\_ . NEW SECTION. 422.11T STATE WORK  
1 15 OPPORTUNITY TAX CREDIT.

1 16 The taxes imposed under this division shall be  
1 17 reduced by a state work opportunity tax credit equal  
1 18 to twenty=five percent of the federal work opportunity  
1 19 tax credit provided in section 51 of the Internal  
1 20 Revenue Code. Any credit in excess of the tax  
1 21 liability is nonrefundable.>

1 22 #2. Page 1, by inserting after line 8 the  
1 23 following:

1 24 <Sec. \_\_\_\_ . Section 422.33, Code 2007, is amended  
1 25 by adding the following new subsection:

1 26 NEW SUBSECTION. 24. The taxes imposed under this  
1 27 division shall be reduced by a state work opportunity  
1 28 tax credit equal to twenty=five percent of the federal  
1 29 work opportunity tax credit provided in section 51 of  
1 30 the Internal Revenue Code. Any credit in excess of  
1 31 the tax liability is nonrefundable.

1 32 Sec. \_\_\_\_ . Section 422.35, subsection 5, Code 2007,  
1 33 is amended to read as follows:

1 34 5. a. Subtract the amount of the federal work  
1 35 opportunity tax credit allowable for the tax year  
1 36 under section 51 of the Internal Revenue Code to the  
1 37 extent that the credit increased federal taxable  
1 38 income.

1 39 b. Add the amount of the state work opportunity  
1 40 tax credit allowable for the tax year.

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1 41 Sec. \_\_\_\_ . Section 422.60, Code 2007, is amended by  
1 42 adding the following new subsection:

1 43 NEW SUBSECTION. 13. The taxes imposed under this  
1 44 division shall be reduced by a state work opportunity  
1 45 tax credit equal to twenty=five percent of the federal  
1 46 work opportunity tax credit provided in section 51 of  
1 47 the Internal Revenue Code. Any credit in excess of  
1 48 the tax liability is nonrefundable.>

1 49 #3. Title page, line 3, by inserting after the  
1 50 word <refundable> the following: <and to a state work



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House Amendment 2077 continued

2 1 opportunity tax credit,>.  
2 2  
2 3  
2 4  
2 5 VAN FOSSEN of Scott  
2 6 SF 590.302 82  
2 7 mg/cf/10045



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House Amendment 2078

PAG LIN

1 1 Amend Senate File 590, 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 422.7, subsection 13, Code  
1 6 2007, is amended to read as follows:  
1 7 13. a. Subtract, to the extent included, the  
1 8 amount of additional social security benefits taxable  
1 9 under the Internal Revenue Code for tax years  
1 10 beginning on or after January 1, 1994, but before  
1 11 January 1, ~~2014~~ 2011. The amount of social security  
1 12 benefits taxable as provided in section 86 of the  
1 13 Internal Revenue Code, as amended up to and including  
1 14 January 1, 1993, continues to apply for state income  
1 15 tax purposes for tax years beginning on or after  
1 16 January 1, 1994, but before January 1, ~~2014~~ 2011.  
1 17 b. (1) For tax years beginning in the 2007  
1 18 calendar year, subtract, to the extent included,  
1 19 ~~thirty-two~~ percent of taxable social security benefits  
1 20 remaining after the subtraction in paragraph "a".  
1 21 (2) For tax years beginning in the 2008 calendar  
1 22 year, subtract, to the extent included, ~~thirty-two~~  
1 23 forty percent of taxable social security benefits  
1 24 remaining after the subtraction in paragraph "a".  
1 25 (3) For tax years beginning in the 2009 calendar  
1 26 year, subtract, to the extent included, ~~forty-three~~  
1 27 sixty percent of taxable social security benefits  
1 28 remaining after the subtraction in paragraph "a".  
1 29 (4) For tax years beginning in the 2010 calendar  
1 30 year, subtract, to the extent included, ~~fifty-five~~  
1 31 eighty percent of taxable social security benefits  
1 32 remaining after the subtraction in paragraph "a".  
1 33 ~~(5) For tax years beginning in the 2011 calendar~~  
~~1 34 year, subtract, to the extent included, sixty-seven~~  
~~1 35 percent of taxable social security benefits remaining~~  
~~1 36 after the subtraction in paragraph "a".~~  
1 37 ~~(6) For tax years beginning in the 2012 calendar~~  
~~1 38 year, subtract, to the extent included, seventy-seven~~  
~~1 39 percent of taxable social security benefits remaining~~  
~~1 40 after the subtraction in paragraph "a".~~  
1 41 ~~(7) For tax years beginning in the 2013 calendar~~  
~~1 42 year, subtract, to the extent included, eighty-nine~~  
~~1 43 percent of taxable social security benefits remaining~~  
~~1 44 after the subtraction in paragraph "a".~~  
1 45 c. Married taxpayers, who file a joint federal  
1 46 income tax return and who elect to file separate  
1 47 returns or who elect separate filing on a combined  
1 48 return for state income tax purposes, shall allocate  
1 49 between the spouses the amount of benefits subtracted  
1 50 under paragraphs "a" and "b" from net income in the



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House Amendment 2078 continued

2 1 ratio of the social security benefits received by each  
2 2 spouse to the total of these benefits received by both  
2 3 spouses.  
2 4 d. For tax years beginning on or after January 1,  
2 5 ~~2014~~ 2011, subtract, to the extent included, the  
2 6 amount of social security benefits taxable under  
2 7 section 86 of the Internal Revenue Code.>  
2 8 #2. Title page, line 1, by inserting after the  
2 9 words <relating to> the following: <the phase out of  
2 10 the tax on social security benefits, and to>.  
2 11  
2 12  
2 13  
2 14 LUKAN of Dubuque  
2 15 SF 590.301 82  
2 16 mg/cf/10044



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**House Amendment 2079**

PAG LIN

1 1 Amend Senate File 590, 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. NEW SECTION. 422.11T TEACHER EXPENSE  
 1 6 CREDIT.  
 1 7 The taxes imposed under this division, less the  
 1 8 credits allowed under sections 422.12 and 422.12B,  
 1 9 shall be reduced by a teacher expense credit equal to  
 1 10 the first two hundred fifty dollars of the cost  
 1 11 incurred to purchase supplies by the taxpayer to  
 1 12 assist the taxpayer in teaching at an elementary or  
 1 13 secondary school situated in Iowa, which school is  
 1 14 accredited under section 256.11. To qualify for the  
 1 15 credit, the costs must be nonreimbursable from any  
 1 16 source. If the cost incurred has been deducted in  
 1 17 computing federal adjusted gross income, the amount of  
 1 18 such deduction shall be added in determining net  
 1 19 income under section 422.7. Any credit in excess of  
 1 20 the tax liability is nonrefundable.  
 1 21 As used in this section, "supplies" includes but is  
 1 22 not limited to paper supplies, bulletin boards, books,  
 1 23 maps, charts, computer software but not hardware, and  
 1 24 other items directly used by the taxpayer as a  
 1 25 teacher. The cost incurred to purchase supplies for  
 1 26 which a tax credit may be received under this section  
 1 27 shall not be used by a school district to supplement  
 1 28 its costs of instructional materials.>  
 1 29 #2. Title page, line 1, by inserting after the  
 1 30 words <relating to> the following: <a teacher expense  
 1 31 income tax credit and to>.  
 1 32  
 1 33  
 1 34  
 1 35 TYMESON of Madison  
 1 36 SF 590.503 82  
 1 37 mg/je/10048  
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House Amendment 2080

PAG LIN

1 1 Amend Senate File 590, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by inserting after line 8 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 423.3, Code 2007, is amended by  
1 6 adding the following new subsection:  
1 7 NEW SUBSECTION. 68A. The sales price from the  
1 8 sale of general school supplies which are intended for  
1 9 classroom use if all of the following apply:  
1 10 a. The sales price of each item is less than  
1 11 twenty dollars.  
1 12 b. The sale takes place during a period beginning  
1 13 at 12:01 a.m. on the first Friday in August and ending  
1 14 at midnight on the following Saturday.>  
1 15 #2. Title page, line 1, by inserting after the  
1 16 words <relating to> the following: <a sales tax  
1 17 exemption for general school supplies and to>.  
1 18 #3. By renumbering as necessary.  
1 19  
1 20  
1 21  
1 22 TYMESON of Madison  
1 23 SF 590.703 82  
1 24 mg/gg/10049  
1 25  
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**House Amendment 2081**

PAG LIN

1 1 Amend Senate File 590, as passed by the Senate, as  
 1 2 follows:  
 1 3 #1. Page 1, by inserting after line 8 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 423.3, Code 2007, is amended by  
 1 6 adding the following new subsection:  
 1 7 NEW SUBSECTION. 92. a. The sales price from the  
 1 8 sale of any of the following:  
 1 9 (1) Medical equipment and supplies, home  
 1 10 respiratory equipment and accessories, hospital beds  
 1 11 and accessories, ambulatory aids, manual and powered  
 1 12 wheelchairs, stairway lifts, braille writers,  
 1 13 electronic braille equipment, scooters, reading  
 1 14 machines, electronic print enlargers and magnifiers,  
 1 15 and electronic alternative and augmentative  
 1 16 communication devices to or on behalf of individuals  
 1 17 with disabilities to enable the disabled person to  
 1 18 function more independently.  
 1 19 (2) Items used solely to modify a motor vehicle to  
 1 20 permit its use by an individual with a disability in  
 1 21 order to enable the disabled person to function more  
 1 22 independently.  
 1 23 b. For purposes of this subsection, "disability"  
 1 24 means, with respect to an individual, a physical or  
 1 25 mental impairment that substantially limits one or  
 1 26 more of the major life activities of the individual, a  
 1 27 record of physical or mental impairment that  
 1 28 substantially limits one or more of the major life  
 1 29 activities of the individual, or being regarded as an  
 1 30 individual with a physical or mental impairment that  
 1 31 substantially limits one or more of the major life  
 1 32 activities of the individual.>  
 1 33 #2. Title page, line 1, by inserting after the  
 1 34 words <relating to> the following: <a sales tax  
 1 35 exemption for certain medical assistive devices used  
 1 36 by persons with mental or physical impairments and  
 1 37 to>.  
 1 38  
 1 39  
 1 40  
 1 41 ALONS of Sioux  
 1 42 SF 590.504 82  
 1 43 mg/je/10050  
 1 44  
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## House Amendment 2082

PAG LIN

1 1 Amend Senate File 348, 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 99D.11, subsection 6,  
1 6 paragraph b, Code 2007, is amended to read as follows:  
1 7 b. (1) The commission may authorize the licensee  
1 8 to simultaneously telecast within the racetrack  
1 9 enclosure, for the purpose of pari-mutuel wagering, a  
1 10 horse or dog race licensed by the racing authority of  
1 11 another state. It is the responsibility of each  
1 12 licensee to obtain the consent of appropriate racing  
1 13 officials in other states as required by the federal  
1 14 Interstate Horseracing Act of 1978, 15 U.S.C. }  
1 15 3001=3007, to televise races for the purpose of  
1 16 conducting pari-mutuel wagering.  
1 17 (2) A licensee may also obtain the permission of a  
1 18 person licensed by the commission to conduct horse or  
1 19 dog races in this state to televise races conducted by  
1 20 that person for the purpose of conducting pari-mutuel  
1 21 racing. However, arrangements made by a licensee to  
1 22 televise any race for the purpose of conducting  
1 23 pari-mutuel wagering are subject to the approval of  
1 24 the commission, and the commission shall select the  
1 25 races to be televised. The races selected by the  
1 26 commission shall be the same for all licensees  
1 27 approved by the commission to televise races for the  
1 28 purpose of conducting pari-mutuel wagering. The  
1 29 commission shall not authorize the simultaneous  
1 30 telecast or televising of and a licensee shall not  
1 31 simultaneously telecast or televise any horse or dog  
1 32 race for the purpose of conducting pari-mutuel  
1 33 wagering unless the simultaneous telecast or  
1 34 televising is done at the racetrack of a licensee that  
1 35 schedules no less than sixty performances of nine live  
1 36 races each day of the season or is done for an entity  
1 37 licensed in another state to conduct pari-mutuel  
1 38 wagering that accepts wagers only within states in  
1 39 which it is licensed or authorized to accept wagers.  
1 40 (3) For purposes of the taxes imposed under this  
1 41 chapter, races televised by a licensee for purposes of  
1 42 pari-mutuel wagering shall be treated as if the races  
1 43 were held at the racetrack of the licensee.  
1 44 Notwithstanding any contrary provision in this  
1 45 chapter, the commission may allow a licensee to adopt  
1 46 the same deductions as those of the pari-mutuel  
1 47 racetrack from which the races are being  
1 48 simultaneously telecast.  
1 49 Sec. 2. Section 99F.6, subsection 4, paragraph a,  
1 50 Code 2007, is amended to read as follows:



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House Amendment 2082 continued

2 1 a. Before a license is granted, the division of  
2 2 criminal investigation of the department of public  
2 3 safety shall conduct a thorough background  
2 4 investigation of the applicant for a license to  
2 5 operate a gambling game operation on an excursion  
2 6 gambling boat. The applicant shall provide  
2 7 information on a form as required by the division of  
2 8 criminal investigation. A qualified sponsoring  
2 9 organization licensed to operate gambling games under  
2 10 this chapter shall distribute the receipts of all  
2 11 gambling games, less reasonable expenses, charges,  
2 12 taxes, fees, and deductions allowed under this  
2 13 chapter, as winnings to players or participants or  
2 14 shall distribute the receipts for educational, civic,  
2 15 public, charitable, patriotic, or religious uses as  
2 16 defined in section 99B.7, subsection 3, paragraph "b".  
2 17 However, a licensee to conduct gambling games under  
2 18 this chapter shall, unless an operating agreement for  
2 19 an excursion gambling boat otherwise provides,  
2 20 distribute at least three percent of the adjusted  
2 21 gross receipts for each license year for educational,  
2 22 civic, public, charitable, patriotic, or religious  
2 23 uses as defined in section 99B.7, subsection 3,  
2 24 paragraph "b". However, if a licensee who is also  
2 25 licensed to conduct pari-mutuel wagering at a horse  
2 26 racetrack has unpaid debt from the pari-mutuel  
2 27 racetrack operations, the first receipts of the  
2 28 gambling games operated within the racetrack enclosure  
2 29 less reasonable operating expenses, taxes, and fees  
2 30 allowed under this chapter shall be first used to pay  
2 31 the annual indebtedness. The commission shall  
2 32 authorize, subject to ~~the debt payments for horse~~  
~~2 33 racetracks~~ and the provisions of paragraph "b" for dog  
2 34 racetracks, and the debt payment provisions of this  
2 35 paragraph and the provisions of paragraph "c" for  
2 36 horse racetracks, a licensee who is also licensed to  
2 37 conduct pari-mutuel dog or horse racing to use  
2 38 receipts from gambling games within the racetrack  
2 39 enclosure to supplement purses for races particularly  
2 40 for Iowa-bred horses pursuant to an agreement which  
2 41 shall be negotiated between the licensee and  
2 42 representatives of the dog or horse owners. ~~For~~  
~~2 43 agreements subject to commission approval concerning~~  
~~2 44 purses for horse racing beginning on or after January~~  
~~2 45 1, 2006, and ending before January 1, 2021, the~~  
~~2 46 agreements shall provide that total annual purses for~~  
~~2 47 all horse racing shall be no less than eleven percent~~  
~~2 48 of the first two hundred million dollars of net~~  
~~2 49 receipts, and six percent of net receipts above two~~  
~~2 50 hundred million dollars. Agreements that are subject~~



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~~House Amendment 2082 continued~~

~~3 1 to commission approval concerning horse purses for a  
3 2 particular period of time beginning on or after  
3 3 January 1, 2006, and ending before January 1, 2021,  
3 4 shall be jointly submitted to the commission for  
3 5 approval. A qualified sponsoring organization shall  
3 6 not make a contribution to a candidate, political  
3 7 committee, candidate's committee, state statutory  
3 8 political committee, county statutory political  
3 9 committee, national political party, or fund-raising  
3 10 event as these terms are defined in section 68A.102.  
3 11 The membership of the board of directors of a  
3 12 qualified sponsoring organization shall represent a  
3 13 broad interest of the communities. For purposes of  
3 14 this paragraph, "net receipts" means the annual  
3 15 adjusted gross receipts from all gambling games less  
3 16 the annual amount of money pledged by the owner of the  
3 17 facility to fund a project approved to receive vision  
3 18 Iowa funds as of July 1, 2004.~~

3 19 Sec. 3. Section 99F.6, subsection 4, Code 2007, is  
3 20 amended by adding the following new paragraph:

3 21 NEW PARAGRAPH. c. (1) The commission shall  
3 22 authorize the licensee of a pari-mutuel horse  
3 23 racetrack located in Polk county to conduct gambling  
3 24 games as provided in section 99F.4A if the licensee  
3 25 conducts, during a calendar year, a live horse racing  
3 26 meet including both thoroughbred horses and quarter  
3 27 horses during a combined total of not less than ninety  
3 28 performance days and a live horse racing meet for  
3 29 standardbred horses of not less than seventeen  
3 30 performance days. In conducting the live horse racing  
3 31 meet for thoroughbred horses and quarter horses, the  
3 32 licensee shall conduct no less than seven hundred  
3 33 sixty live racing performances for no less than ninety  
3 34 performance days for thoroughbred horses, and no less  
3 35 than one hundred ninety-two live horse racing  
3 36 performances for no less than forty-six performance  
3 37 days for quarter horses. In conducting the live horse  
3 38 racing meet for standardbred horses, the licensee  
3 39 shall conduct no less than one hundred fifty-three  
3 40 live racing performances for no less than seventeen  
3 41 performance days. However, the number of live races  
3 42 shall be subject to availability of horses and  
3 43 competitive field sizes and a live race shall not be  
3 44 conducted if there are fewer than five betting  
3 45 interests for that race at the time entries are  
3 46 closed.

3 47 (2) For agreements subject to commission approval  
3 48 concerning purses for horse racing beginning on or  
3 49 after January 1, 2008, and ending before January 1,  
3 50 2021, the agreements shall provide that total annual



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4 1 purses for all horse racing shall be no less than  
4 2 eleven percent of the first two hundred million  
4 3 dollars of net receipts, and six percent of net  
4 4 receipts above two hundred million dollars. In  
4 5 addition, for agreements concerning horse racing  
4 6 between the licensee operating the horse racetrack in  
4 7 Polk county and representatives of standardbred horse  
4 8 owners, the agreement shall include a supplemental  
4 9 amount for standardbred horse races held at county  
4 10 fair racetracks in the state in an amount not less  
4 11 than one million two hundred thousand dollars and the  
4 12 supplemental amount shall not be included in  
4 13 determining the total annual purses for all horse  
4 14 racing that is required to be paid as provided by this  
4 15 paragraph "c". Any agreement that is subject to  
4 16 commission approval concerning horse racing beginning  
4 17 on or after January 1, 2008, and ending before January  
4 18 1, 2021, including but not limited to provisions  
4 19 governing horse purses and the purses or amounts for  
4 20 each applicable horse breed, and racing schedules,  
4 21 shall be jointly submitted to the commission for  
4 22 approval. All parties negotiating an agreement  
4 23 subject to commission approval, as well as the  
4 24 commission, shall consider that the purpose of  
4 25 building the horse racetrack was to facilitate the  
4 26 development and promotion of Iowa thoroughbred,  
4 27 quarter horse, and standardbred horses in this state  
4 28 and shall negotiate and make decisions in accordance  
4 29 with that purpose. For purposes of this subparagraph,  
4 30 "net receipts" means the annual adjusted gross  
4 31 receipts from all gambling games.>  
4 32 #2. Page 3, by striking lines 14 through 17 and  
4 33 inserting the following:  
4 34 <Sec. \_\_\_\_ . EFFECTIVE DATE == RETROACTIVE  
4 35 APPLICABILITY.  
4 36 1. The sections of this Act amending section  
4 37 99F.6, subsection 4, take effect January 1, 2008.  
4 38 2. The section of this Act amending section 99F.7,  
4 39 subsection 11, being deemed of immediate importance,  
4 40 takes effect upon enactment and is retroactively  
4 41 applicable to elections occurring on and after January  
4 42 1, 1994.>  
4 43 #3. Title page, by striking lines 1 and 2 and  
4 44 inserting the following: <An Act concerning horses  
4 45 and horse racing, by providing for pari-mutuel  
4 46 wagering, minimum racing days and horse racing  
4 47 agreements among representatives of horse breeds,  
4 48 county gambling elections, including effective date  
4 49 and retroactive applicability provisions.>  
4 50 #4. By renumbering as necessary.



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House Amendment 2082 continued

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5 4 QUIRK of Chickasaw  
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5 8 MERTZ of Kossuth  
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5 12 DE BOEF of Keokuk  
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5 16 SANDS of Louisa  
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5 20 D. OLSON of Boone  
5 21  
5 22  
5 23  
5 24 GREINER of Washington  
5 25 SF 348.303 82  
5 26 ec/cf/9745



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House Amendment 2083

PAG LIN

1 1 Amend Senate File 590, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by inserting after line 8 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 422.12C, Code 2007, is amended  
1 6 by adding the following new subsection after  
1 7 subsection 1:  
1 8 NEW SUBSECTION. 1A. For tax years beginning on or  
1 9 after January 1, 2007, but before January 1, 2008,  
1 10 each net income amount specified in subsection 1 shall  
1 11 be increased by five thousand dollars. For tax years  
1 12 beginning on or after January 1, 2008, each net income  
1 13 amount specified in subsection 1 shall be increased by  
1 14 ten thousand dollars.  
1 15 Sec. \_\_\_\_\_. Section 422.12C, subsection 2,  
1 16 unnumbered paragraph 1, Code 2007, is amended to read  
1 17 as follows:  
1 18 The taxes imposed under this division, less the  
1 19 amounts of nonrefundable credits allowed under this  
1 20 division, may be reduced by an early childhood  
1 21 development tax credit equal to twenty-five percent of  
1 22 the first one thousand dollars which the taxpayer has  
1 23 paid to others for each dependent, as defined in the  
1 24 Internal Revenue Code, ages three through five for  
1 25 early childhood development expenses. In determining  
1 26 the amount of early childhood development expenses for  
1 27 the tax year beginning in the 2006 calendar year only,  
1 28 such expenses paid during November and December of the  
1 29 previous tax year shall be considered paid in the tax  
1 30 year for which the tax credit is claimed. ~~This For~~  
1 31 the tax year beginning before January 1, 2007, this  
1 32 credit is available to a taxpayer whose net income is  
1 33 less than forty-five thousand dollars. For tax years  
1 34 beginning on or after January 1, 2007, but before  
1 35 January 1, 2008, this credit is available to taxpayers  
1 36 whose net income is less than fifty thousand dollars.  
1 37 For tax years beginning on or after January 1, 2008,  
1 38 this credit is available to a taxpayer whose net  
1 39 income is less than fifty-five thousand dollars. If  
1 40 the early childhood development tax credit is claimed  
1 41 for a tax year, the taxpayer and the taxpayer's spouse  
1 42 shall not claim the child and dependent care credit  
1 43 under subsection 1. As used in this subsection,  
1 44 "early childhood development expenses" means services  
1 45 provided to the dependent by a preschool, as defined  
1 46 in section 237A.1, materials, and other activities as  
1 47 follows:>  
1 48 #2. Title page, line 1, by inserting after the  
1 49 words <relating to> the following: <the increase in  
1 50 the child and dependent care and early childhood



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House Amendment 2083 continued

2 1 development tax credits and to>.  
2 2  
2 3  
2 4  
2 5 UPMEYER of Hancock  
2 6 SF 590.702 82  
2 7 mg/gg/10051



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House Amendment 2084

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 46, by inserting after line 7 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 279.65 SCHOOL PROPERTY  
1 6 USE POLICY.  
1 7 The board of directors of a school district shall  
1 8 adopt, implement, and enforce, for the district and  
1 9 for attendance centers within the district, a school  
1 10 property use policy for the personal use of  
1 11 school=owned property, including but not limited to  
1 12 school=owned technology. The policy shall establish  
1 13 both what is appropriate and what is inappropriate use  
1 14 of school property.>  
1 15 #2. By renumbering as necessary.  
1 16  
1 17  
1 18  
1 19 TYMESON of Madison  
1 20 SF 601.322 82  
1 21 mg/cf/9809  
1 22  
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# House Amendment 2085

PAG LIN

1 1 Amend the amendment, H=2050, to Senate File 601, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, by inserting after line 18 the  
1 5 following:  
1 6 <j. The Iowa retail federation.>  
1 7  
1 8  
1 9  
1 10 T. OLSON of Linn  
1 11 SF 601.235 82  
1 12 tm/es/9647  
1 13  
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**House Amendment 2086**

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
 1 2 844, as passed by the House, as follows:  
 1 3 #1. Page 1, by inserting after line 4 the  
 1 4 following:  
 1 5 <Section 1. Section 39A.2, Code 2007, is amended  
 1 6 by adding the following new subsection:  
 1 7 NEW SUBSECTION. 2. If the voter's designee is a  
 1 8 person acting as an actual or implied agent of a  
 1 9 political party, candidate, or committee, as defined  
 1 10 by chapter 68A, and such designee fails for any reason  
 1 11 to return a completed absentee ballot, the designee  
 1 12 commits election misconduct in the first degree.  
 1 13 Sec. 2. Section 39A.2, subsection 2, Code 2007, is  
 1 14 amended to read as follows:  
 1 15 ~~2.~~ 3. Election misconduct in the first degree is  
 1 16 a class "D" felony, except for a violation of  
 1 17 subsection 2 which is a class "C" felony.>  
 1 18 #2. Page 3, line 26, by inserting after the word  
 1 19 <ballots> the following: <and a penalty>.  
 1 20 #3. By renumbering, redesignating, and correcting  
 1 21 internal references as necessary.  
 1 22  
 1 23  
 1 24  
 1 25 JACOBS of Polk  
 1 26 HF 844.204 82  
 1 27 sc/es/10151

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House Amendment 2087

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 2, line 31, by inserting before the word  
1 4 <If> the following: <However, if the voter's designee  
1 5 is a person acting as an actual or implied agent of a  
1 6 political party, candidate, or committee, as defined  
1 7 in chapter 68A, the designee shall not mail the  
1 8 voter's ballot, but shall personally deliver the  
1 9 voter's ballot to the commissioner's office.>  
1 10  
1 11  
1 12  
1 13 JACOBS of Polk  
1 14 HF 844.203 82  
1 15 sc/es/10550  
1 16  
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House Amendment 2088

PAG LIN

1 1 Amend the Senate amendment, H=1971, to House File  
1 2 641, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 1, by striking lines 5 through 10 and  
1 5 inserting the following:  
1 6 <<Section 1. Section 321.210A, Code 2007, is  
1 7 amended by adding the following new subsection:  
1 8 NEW SUBSECTION. 4. If after suspension, the  
1 9 person enters into an installment agreement with the  
1 10 county attorney in accordance with section 321.210B to  
1 11 pay the fine, penalty, court cost, or surcharge, the  
1 12 person's license shall be reinstated by the department  
1 13 upon receipt of a report of an executed installment  
1 14 agreement.  
1 15 Sec. 2. NEW SECTION. 321.210B INSTALLMENT  
1 16 AGREEMENT.  
1 17 1. If a person's fine, penalty, surcharge, or  
1 18 court cost is deemed delinquent as provided in section  
1 19 602.8107, subsection 3, and the person's driver's  
1 20 license has been suspended pursuant to section  
1 21 321.210A, the person may execute an installment  
1 22 agreement with the county attorney or the county  
1 23 attorney's designee to pay the delinquent amount and  
1 24 the fee assessed in subsection 7 in installments.  
1 25 Prior to execution of the installment agreement, the  
1 26 person shall provide the county attorney or the county  
1 27 attorney's designee with a financial statement in  
1 28 order for the parties to the agreement to determine  
1 29 the amount of the installment payments.  
1 30 2. A person shall execute an installment agreement  
1 31 in the county where the fine, penalty, surcharge, or  
1 32 court cost was imposed. If the county where the fine,  
1 33 penalty, surcharge, or court cost was imposed does not  
1 34 have an installment agreement program, the person  
1 35 shall execute an installment agreement in the person's  
1 36 county of residence. If the county of residence does  
1 37 not have an installment agreement program, the person  
1 38 may execute an installment agreement with any county  
1 39 attorney or county attorney's designee.  
1 40 3. The county attorney or the county attorney's  
1 41 designee shall file the installment agreement with the  
1 42 clerk of the district court in the county where the  
1 43 fine, penalty, surcharge, or court cost was imposed,  
1 44 within five days of execution of the agreement.  
1 45 4. Upon receipt of an executed installment  
1 46 agreement and after the first installment payment, the  
1 47 clerk of the district court shall report the receipt  
1 48 of the executed installment agreement to the  
1 49 department of transportation.  
1 50 5. Upon receipt of the report from the clerk of



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House Amendment 2088 continued

2 1 the district court and payment of the reinstatement  
2 2 fee as provided in section 321.191, the department  
2 3 shall immediately reinstate the driver's license of  
2 4 the person unless the driver's license of the person  
2 5 is otherwise suspended, revoked, denied, or barred  
2 6 under another provision of law.  
2 7 6. If a driver's license is reinstated upon  
2 8 receipt of a report of an executed installment  
2 9 agreement the driver shall provide proof of financial  
2 10 responsibility pursuant to section 321A.17, if  
2 11 otherwise required by law.  
2 12 7. The civil penalty, if assessed pursuant to  
2 13 section 321.218A, shall be added to the amount owing  
2 14 under the installment agreement. The clerk of the  
2 15 district court shall transmit to the department, from  
2 16 the first moneys collected, an amount equal to the  
2 17 amount of any civil penalty assessed and added to the  
2 18 installment agreement. The department shall transmit  
2 19 the money received from the clerk of the district  
2 20 court pursuant to this subsection to the treasurer of  
2 21 state for deposit in the juvenile detention home fund  
2 22 created in section 232.142.  
2 23 8. Upon determination by the county attorney or  
2 24 the county attorney's designee that the person is in  
2 25 default, the county attorney or the county attorney's  
2 26 designee shall notify the clerk of the district court.  
2 27 9. The clerk of the district court, upon receipt  
2 28 of a notification of a default from the county  
2 29 attorney or the county attorney's designee, shall  
2 30 report the default to the department of  
2 31 transportation.  
2 32 10. Upon receipt of a report of a default from the  
2 33 clerk of the district court, the department shall  
2 34 suspend the driver's license of a person as provided  
2 35 in section 321.210A. For purposes of suspension and  
2 36 reinstatement of the driver's license of a person in  
2 37 default, the suspension and any subsequent  
2 38 reinstatement shall be considered a suspension  
2 39 pursuant to section 321.210A.  
2 40 11. If a new fine, penalty, surcharge, or court  
2 41 cost is imposed on a person after the person has  
2 42 executed an installment agreement with the county  
2 43 attorney or the county attorney's designee, and the  
2 44 new fine, penalty, surcharge, or court cost is deemed  
2 45 delinquent as provided in section 602.8107, subsection  
2 46 3, and the person's driver's license has been  
2 47 suspended pursuant to section 321.210A, the person may  
2 48 enter into a second installment agreement with the  
2 49 county attorney or county attorney's designee to pay  
2 50 the delinquent amount and the fee, if assessed, in



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House Amendment 2088 continued

3 1 subsection 7 in installments.  
3 2 12. If an installment agreement is in default, the  
3 3 fine, penalty, surcharge, or court cost covered under  
3 4 the agreement shall not become part of any new  
3 5 installment agreement.

3 6 13. A person is eligible to enter into five  
3 7 installment agreements in the person's lifetime.

3 8 14. Except for the civil penalty if assessed and  
3 9 collected pursuant to subsection 7, any amount  
3 10 collected under the installment agreement shall be  
3 11 distributed as provided in section 602.8107,  
3 12 subsection 4.

3 13 Sec. 3. Section 321.215, subsection 1, Code 2007,  
3 14 is amended by adding the following new paragraph:

3 15 NEW PARAGRAPH. f. The person's appointments with  
3 16 the person's parole or probation officer.

3 17 Sec. 4. Section 321.210C, Code 2007, is amended to  
3 18 read as follows:

3 19 321.210C PROBATION PERIOD.

3 20 1. A person whose driver's license or operating  
3 21 privileges have been suspended, revoked, or barred  
3 22 under this chapter for a conviction of a moving  
3 23 traffic violation, or suspended, revoked, or barred  
3 24 under section 321.205 or section 321.210, subsection  
3 25 1, paragraph "e", ~~or chapter 321J~~, must satisfactorily  
3 26 complete a twelve-month probation period beginning  
3 27 immediately after the end of the period of suspension,  
3 28 revocation, or bar. Upon a second conviction of a  
3 29 moving traffic violation which occurred during the  
3 30 probation period, the department may suspend the  
3 31 driver's license or operating privileges for an  
3 32 additional period equal in duration to the original  
3 33 period of suspension, revocation, or bar, or for one  
3 34 year, whichever is the shorter period.

3 35 2. A person whose driver's license or operating  
3 36 privileges have been revoked under chapter 321J, must  
3 37 satisfactorily complete a twelve-month probation  
3 38 period beginning immediately after the end of the  
3 39 period of revocation. Upon conviction of a moving  
3 40 traffic violation which occurs during the probation  
3 41 period, the department may revoke the driver's license  
3 42 or operating privileges for an additional period equal  
3 43 in duration to the original period of revocation, or  
3 44 for one year, whichever is the shorter period.

3 45 3. For purposes of determining a conviction under  
3 46 this section, the department shall not consider the  
3 47 first two speeding violations within the probation  
3 48 period that are ten miles per hour or less over the  
3 49 legal speed limit in speed zones having a legal speed  
3 50 limit between thirty-four miles per hour and fifty-six



Iowa General Assembly  
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House Amendment 2088 continued

4 1 miles per hour.

4 2 Sec. 5. Section 321.218A, Code 2007, is amended to  
4 3 read as follows:

4 4 321.218A CIVIL PENALTY == DISPOSITION ==  
4 5 REINSTATEMENT.

4 6 When the department suspends, revokes, or bars a  
4 7 person's driver's license or nonresident operating  
4 8 privilege for a conviction under this chapter, the  
4 9 department shall assess the person a civil penalty of  
4 10 two hundred dollars. However, for persons age  
4 11 nineteen or under, the civil penalty assessed shall be  
4 12 fifty dollars. The civil penalty does not apply to a  
4 13 suspension issued for a violation of section 321.180B.  
4 14 The money collected by the department under this  
4 15 section shall be transmitted to the treasurer of state  
4 16 who shall deposit the money in the juvenile detention  
4 17 home fund created in section 232.142. A Except as  
4 18 provided in section 321.210B, a temporary restricted  
4 19 license shall not be issued or a driver's license or  
4 20 nonresident operating privilege reinstated until the  
4 21 civil penalty has been paid.

4 22 Sec. 6. Section 321J.20, subsection 1, unnumbered  
4 23 paragraph 1, Code 2007, is amended to read as follows:

4 24 The department may, on application, issue a  
4 25 temporary restricted license to a person whose  
4 26 noncommercial driver's license is revoked under this  
4 27 chapter allowing the person to drive to and from the  
4 28 person's home and specified places at specified times  
4 29 which can be verified by the department and which are  
4 30 required by the person's full-time or part-time  
4 31 employment, continuing health care or the continuing  
4 32 health care of another who is dependent upon the  
4 33 person, continuing education while enrolled in an  
4 34 educational institution on a part-time or full-time  
4 35 basis and while pursuing a course of study leading to  
4 36 a diploma, degree, or other certification of  
4 37 successful educational completion, substance abuse  
4 38 treatment, ~~and~~ court-ordered community service  
4 39 responsibilities, and appointments with the person's  
4 40 parole or probation officer if the person's driver's

4 41 license has not been revoked previously under section  
4 42 321J.4, 321J.9, or 321J.12 and if any of the following  
4 43 apply:

4 44 Sec. 7. Section 331.756, subsection 5, Code 2007,  
4 45 is amended to read as follows:

4 46 5. a. Enforce all forfeited bonds and  
4 47 recognizances and prosecute all proceedings necessary  
4 48 for the recovery of debts, revenues, moneys, fines,  
4 49 penalties, restitution of court-appointed attorney  
4 50 fees ordered pursuant to section 815.9, including the



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House Amendment 2088 continued

5 1 expense of a public defender, and forfeitures accruing  
5 2 to the state, the county or a road district in the  
5 3 county, and all suits in the county against public  
5 4 service corporations which are brought in the name of  
5 5 the state. To assist in this duty, the county  
5 6 attorney may procure ~~professional collection services~~  
~~5 7 provided by persons or organizations, including~~  
~~5 8 private attorneys, which are generally considered to~~  
~~5 9 have knowledge and special abilities which are not~~  
~~5 10 generally available to state or local government or~~  
~~5 11 may designate another county official or agency a~~  
5 12 designee to assist with collection efforts.

5 13 b. If the designee is a professional collection  
5 14 services are procured agency, the county attorney  
5 15 shall file with the clerk of the district court an  
5 16 indication of the satisfaction of each obligation to  
5 17 the full extent of all moneys collected in  
5 18 satisfaction of that obligation, including all fees  
5 19 and compensation retained by the ~~collection service~~  
5 20 designee incident to the collection and not paid into  
5 21 the office of the clerk.

5 22 c. Before a county attorney designates another  
5 23 county official or agency to assist with collection of  
5 24 debts, revenues, moneys, fines, penalties, restitution  
5 25 of court-appointed attorney fees ordered pursuant to  
5 26 section 815.9, including the expense of a public  
5 27 defender, and forfeitures, the board of supervisors of  
5 28 the county must approve the designation.

5 29 d. All fines, penalties, court costs, fees, and  
5 30 restitution for court-appointed attorney fees ordered  
5 31 pursuant to section 815.9, including the expenses of a  
5 32 public defender which are delinquent as defined in  
5 33 section 602.8107 may be collected by the county  
5 34 attorney or the ~~person procured or designated by the~~  
~~5 35 county attorney~~ county attorney's designee. The  
5 36 county attorney or the county attorney's designee may  
5 37 collect delinquent obligations under an installment  
5 38 agreement pursuant to section 321.210B.

5 39 e. In order to receive a percentage of the amounts  
5 40 collected pursuant to section 602.8107, the county  
5 41 attorney must file annually with the clerk of the  
5 42 district court on or before July 1 a notice of full  
5 43 commitment to collect delinquent obligations and must  
5 44 file on the first day of each month a list of the  
5 45 cases in which the county attorney or the ~~person~~  
~~5 46 procured or designated by the county attorney~~ county  
5 47 attorney's designee is pursuing the collection of  
5 48 delinquent obligations. The list shall include a list  
5 49 of cases where delinquent obligations are being  
5 50 collected under an installment agreement pursuant to



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House Amendment 2088 continued

6 1 section 321.210B, and a list of cases in default which  
6 2 are no longer being collected under an installment  
6 3 agreement but remain delinquent. The annual notice  
6 4 shall contain a list of procedures which will be  
6 5 initiated by the county attorney. Amounts collected  
6 6 by the county attorney or the ~~person procured or~~  
6 7 ~~designated by the county attorney~~ county attorney's  
6 8 designee shall be distributed in accordance with  
6 9 section 602.8107.  
6 10 f. As used in this subsection, "designee" means a  
6 11 professional collection services agency operated by a  
6 12 person or organization, including a private attorney,  
6 13 that is generally considered to have knowledge and  
6 14 special abilities not generally possessed by the  
6 15 state, a local government, or another county official  
6 16 or agency, or a county attorney or a county attorney's  
6 17 designee in another county where the fine, penalty,  
6 18 surcharge, or court cost was not imposed.>  
6 19 #2. Page 1, by inserting after line 23 the  
6 20 following:  
6 21 <#\_\_\_. Page 2, by inserting after line 6 the  
6 22 following:  
6 23 <Sec. \_\_\_. Section 602.8107, subsection 6,  
6 24 unnumbered paragraph 1, Code 2007, is amended to read  
6 25 as follows:  
6 26 If a county attorney does not file the notice and  
6 27 list of cases required in section 331.756, subsection  
6 28 5, including the list of installment agreements under  
6 29 section 321.210B, the judicial branch may assign cases  
6 30 to the centralized collection unit of the department  
6 31 of revenue or its designee to collect debts owed to  
6 32 the clerk of the district court. In addition, an  
6 33 installment agreement in default that remains  
6 34 delinquent may also be assigned to the centralized  
6 35 collection unit of the department of revenue or its  
6 36 designee.>>  
6 37 #3. Page 1, by inserting before line 24 the  
6 38 following:  
6 39 <#\_\_\_. Page 3, by inserting before line 14 the  
6 40 following:  
6 41 <Sec. \_\_\_. PROCESSING OF INSTALLMENT AGREEMENTS.  
6 42 Notwithstanding section 602.8107, subsection 4, and  
6 43 section 602.8108, for the fiscal year beginning July  
6 44 1, 2007, and ending June 30, 2008, up to the first  
6 45 three hundred thousand dollars of the remainder to be  
6 46 paid to the clerk pursuant to section 602.8107,  
6 47 subsection 4, shall be allocated to the judicial  
6 48 branch to enhance the ability of the judicial branch  
6 49 to efficiently process installment agreements filed  
6 50 with the clerk pursuant to section 321.210B.



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House Amendment 2088 continued

7 1 Sec. \_\_\_\_\_. INSTALLMENT AGREEMENT == COOPERATION.  
7 2 It is the intent of the general assembly that the  
7 3 judicial branch, the department of transportation, the  
7 4 department of workforce development, county attorneys,  
7 5 and other state and local agencies cooperate in the  
7 6 collection of delinquent court fines, penalties,  
7 7 surcharges, and court costs by coordinating efforts in  
7 8 the collection of installment agreement payments under  
7 9 section 321.210B.  
7 10 Sec. \_\_\_\_\_. APPLICABILITY.  
7 11 An installment agreement shall not be executed in  
7 12 any county until January 1, 2008, except an  
7 13 installment agreement may be executed and, if  
7 14 executed, a driver's license shall be reinstated as  
7 15 provided in section 321.210B for a fine, penalty,  
7 16 court cost, or surcharge imposed in Polk or Linn  
7 17 county.>>  
7 18 #4. Page 1, line 27, by inserting after the word  
7 19 <obligations> the following: <or after suspension or  
7 20 revocation>.  
7 21 #5. Page 1, line 30, by inserting after the word  
7 22 <state> the following: <, and including applicability  
7 23 provisions>.  
7 24  
7 25  
7 26  
7 27 R. OLSON of Polk  
7 28 HF 641.1  
7 29 jm/jg/25



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House Amendment 2089

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 3, line 19, by striking the word  
1 4 <subsection.> and inserting the following:  
1 5 <subsection and inserting in lieu thereof the  
1 6 following:  
1 7 5. A voter's designee must be a resident of Iowa  
1 8 when acting as a designee under this section.>>  
1 9 #2. By renumbering as necessary.  
1 10  
1 11  
1 12  
1 13 JACOBS of Polk  
1 14 HF 844.704 82  
1 15 sc/gg/10324  
1 16  
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House Amendment 2090

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 3, line 19, by striking the word  
1 4 <subsection.> and inserting the following:  
1 5 <subsection and inserting in lieu thereof the  
1 6 following:  
1 7 5. A voter's designee must be a registered voter  
1 8 in this state when acting as a designee under this  
1 9 section.>>  
1 10 #2. By renumbering as necessary.  
1 11  
1 12  
1 13  
1 14 JACOBS of Polk  
1 15 HF 844.706 82  
1 16 sc/gg/10148  
1 17  
1 18  
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House Amendment 2091

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 1, by inserting after line 4 the  
1 4 following:  
1 5 <Section 1. Section 39A.2, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 1A. If the voter's designee is a  
1 8 person acting as an actual or implied agent of a  
1 9 political party, candidate, or committee, as defined  
1 10 by chapter 68A, and such designee fails for any reason  
1 11 to return a completed absentee ballot, the designee  
1 12 commits election misconduct in the first degree.>  
1 13 #2. Page 3, line 26, by inserting after the word  
1 14 <ballots> the following: <and a penalty>.  
1 15 #3. By renumbering as necessary.  
1 16  
1 17  
1 18  
1 19 JACOBS of Polk  
1 20 HF 844.302 82  
1 21 sc/cf/10150  
1 22  
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## House Amendment 2092

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 3, by striking lines 4 through 6.  
1 4 #2. Page 3, by striking line 19 and inserting the  
1 5 following: <is amended to read as follows:  
1 6 5. A voter's designee shall be an immediate family  
1 7 member of the voter. For purposes of this ~~section~~  
1 8 subsection, "immediate family member" means the  
1 9 spouse, adult child or stepchild, adult grandchild,  
1 10 parent or stepparent, grandparent, or adult sibling of  
1 11 the voter.>  
1 12  
1 13  
1 14  
1 15 JACOBS of Polk  
1 16 HF 844.303 82  
1 17 sc/cf/10326  
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House Amendment 2093

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 3, line 19, by striking the word  
1 4 <subsection.> and inserting the following:  
1 5 <subsection and inserting in lieu thereof the  
1 6 following:  
1 7 5. If a voter's designee is a person acting as an  
1 8 actual or implied agent of a political party,  
1 9 candidate, or committee, as defined by chapter 68A,  
1 10 the designee shall submit to the county commissioner  
1 11 of elections by five p.m. on the day following the  
1 12 election a listing of the names of persons whose  
1 13 ballots were delivered or mailed by the designee to  
1 14 the commissioner's office. The list of names shall  
1 15 only be delivered to the commissioner's office by the  
1 16 voter's designee who retrieved the ballots. The sheet  
1 17 containing the list of names shall also include space  
1 18 for the name and signature of the voter's designee who  
1 19 retrieved the ballots.>>  
1 20 #2. By renumbering as necessary.  
1 21  
1 22  
1 23  
1 24 JACOBS of Polk  
1 25 HF 844.705 82  
1 26 sc/gg/10147  
1 27  
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House Amendment 2094

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 3, line 19, by striking the word  
1 4 <subsection.> and inserting the following:  
1 5 <subsection and inserting in lieu thereof the  
1 6 following:  
1 7 5. A voter's designee must be a person who is  
1 8 personally known to the voter when acting as a  
1 9 designee under this section.>  
1 10 #2. By renumbering as necessary.  
1 11  
1 12  
1 13  
1 14 JACOBS of Polk  
1 15 HF 844.504 82  
1 16 sc/je/10327  
1 17  
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**House Amendment 2095**

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
 1 2 844, as passed by the House, as follows:  
 1 3 #1. Page 1, by inserting after line 4 the  
 1 4 following:  
 1 5 <Section 1. Section 39A.2, Code 2007, is amended  
 1 6 by adding the following new subsection:  
 1 7 NEW SUBSECTION. 2. If the voter's designee is a  
 1 8 person acting as an actual or implied agent of a  
 1 9 political party, candidate, or committee, as defined  
 1 10 by chapter 68A, and such designee fails for any reason  
 1 11 to return a completed absentee ballot, the designee  
 1 12 commits election misconduct in the first degree.  
 1 13 Sec. \_\_\_\_\_. Section 39A.2, subsection 2, Code 2007,  
 1 14 is amended to read as follows:  
 1 15 ~~2.~~ 3. Election misconduct in the first degree is  
 1 16 a class "D" felony, except for a violation of  
 1 17 subsection 2 which is a class "B" felony.>  
 1 18 #2. Page 3, line 26, by inserting after the word  
 1 19 <ballots> the following: <and a penalty>.  
 1 20 #3. By renumbering, redesignating, and correcting  
 1 21 internal references as necessary.  
 1 22  
 1 23  
 1 24  
 1 25 JACOBS of Polk  
 1 26 HF 844.503 82  
 1 27 sc/je/10152

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# House Amendment 2096

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 2, by inserting after line 8 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 53.9, Code 2007, is amended to  
1 6 read as follows:  
1 7 53.9 PROHIBITED PERSONS.  
1 8 No person required to file reports under chapter  
1 9 68A, and no person acting as an actual or implied  
1 10 agent for a person required to file reports under  
1 11 chapter 68A, shall receive absentee ballots on behalf  
1 12 of voters. ~~This prohibition does not apply to section~~  
~~1 13 53.17.>~~  
1 14 #2. By renumbering as necessary.  
1 15  
1 16  
1 17  
1 18 JACOBS of Polk  
1 19 HF 844.301 82  
1 20 sc/cf/10325  
1 21  
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## House Amendment 2097

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 1, by inserting after line 4 the  
1 4 following:  
1 5 <Section 1. Section 39A.2, subsection 2, Code  
1 6 2007, is amended to read as follows:  
1 7 2. Election misconduct in the first degree is a  
1 8 class "D" felony. However, if the person committing  
1 9 election misconduct in the first degree is a voter's  
1 10 designee who was acting as an actual or implied agent  
1 11 of a political party, candidate, or committee, as  
1 12 defined by chapter 68A, the fine for violation of this  
1 13 section shall be not less than ten thousand dollars.>  
1 14 #2. Page 3, line 26, by inserting after the word  
1 15 <ballots> the following: <and a penalty>.  
1 16 #3. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 JACOBS of Polk  
1 21 HF 844.205 82  
1 22 sc/es/10149  
1 23  
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**House Amendment 2098**

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
 1 2 844, as passed by the House, as follows:  
 1 3 #1. Page 1, by inserting after line 26 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 39A.4, subsection 2, Code 2007,  
 1 6 is amended to read as follows:  
 1 7 2. Election misconduct in the third degree is a  
 1 8 serious misdemeanor. However, if a person who commits  
 1 9 a violation of subsection 1, paragraph "c",  
 1 10 subparagraph (12), is a voter's designee who was  
 1 11 acting as an actual or implied agent of a political  
 1 12 party, candidate, or committee, as defined by chapter  
 1 13 68A, the fine for a violation of this section shall be  
 1 14 not less than ten thousand dollars.>  
 1 15 #2. Page 3, line 26, by inserting after the word  
 1 16 <ballots> the following: <and a penalty>.  
 1 17 #3. By renumbering as necessary.  
 1 18  
 1 19  
 1 20  
 1 21 JACOBS of Polk  
 1 22 HF 844.707 82  
 1 23 sc/gg/10330  
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**House Amendment 2099**

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
 1 2 844, as passed by the House, as follows:  
 1 3 #1. Page 1, by striking lines 37 and 38 and  
 1 4 inserting the following: <voter that the voter's  
 1 5 designee shall complete a receipt when retrieving the  
 1 6 ballot>.  
 1 7 #2. Page 2, line 44, by striking the words <, upon  
 1 8 request of the voter,>.  
 1 9 #3. Page 3, by inserting after line 17 the  
 1 10 following:  
 1 11 <\_\_\_. A photocopy of the photographic  
 1 12 identification presented by the voter's designee to  
 1 13 the voter pursuant to subsection 5.>  
 1 14 #4. Page 3, line 19, by striking the word  
 1 15 <subsection.> and inserting the following:  
 1 16 <subsection and inserting in lieu thereof the  
 1 17 following:  
 1 18 5. A person acting as a voter's designee shall  
 1 19 present photographic identification to the voter when  
 1 20 retrieving the voter's completed absentee ballot.>>  
 1 21 #5. By renumbering as necessary.  
 1 22  
 1 23  
 1 24  
 1 25 JACOBS of Polk  
 1 26 HF 844.1  
 1 27 sc/jg/25  
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House Amendment 2100

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. NEW SECTION. 510B.1 DEFINITIONS.  
1 5 As used in this chapter, unless the context  
1 6 otherwise requires:  
1 7 1. "Commissioner" means the commissioner of  
1 8 insurance.  
1 9 2. "Covered entity" means a nonprofit hospital or  
1 10 medical services corporation, health insurer, health  
1 11 benefit plan, or health maintenance organization; a  
1 12 health program administered by a department or the  
1 13 state in the capacity of provider of health coverage;  
1 14 or an employer, labor union, or other group of persons  
1 15 organized in the state that provides health coverage.  
1 16 "Covered entity" does not include a self-funded health  
1 17 coverage plan that is exempt from state regulation  
1 18 pursuant to the federal Employee Retirement Income  
1 19 Security Act of 1974 (ERISA), as codified at 29 U.S.C.  
1 20 } 1001 et seq., a plan issued for health coverage for  
1 21 federal employees, or a health plan that provides  
1 22 coverage only for accidental injury, specified  
1 23 disease, hospital indemnity, Medicare supplemental,  
1 24 disability income, or long-term care, or other limited  
1 25 benefit health insurance policy or contract.  
1 26 3. "Covered individual" means a member,  
1 27 participant, enrollee, contract holder, policyholder,  
1 28 or beneficiary of a covered entity who is provided  
1 29 health coverage by the covered entity, and includes a  
1 30 dependent or other person provided health coverage  
1 31 through a policy, contract, or plan for a covered  
1 32 individual.  
1 33 4. "Generic drug" means a chemically equivalent  
1 34 copy of a brand-name drug with an expired patent.  
1 35 5. "Labeler" means a person that receives  
1 36 prescription drugs from a manufacturer or wholesaler  
1 37 and repackages those drugs for later retail sale and  
1 38 that has a labeler code from the federal food and drug  
1 39 administration pursuant to 21 C.F.R. } 207.20.  
1 40 6. "Pharmacy" means pharmacy as defined in section  
1 41 155A.3.  
1 42 7. "Pharmacy benefits management" means the  
1 43 administration or management of prescription drug  
1 44 benefits provided by a covered entity under the terms  
1 45 and conditions of the contract between the pharmacy  
1 46 benefits manager and the covered entity.  
1 47 8. "Pharmacy benefits manager" means a person who  
1 48 performs pharmacy benefits management services.  
1 49 "Pharmacy benefits manager" includes a person acting  
1 50 on behalf of a pharmacy benefits manager in a



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House Amendment 2100 continued

2 1 contractual or employment relationship in the  
2 2 performance of pharmacy benefits management services  
2 3 for a covered entity. "Pharmacy benefits manager"  
2 4 does not include a health insurer licensed in the  
2 5 state if the health insurer or its subsidiary is  
2 6 providing pharmacy benefits management services  
2 7 exclusively to its own insureds, or a public  
2 8 self-funded pool or a private single employer  
2 9 self-funded plan that provides such benefits or  
2 10 services directly to its beneficiaries.  
2 11 9. "Prescription drug" means prescription drug as  
2 12 defined in section 155A.3.  
2 13 10. "Prescription drug order" means prescription  
2 14 drug order as defined in section 155A.3.  
2 15 Sec. 2. NEW SECTION. 510B.2 CERTIFICATION AS A  
2 16 THIRD-PARTY ADMINISTRATOR REQUIRED.  
2 17 A pharmacy benefits manager doing business in this  
2 18 state shall obtain a certificate as a third-party  
2 19 administrator under chapter 510, and the provisions  
2 20 relating to a third-party administrator pursuant to  
2 21 chapter 510 shall apply to a pharmacy benefits  
2 22 manager.  
2 23 Sec. 3. NEW SECTION. 510B.3 ENFORCEMENT ==  
2 24 RULES.  
2 25 1. The commissioner shall enforce the provisions  
2 26 of this chapter.  
2 27 2. The commissioner shall adopt rules pursuant to  
2 28 chapter 17A to administer this chapter including rules  
2 29 relating to all of the following:  
2 30 a. Timely payment of pharmacy claims.  
2 31 b. A process for adjudication of complaints and  
2 32 settlement of disputes between a pharmacy benefits  
2 33 manager and a licensed pharmacy related to pharmacy  
2 34 auditing practices, termination of pharmacy  
2 35 agreements, and timely payment of pharmacy claims.  
2 36 Sec. 4. NEW SECTION. 510B.4 PERFORMANCE OF  
2 37 DUTIES == GOOD FAITH == CONFLICT OF INTEREST.  
2 38 1. A pharmacy benefits manager shall perform the  
2 39 pharmacy benefits manager's duties exercising good  
2 40 faith and fair dealing in the performance of its  
2 41 contractual obligations toward the covered entity.  
2 42 2. A pharmacy benefits manager shall notify the  
2 43 covered entity in writing of any activity, policy,  
2 44 practice ownership interest, or affiliation of the  
2 45 pharmacy benefits manager that presents any conflict  
2 46 of interest.  
2 47 Sec. 5. NEW SECTION. 510B.5 CONTACTING COVERED  
2 48 INDIVIDUAL == REQUIREMENTS.  
2 49 A pharmacy benefits manager, unless authorized  
2 50 pursuant to the terms of its contract with a covered



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House Amendment 2100 continued

3 1 entity, shall not contact any covered individual  
3 2 without the express written permission of the covered  
3 3 entity.  
3 4 Sec. 6. NEW SECTION. 510B.6 DISPENSING OF  
3 5 SUBSTITUTE PRESCRIPTION DRUG FOR PRESCRIBED DRUG.  
3 6 1. The following provisions shall apply when a  
3 7 pharmacy benefits manager requests the dispensing of a  
3 8 substitute prescription drug for a prescribed drug to  
3 9 a covered individual:  
3 10 a. The pharmacy benefits manager may request the  
3 11 substitution of a lower priced generic and  
3 12 therapeutically equivalent drug for a higher priced  
3 13 prescribed drug.  
3 14 b. If the substitute drug's net cost to the  
3 15 covered individual or covered entity exceeds the cost  
3 16 of the prescribed drug, the substitution shall be made  
3 17 only for medical reasons that benefit the covered  
3 18 individual.  
3 19 2. A pharmacy benefits manager shall obtain the  
3 20 approval of the prescribing practitioner prior to  
3 21 requesting any substitution under this section.  
3 22 3. A pharmacy benefits manager shall not  
3 23 substitute an equivalent prescription drug contrary to  
3 24 a prescription drug order that prohibits a  
3 25 substitution.  
3 26 Sec. 7. NEW SECTION. 510B.7 DUTIES TO PHARMACY  
3 27 NETWORK PROVIDERS.  
3 28 1. A pharmacy benefits manager shall not mandate  
3 29 basic recordkeeping that is more stringent than that  
3 30 required by state or federal law or regulation.  
3 31 2. If a pharmacy benefits manager receives notice  
3 32 from a covered entity of termination of the covered  
3 33 entity's contract, the pharmacy benefits manager shall  
3 34 notify, within ten working days of the notice, all  
3 35 pharmacy network providers of the effective date of  
3 36 the termination.  
3 37 3. Within three business days of a price increase  
3 38 notification by a manufacturer or supplier, a pharmacy  
3 39 benefits manager shall adjust its payment to the  
3 40 pharmacy network provider consistent with the price  
3 41 increase.  
3 42 Sec. 8. PHARMACY BENEFITS MANAGER LEGISLATIVE  
3 43 INTERIM COMMITTEE. The legislative council is  
3 44 requested to establish a legislative interim committee  
3 45 on pharmacy benefits managers to review all of the  
3 46 following:  
3 47 1. Transparency and disclosure arrangements  
3 48 between pharmacy benefits managers and covered  
3 49 entities.  
3 50 2. Confidentiality protections for information



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House Amendment 2100 continued

4 1 disclosed to covered entities and remedies for  
4 2 unauthorized disclosure.  
4 3 3. The ability of covered entities to audit  
4 4 pharmacy benefits managers.  
4 5 4. Appropriate remedies for covered entities to  
4 6 enforce a provision of or for violation of a provision  
4 7 of chapter 510B, as enacted in this Act.  
4 8 Sec. 9. EFFECTIVE DATE == DIRECTIVE TO  
4 9 COMMISSIONER OF INSURANCE.  
4 10 1. This Act takes effect January 1, 2008.  
4 11 2. Notwithstanding the effective date of this Act,  
4 12 the commissioner of insurance shall commence the  
4 13 process of developing proposed rules to implement and  
4 14 administer this Act beginning July 1, 2007.>  
4 15 #2. Title page, by striking line 2 and inserting  
4 16 the following: <and making penalties applicable, and  
4 17 providing an effective date.>  
4 18  
4 19  
4 20  
4 21 LENSING of Johnson  
4 22  
4 23  
4 24  
4 25 JACOBS of Polk  
4 26 HF 798.701 82  
4 27 pf/gg/10552



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## House Amendment 2101

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 1, by inserting after line 26 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 49.37, Code 2007, is amended by  
1 6 adding the following new subsection:  
1 7 NEW SUBSECTION. 4. Any ballot upon which appears  
1 8 the names of candidates for an elective state office  
1 9 or for the general assembly shall contain for each of  
1 10 those offices an additional line equivalent to the  
1 11 lines on which the candidates' names appear and placed  
1 12 at the end of the row or column containing the names  
1 13 of the candidates for that office. Each such  
1 14 additional line shall contain a voting target whereby  
1 15 the voter may express the voter's choice of that line  
1 16 in the same manner as the voter would choose a  
1 17 candidate, and the line shall read "None of These  
1 18 Candidates".  
1 19 For purposes of this subsection, "elective state  
1 20 office" means the offices of governor and lieutenant  
1 21 governor, secretary of state, auditor of state,  
1 22 treasurer of state, secretary of agriculture, and  
1 23 attorney general.  
1 24 Sec. \_\_\_\_\_. Section 50.45, Code 2007, is amended to  
1 25 read as follows:  
1 26 50.45 CANVASS PUBLIC == RESULT DETERMINED.  
1 27 All canvasses of tally lists shall be public, and  
1 28 the persons having the greatest number of votes shall  
1 29 be declared elected, except that if the choice "None  
1 30 of These Candidates" receives a simple majority of the  
1 31 total votes cast for that office, no person shall be  
1 32 declared elected, and the governor shall order a  
1 33 special election and issue a proclamation pursuant to  
1 34 section 39.6. The special election shall be conducted  
1 35 in the manner provided for in section 69.21.  
1 36 PARAGRAPH DIVIDED. When a public measure has been  
1 37 submitted to the electors, the proposition shall be  
1 38 declared to have been adopted if the vote cast in  
1 39 favor of the question is greater than fifty percent of  
1 40 the total vote cast in favor and against the question,  
1 41 unless laws pertaining specifically to the public  
1 42 measure election establish a higher percentage of a  
1 43 favorable vote. All ballots cast and not counted as a  
1 44 vote in favor or against the proposition shall not be  
1 45 used in computing the total vote cast in favor and  
1 46 against the proposition.  
1 47 Sec. \_\_\_\_\_. Section 50.46, Code 2007, is amended to  
1 48 read as follows:  
1 49 50.46 SPECIAL ELECTIONS == CANVASS AND  
1 50 CERTIFICATE.



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House Amendment 2101 continued

2 1 When a special election has been held to fill a  
2 2 vacancy, pursuant to section 69.14, or when a special  
2 3 election has been held pursuant to section 69.21, the  
2 4 board of county canvassers shall meet at one o'clock  
~~2 5 in the afternoon of p.m. on the second day after the~~  
2 6 election, and canvass the votes cast at the election.  
2 7 The commissioner, as soon as the canvass is completed,  
2 8 shall transmit to the state commissioner an abstract  
2 9 of the votes so canvassed, and the state board, within  
2 10 five days after receiving such abstracts, shall  
2 11 canvass the tally lists. A certificate of election  
2 12 shall be issued by the county or state board of  
2 13 canvassers, as in other cases. All the provisions  
2 14 regulating elections, obtaining tally lists, and  
2 15 canvass of votes at general elections, except as to  
2 16 time, shall apply to special elections.>  
2 17 #2. Page 3, by inserting after line 19 the  
2 18 following:  
2 19 <#\_\_\_\_. Page 6, by inserting after line 25 the  
2 20 following:  
2 21 <Sec. \_\_\_\_\_. NEW SECTION. 69.21 SPECIAL ELECTION  
2 22 == GENERAL ASSEMBLY AND ELECTIVE STATE OFFICES.  
2 23 1. A special election ordered pursuant to section  
2 24 50.45 shall be held not less than forty-two and not  
2 25 more than fifty days following the date the governor  
2 26 ordered the special election.  
2 27 2. a. A political party that had a candidate on  
2 28 the general election ballot for the office for which a  
2 29 special election has been ordered may nominate another  
2 30 candidate for the office in the manner provided for in  
2 31 section 43.78, subsection 1.  
2 32 b. Nominations for all other candidates may be  
2 33 made as follows:  
2 34 (1) For an elective state office, by nomination  
2 35 petition signed by not less than one thousand eligible  
2 36 electors of the state.  
2 37 (2) For senator in the general assembly, by  
2 38 nomination petition signed by not less than one  
2 39 hundred eligible electors of the senate district.  
2 40 (3) For representative in the general assembly, by  
2 41 nomination petition signed by not less than fifty  
2 42 eligible electors of the representative district.  
2 43 c. A candidate whose name was on the general  
2 44 election ballot for the office for which a special  
2 45 election has been ordered is disqualified from  
2 46 nomination in the special election.  
2 47 3. Nomination petitions must be filed in the  
2 48 office of the state commissioner of elections not  
2 49 later than five p.m. on the twenty-fifth day before  
2 50 the special election. Each nomination petition must



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House Amendment 2101 continued

3 1 be accompanied by an affidavit executed by the  
3 2 candidate in the same form as that provided in section  
3 3 43.18, section 44.3, subsection 2, or section 45.3,  
3 4 whichever is applicable.

3 5 4. A candidate nominated for an office to be  
3 6 filled at the special election may withdraw as a  
3 7 nominee for that office on or before, but not later  
3 8 than, the fifteenth day before the date of the special  
3 9 election by notifying the state commissioner of  
3 10 elections in writing.

3 11 If a person who has filed nomination papers with  
3 12 the state commissioner as a candidate in the special  
3 13 election dies or withdraws on or before the fifteenth  
3 14 day before the special election, the appropriate  
3 15 convention of that person's political party may  
3 16 designate one additional special election candidate  
3 17 for the nomination that person was seeking, if the  
3 18 designation is submitted to the state commissioner in  
3 19 writing no later than five p.m. on the twelfth day  
3 20 before the date of the special election.

3 21 5. Objections to the eligibility of a candidate in  
3 22 the special election must be filed pursuant to section  
3 23 43.24 not less than nineteen days before the date of  
3 24 the special election.

3 25 6. The state commissioner of elections shall  
3 26 certify to the commissioner of each county at the  
3 27 earliest practicable time, and under separate party  
3 28 headings, the name of each person nominated, the  
3 29 office to which the person is nominated, and the order  
3 30 in which the tickets of the several political parties  
3 31 shall appear on the official ballot.

3 32 7. The ballots provided for the special election  
3 33 shall not contain the designation "None of These  
3 34 Candidates".

3 35 8. The votes cast in the special election shall be  
3 36 canvassed and a certificate of election issued in the  
3 37 manner provided for in section 50.46. The  
3 38 candidate=elect shall be sworn into office immediately  
3 39 following the issuance of the certificate of election  
3 40 by the state commissioner of elections.

3 41 Sec. \_\_\_\_ . IMPLEMENTATION OF ACT. Section 25B.2,  
3 42 subsection 3, shall not apply to this Act.>>

3 43 #3. By renumbering as necessary.

3 44

3 45

3 46

3 47 JACOBS of Polk

3 48 HF 844.304 82

3 49 sc/cf/10331



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## House Amendment 2102

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 1, by inserting after line 26 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 39A.4, subsection 2, Code 2007,  
1 6 is amended to read as follows:  
1 7 2. Election misconduct in the third degree is a  
1 8 serious misdemeanor. However, if a person who commits  
1 9 a violation of subsection 1, paragraph "c",  
1 10 subparagraph (12), is a voter's designee who was  
1 11 acting as an actual or implied agent of a political  
1 12 party, candidate, or committee, as defined by chapter  
1 13 68A, a violation of this section shall be considered  
1 14 election misconduct in the second degree.>  
1 15 #2. Page 3, line 26, by inserting after the word  
1 16 <ballots> the following: <and increasing a penalty>.  
1 17  
1 18  
1 19  
1 20 JACOBS of Polk  
1 21 HF 844.207 82  
1 22 sc/es/10332  
1 23  
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**House Amendment 2103**

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
 1 2 844, as passed by the House, as follows:  
 1 3 #1. Page 1, by inserting after line 26 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 39A.4, subsection 2, Code 2007,  
 1 6 is amended to read as follows:  
 1 7 2. Election misconduct in the third degree is a  
 1 8 serious misdemeanor. However, if a person who commits  
 1 9 a violation of subsection 1, paragraph "c",  
 1 10 subparagraph (12), is a voter's designee who was  
 1 11 acting as an actual or implied agent of a political  
 1 12 party, candidate, or committee, as defined by chapter  
 1 13 68A, a violation of this section shall be considered  
 1 14 election misconduct in the first degree.>  
 1 15 #2. Page 3, line 26, by inserting after the word  
 1 16 <ballots> the following: <and increasing a penalty>.  
 1 17  
 1 18  
 1 19  
 1 20 JACOBS of Polk  
 1 21 HF 844.208 82  
 1 22 sc/es/10329  
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## House Amendment 2104

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
1 2 844, as passed by the House, as follows:  
1 3 #1. Page 3, by inserting after line 19 the  
1 4 following:  
1 5 <#\_\_\_\_. Page 6, by inserting after line 25 the  
1 6 following:  
1 7 <Sec. \_\_\_\_ . NEW SECTION. 68A.401A ELECTRONIC  
1 8 FILING.  
1 9 Reports filed with the board pursuant to the  
1 10 requirements of section 68A.401 shall be filed in an  
1 11 electronic format if a candidate or committee accepts  
1 12 contributions in excess of twenty thousand dollars in  
1 13 the aggregate, makes expenditures in excess of twenty  
1 14 thousand dollars in the aggregate, or incurs  
1 15 indebtedness in excess of twenty thousand dollars in  
1 16 the aggregate. The board shall establish a system to  
1 17 verify the identity of the person filing the report.  
1 18 Sec. \_\_\_\_ . Section 68A.403, subsection 1, Code  
1 19 2007, is amended to read as follows:  
1 20 1. A Unless filed in an electronic format  
1 21 according to section 68A.401A, a report or statement  
1 22 required to be filed under this chapter shall be  
1 23 signed by the person filing the report.  
1 24 Sec. \_\_\_\_ . Section 68A.603, Code 2007, is amended  
1 25 to read as follows:  
1 26 68A.603 RULES PROMULGATED.  
1 27 The ethics and campaign disclosure board shall  
1 28 administer the provisions of sections 68A.601 ~~through~~  
~~1 29 68A.609, 68A.602, and 68A.604 through 68A.610 and~~  
1 30 shall promulgate all necessary rules in accordance  
1 31 with chapter 17A.  
1 32 Sec. \_\_\_\_ . NEW SECTION. 68A.610 CHECKOFF ==  
1 33 INCOME TAX == VOTER=OWNED IOWA CLEAN ELECTIONS.  
1 34 A person whose state income tax liability for any  
1 35 taxable year is five dollars or more may direct that  
1 36 five dollars of that liability be paid over to the  
1 37 voter=owned Iowa clean elections fund, as established  
1 38 in section 68A.823, when submitting the person's state  
1 39 income tax return to the department of revenue. In  
1 40 the case of a joint return of husband and wife having  
1 41 a state income tax liability of ten dollars or more,  
1 42 each spouse may direct that five dollars be paid to  
1 43 the fund. The director of revenue shall provide space  
1 44 for the voter=owned Iowa clean elections fund income  
1 45 tax checkoff on the income tax form. An explanation  
1 46 shall be included which clearly states that this  
1 47 checkoff does not constitute an additional tax  
1 48 liability. The action taken by a person for the  
1 49 checkoff is irrevocable.  
1 50 Sec. \_\_\_\_ . NEW SECTION. 68A.801 DEFINITIONS.



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- 2 1 For the purposes of this subchapter:
- 2 2 1. "Allowable contribution" means a qualifying  
2 3 contribution or a seed money contribution.
- 2 4 2. "Board" means the Iowa ethics and campaign  
2 5 disclosure board established under section 68B.32.
- 2 6 3. "Clean election qualifying period" means the  
2 7 period during which candidates are permitted to  
2 8 collect qualifying contributions in order to qualify  
2 9 for clean money campaign funding. The period begins  
2 10 ninety days before the beginning of the primary  
2 11 election campaign period and ends thirty days before  
2 12 the beginning of the primary election campaign period.
- 2 13 4. "Coordination" means a payment made for a  
2 14 communication or anything of value that is for the  
2 15 purpose of influencing the outcome of an election and  
2 16 that is made by a person according to at least one of  
2 17 the following:
- 2 18 a. In cooperation, consultation, or concert with,  
2 19 at the request or suggestion of, or pursuant to, a  
2 20 particular understanding with a candidate, a  
2 21 candidate's committee, or an agent acting on behalf of  
2 22 a candidate or candidate's committee.
- 2 23 b. For the dissemination, distribution, or  
2 24 republication, in whole or in part, of any broadcast  
2 25 or any written, graphic, or other form of campaign  
2 26 material prepared by a candidate, a candidate's  
2 27 committee, or an agent of a candidate or candidate's  
2 28 committee.
- 2 29 c. Based on specific information about the  
2 30 candidate's plans, projects, or needs provided to the  
2 31 person making the payment by the candidate or the  
2 32 candidate's agent who provides the information with a  
2 33 view toward having the payment made.
- 2 34 d. If, in the same election cycle in which the  
2 35 payment is made, the person making the payment is  
2 36 serving or has served as a member, employee,  
2 37 fundraiser, or agent of the candidate or candidate's  
2 38 committee in an executive or policymaking position.
- 2 39 e. If the person making the payment has served in  
2 40 any formal policy or advisory position with the  
2 41 candidate's campaign or has participated in strategic  
2 42 or policymaking discussions with the candidate's  
2 43 campaign relating to the candidate's pursuit of  
2 44 nomination for election, or election, to office, in  
2 45 the same election cycle as the election cycle in which  
2 46 the payment is made.
- 2 47 f. If the person making the payment retains the  
2 48 professional services of an individual or person who,  
2 49 in a nonministerial capacity, has provided or is  
2 50 providing campaign-related services in the same



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3 1 election cycle to a candidate who is pursuing the same  
3 2 nomination or election as any of the candidates to  
3 3 whom the communication refers. For purposes of this  
3 4 section, "professional services" includes services in  
3 5 support of a candidate's pursuit of nomination for  
3 6 election or election to office such as polling, media  
3 7 advice, direct mail, fundraising, or campaign research  
3 8 services.

3 9 5. "Electioneering communication" means any  
3 10 communication that refers to a clearly identified  
3 11 candidate for elected public office, if the  
3 12 communication has the effect of encouraging or  
3 13 discouraging a vote for the candidate, regardless of  
3 14 whether the communication expressly advocates a vote  
3 15 for or against the candidate.

3 16 6. "Excess expenditure amount" means the amount of  
3 17 money spent or obligated to be spent by a  
3 18 nonparticipating candidate in excess of the clean  
3 19 money amount available to a participating candidate  
3 20 running for the same office.

3 21 7. "Express advocacy" means the same as defined in  
3 22 section 68A.102.

3 23 8. "General election campaign period" means the  
3 24 period beginning the day after the primary election  
3 25 and ending on the day of the general election.

3 26 9. "Independent candidate" means a candidate who  
3 27 does not represent a political party that has been  
3 28 granted ballot status and that holds a primary  
3 29 election to choose its nominee for the general  
3 30 election.

3 31 10. "Independent expenditure" means an expenditure  
3 32 made by a person or group of persons other than a  
3 33 candidate or candidate's committee that meets both of  
3 34 the following conditions:

3 35 a. The expenditure is made for a communication  
3 36 that contains express advocacy.

3 37 b. The expenditure is made without the  
3 38 participation or cooperation of and without  
3 39 coordination with a candidate or a candidate's  
3 40 committee.

3 41 11. "Nonparticipating candidate" means a candidate  
3 42 who is on the ballot but has chosen not to apply for  
3 43 clean election campaign funding, or a candidate who is  
3 44 on the ballot and has applied for but has not  
3 45 satisfied the requirements for receiving clean  
3 46 election campaign funding.

3 47 12. "Participating candidate" means a candidate  
3 48 who qualifies for clean election campaign funding.  
3 49 Such candidates are eligible to receive clean election  
3 50 campaign funding during primary or general election



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4 1 campaign periods.  
4 2 13. "Party candidate" means a candidate who  
4 3 represents a political party as defined by section  
4 4 43.2.  
4 5 14. "Primary election campaign period" means the  
4 6 period beginning ninety days before the primary  
4 7 election and ending on the day of the primary  
4 8 election.  
4 9 15. "Qualifying contribution" means a contribution  
4 10 of five dollars that is received during the designated  
4 11 clean election qualifying period by a candidate  
4 12 seeking to become eligible for clean election campaign  
4 13 funding and that is acknowledged by a written receipt  
4 14 identifying the contributor. However, if the annual  
4 15 median household income of a legislative district is  
4 16 at or below one hundred percent of the most recent  
4 17 federal poverty guideline based on United States  
4 18 census bureau data, the qualifying contribution is one  
4 19 dollar.  
4 20 16. "Seed money contribution" means a contribution  
4 21 of no more than one hundred dollars made by an  
4 22 individual adult during the seed money period, but  
4 23 specifically excludes all of the following:  
4 24 a. Payments by a membership organization for the  
4 25 costs of communications to its members.  
4 26 b. Payments by a membership organization for the  
4 27 purpose of facilitating the making of qualifying  
4 28 contributions.  
4 29 c. The cash value of volunteer activity, including  
4 30 the payment of incidental expenses of volunteers.  
4 31 17. "Seed money period" means the period beginning  
4 32 the day following the previous general election for  
4 33 that office and ending on the last day of the clean  
4 34 election qualifying period. This is the exploratory  
4 35 period during which candidates who wish to become  
4 36 eligible for clean election campaign funding for the  
4 37 next elections are permitted to raise and spend a  
4 38 limited amount of private seed money, from  
4 39 contributions of up to one hundred dollars per  
4 40 individual, for the purpose of determining whether to  
4 41 become a candidate and fulfilling the clean election  
4 42 eligibility requirements.  
4 43 Sec. \_\_\_\_\_. NEW SECTION. 68A.802 ELIGIBILITY FOR  
4 44 PARTY CANDIDATES.  
4 45 1. A party candidate qualifies as a participating  
4 46 candidate for the primary election campaign period if  
4 47 the candidate does both of the following:  
4 48 a. The candidate files a declaration with the  
4 49 board that the candidate has complied and will comply  
4 50 with all of the requirements of this subchapter,



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5 1 including the requirement that during the seed money  
5 2 period and the clean election qualifying period the  
5 3 candidate not accept or spend private contributions  
5 4 from any source other than seed money contributions  
5 5 and clean election qualifying contributions, unless  
5 6 the provisions of section 68A.804 apply.

5 7     b. The candidate meets both of the following  
5 8 qualifying contribution requirements before the close  
5 9 of the clean election qualifying period:

5 10     (1) A party candidate must collect both qualifying  
5 11 contributions and signatures as follows:

5 12         (a) For the office of governor, from five hundred  
5 13 registered voters in each congressional district.

5 14         (b) For statewide office other than governor, from  
5 15 two hundred fifty registered voters in each  
5 16 congressional district.

5 17         (c) For the Iowa senate, from two hundred  
5 18 registered voters in the senate candidate's electoral  
5 19 district.

5 20         (d) For the Iowa house of representatives, from  
5 21 one hundred registered voters in the house candidate's  
5 22 electoral district.

5 23     (2) Each qualifying contribution must meet all  
5 24 requirements of this section.

5 25     2. Contributors shall be registered voters who  
5 26 reside within the candidate's electoral district and  
5 27 who are therefore eligible to vote for that candidate.

5 28     3. Qualifying contributions shall be:

5 29         a. Made in cash, check, money order, or credit or  
5 30 debit card.

5 31         b. Gathered by the candidate personally or by  
5 32 volunteers who do not receive compensation.

5 33         c. Acknowledged by a receipt to the contributor,  
5 34 with a copy to be kept by the candidate and a third  
5 35 copy to be submitted to the board. The receipt shall  
5 36 include a signed statement that the contributor  
5 37 understands that the purpose of the contribution is to  
5 38 help the candidate qualify for campaign funding and  
5 39 that the contribution is made without coercion or  
5 40 reimbursement. The receipt shall include the  
5 41 contributor's signature, printed name, home address,  
5 42 and telephone number, and the name of the candidate on  
5 43 whose behalf the contribution is made.

5 44         d. Turned over to the board for deposit in the  
5 45 voter-owned Iowa clean elections fund established  
5 46 under section 68A.823, with the signed and completed  
5 47 receipt, according to a schedule and procedure to be  
5 48 determined by the board. A contribution submitted as  
5 49 a qualifying contribution that does not include the  
5 50 signed and completed receipt shall not be counted as a



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6 1 qualifying contribution.  
6 2 4. A party candidate qualifies as a participating  
6 3 candidate for the general election campaign period  
6 4 when the candidate does both of the following:  
6 5 a. The candidate has met all of the applicable  
6 6 requirements of this subchapter and filed a  
6 7 declaration with the board that the candidate has  
6 8 fulfilled and will fulfill all of the requirements of  
6 9 a participating candidate as stated in this  
6 10 subchapter.  
6 11 b. As a participating candidate during the primary  
6 12 election campaign period, the candidate had the  
6 13 highest number of votes of the candidates contesting  
6 14 the primary election from the candidate's respective  
6 15 party and won the party's nomination.  
6 16 Sec. \_\_\_\_\_. NEW SECTION. 68A.803 ELIGIBILITY FOR  
6 17 INDEPENDENT CANDIDATES.  
6 18 1. An independent candidate qualifies as a  
6 19 participating candidate for the primary election  
6 20 campaign period if the candidate does both of the  
6 21 following:  
6 22 a. The candidate files a declaration with the  
6 23 board that the candidate has complied and will comply  
6 24 with all of the requirements of this subchapter,  
6 25 including the requirement that during the seed money  
6 26 period and the clean election qualifying period the  
6 27 candidate not accept or spend private contributions  
6 28 from any source other than seed money contributions  
6 29 and clean election qualifying contributions, unless  
6 30 the provisions of section 68A.804 apply.  
6 31 b. The candidate meets the following qualifying  
6 32 contribution requirements before the close of the  
6 33 clean election qualifying period:  
6 34 (1) An independent candidate shall collect the  
6 35 same number of qualifying contributions as required of  
6 36 a party candidate for the same office under section  
6 37 68A.802.  
6 38 (2) Each qualifying contribution must meet all  
6 39 requirements of this section.  
6 40 2. Contributors shall be registered voters who  
6 41 reside within the candidate's electoral district and  
6 42 who are therefore eligible to vote for that candidate.  
6 43 3. Qualifying contributions shall be:  
6 44 a. Made in cash, check, money order, or credit or  
6 45 debit card.  
6 46 b. Gathered by the candidate personally or by  
6 47 volunteers who do not receive compensation.  
6 48 c. Acknowledged by a receipt to the contributor,  
6 49 with a copy to be kept by the candidate and a third  
6 50 copy to be submitted to the board. The receipt shall



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7 1 include a signed statement that the contributor  
7 2 understands that the purpose of the contribution is to  
7 3 help the candidate qualify for clean election campaign  
7 4 funding and that the contribution is made without  
7 5 coercion or reimbursement. The receipt shall include  
7 6 the contributor's signature, printed name, home  
7 7 address, and telephone number, and the name of the  
7 8 candidate on whose behalf the contribution is made.  
7 9 d. Turned over to the board for deposit in the  
7 10 voter-owned Iowa clean elections fund established  
7 11 under section 68A.823, with the signed and completed  
7 12 receipt, according to a schedule and procedure to be  
7 13 determined by the board. A contribution submitted as  
7 14 a qualifying contribution that does not include the  
7 15 signed and completed receipt shall not be counted as a  
7 16 qualifying contribution.  
7 17 4. An independent candidate qualifies as a  
7 18 participating candidate for the general election  
7 19 campaign period when the candidate does both of the  
7 20 following:  
7 21 a. If, prior to the primary election, the  
7 22 candidate has met all of the applicable requirements  
7 23 of this subchapter and filed a declaration with the  
7 24 board that the candidate has fulfilled and will  
7 25 fulfill all of the requirements of a participating  
7 26 candidate as stated in this subchapter.  
7 27 b. If, during the primary election campaign  
7 28 period, the candidate has fulfilled all the  
7 29 requirements of a participating candidate as stated in  
7 30 this subchapter.  
7 31 Sec. \_\_\_\_ . NEW SECTION. 68A.804 TRANSITION RULE  
7 32 FOR CURRENT ELECTION CYCLE.  
7 33 During the election cycle in effect on the date of  
7 34 enactment of this subchapter, a candidate may be  
7 35 certified as a participating candidate,  
7 36 notwithstanding the acceptance of contributions or  
7 37 making of expenditures from private funds before the  
7 38 date of enactment that would, absent this section,  
7 39 disqualify the candidate as a participating candidate,  
7 40 provided that any private funds accepted but not  
7 41 expended before the date of enactment of this  
7 42 subchapter shall either be returned to the contributor  
7 43 or submitted to the board for deposit in the  
7 44 voter-owned Iowa clean elections fund established  
7 45 under section 68A.823.  
7 46 Sec. \_\_\_\_ . NEW SECTION. 68A.805 CONTINUING  
7 47 OBLIGATION TO COMPLY.  
7 48 A participating candidate who accepts any benefits  
7 49 under section 68A.813 during the primary election  
7 50 campaign period shall comply with all the requirements



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8 1 of this subchapter through any remaining time during  
8 2 the primary election campaign period as well as  
8 3 through the general election campaign period whether  
8 4 or not the candidate continues to accept benefits.  
8 5 Sec. \_\_\_\_\_. NEW SECTION. 68A.806 CONTRIBUTIONS AND  
8 6 EXPENDITURES.  
8 7 1. During the primary and general election  
8 8 campaign periods, a participating candidate who has  
8 9 voluntarily agreed to participate in clean election  
8 10 campaign financing shall not accept private  
8 11 contributions from any source other than the  
8 12 candidate's political party as specified in section  
8 13 68A.808.  
8 14 2. A person shall not make a contribution in  
8 15 violation of section 68A.502. A participating  
8 16 candidate who receives a qualifying contribution or a  
8 17 seed money contribution that is not from the person  
8 18 listed on the receipt as required by this subchapter  
8 19 shall pay to the board for deposit in the voter-owned  
8 20 Iowa clean elections fund established under section  
8 21 68A.823 the entire amount of such contribution.  
8 22 3. The board shall issue each participating  
8 23 candidate a card known as the "clean election campaign  
8 24 debit card", and a line of debit entitling the  
8 25 candidate to draw clean election campaign funds to pay  
8 26 for all campaign costs and expenses up to the amount  
8 27 of funding the candidate has received. A  
8 28 participating candidate shall not pay campaign costs  
8 29 by cash, check, money order, loan, or by any other  
8 30 financial means other than debit card. During the  
8 31 primary and general election campaign periods, a  
8 32 participating candidate shall pay by means of the  
8 33 board's clean election campaign debit card.  
8 34 4. Eligible candidates shall furnish complete  
8 35 campaign records, including all records of seed money  
8 36 contributions and qualifying contributions, to the  
8 37 board at regular filing times, or on request by the  
8 38 board. Candidates shall cooperate with any audit or  
8 39 examination conducted or ordered by the board.  
8 40 Sec. \_\_\_\_\_. NEW SECTION. 68A.807 NONPARTICIPATING  
8 41 CANDIDATES == CONTRIBUTION LIMITS.  
8 42 Nonparticipating candidates shall be subject to the  
8 43 following contribution limits:  
8 44 1. Candidates for statewide office:  
8 45 a. One thousand dollars in the aggregate per  
8 46 individual contribution.  
8 47 b. Five thousand dollars in the aggregate per  
8 48 political committee contribution.  
8 49 2. Candidates for the Iowa senate and house of  
8 50 representatives:



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- 9 1 a. Five hundred dollars in the aggregate per  
9 2 individual contribution.
- 9 3 b. One thousand dollars in the aggregate per  
9 4 political committee contribution.
- 9 5 Sec. \_\_\_\_ . NEW SECTION. 68A.808 POLITICAL PARTY  
9 6 CONTRIBUTIONS AND EXPENDITURES.
- 9 7 1. Participating candidates may accept monetary or  
9 8 in-kind contributions from political parties provided  
9 9 that the aggregate amount of such contributions from  
9 10 all political party committees combined does not  
9 11 exceed the equivalent of five percent of the clean  
9 12 election financing amount for that office.
- 9 13 2. In-kind contributions made during a general  
9 14 election campaign period on behalf of a group of the  
9 15 party's candidates shall not be considered a  
9 16 prohibited party contribution or count against the  
9 17 five percent limit established in subsection 1 if such  
9 18 group includes at least fifty-one percent of the  
9 19 candidates whose names will appear on the general  
9 20 election ballot in the political subdivision  
9 21 represented by the party committee making such in-kind  
9 22 contributions.
- 9 23 3. Contributions made to, and expenditures made  
9 24 by, political parties during primary and general  
9 25 campaign periods shall be reported to the board on the  
9 26 same basis as contributions and expenditures made to  
9 27 or by candidates.
- 9 28 4. This section and this subchapter shall not  
9 29 prevent political party funds from being used for any  
9 30 of the following:
- 9 31 a. General operating expenses of the party.  
9 32 b. Conventions.  
9 33 c. Nominating and endorsing candidates.  
9 34 d. Identifying, researching, and developing the  
9 35 party's positions on issues.  
9 36 e. Party platform activities.  
9 37 f. Noncandidate-specific voter registration.  
9 38 g. Noncandidate-specific get-out-the-vote drives.  
9 39 h. Travel expenses for noncandidate party leaders  
9 40 and staff.  
9 41 i. Other noncandidate-specific party-building  
9 42 activities, as defined by rule of the board.  
9 43 j. Employing a staff person to provide election  
9 44 services to two or more candidates.
- 9 45 Sec. \_\_\_\_ . NEW SECTION. 68A.809 USE OF PERSONAL  
9 46 FUNDS.
- 9 47 1. Personal funds contributed as seed money by a  
9 48 candidate seeking to become eligible as a  
9 49 participating candidate or by the candidate's spouse  
9 50 shall not exceed one hundred dollars per contributor.



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10 1 2. Personal funds shall not be used to meet the  
10 2 qualifying contribution requirement except for one  
10 3 five-dollar contribution from the candidate and one  
10 4 five-dollar contribution from the candidate's spouse.  
10 5 Sec. \_\_\_\_\_. NEW SECTION. 68A.810 SEED MONEY.  
10 6 1. The only private contributions a candidate  
10 7 seeking to become eligible for clean election campaign  
10 8 funding shall accept, other than qualifying  
10 9 contributions, are seed money contributions  
10 10 contributed by individual adults prior to the end of  
10 11 the clean election qualifying period.  
10 12 2. A seed money contribution shall not exceed one  
10 13 hundred dollars, and the aggregate amount of seed  
10 14 money contributions accepted by a candidate seeking to  
10 15 become eligible for clean money campaign funding shall  
10 16 not exceed the relevant limit, as follows:  
10 17 a. Twenty-five thousand dollars for a candidate  
10 18 team running for governor and lieutenant governor.  
10 19 b. Fifteen thousand dollars for a candidate  
10 20 running for statewide office other than governor or  
10 21 lieutenant governor.  
10 22 c. Two thousand dollars for a candidate running  
10 23 for the Iowa senate.  
10 24 d. One thousand dollars for a candidate running  
10 25 for the Iowa house of representatives.  
10 26 3. Receipts for seed money contributions shall  
10 27 include the contributor's signature, printed name,  
10 28 street address and zip code, telephone number,  
10 29 occupation, and name of employer. Contributions shall  
10 30 not be accepted if the required disclosure information  
10 31 is not received.  
10 32 4. Seed money shall be spent only during the clean  
10 33 election qualifying period. Seed money shall not be  
10 34 spent during the primary or general election campaign  
10 35 periods.  
10 36 5. Within forty-eight hours after the close of the  
10 37 clean election qualifying period, candidates seeking  
10 38 to become eligible for clean election campaign funding  
10 39 shall do both of the following:  
10 40 a. Fully disclose all seed money contributions and  
10 41 expenditures to the board.  
10 42 b. Turn over to the board for deposit in the  
10 43 voter-owned Iowa clean elections fund any seed money  
10 44 the candidate has raised during the designated seed  
10 45 money period that exceeds the aggregate seed money  
10 46 limit.  
10 47 Sec. \_\_\_\_\_. NEW SECTION. 68A.811 PARTICIPATION IN  
10 48 DEBATES.  
10 49 1. Participating candidates in contested races  
10 50 shall participate in all of the following:



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- 11 1 a. For the offices of governor and lieutenant  
11 2 governor:  
11 3 (1) One one-hour debate during a contested primary  
11 4 election.  
11 5 (2) Two one-hour debates during a contested  
11 6 general election.  
11 7 b. For all other offices:  
11 8 (1) One one-hour debate during a contested primary  
11 9 election.  
11 10 (2) One one-hour debate during a contested general  
11 11 election.  
11 12 2. Nonparticipating candidates for the same office  
11 13 whose names will appear on the ballot shall be invited  
11 14 to join the debates.  
11 15 Sec. \_\_\_\_\_. NEW SECTION. 68A.812 CERTIFICATION.  
11 16 1. No more than five days after a candidate  
11 17 applies for clean election campaign funding benefits,  
11 18 the board shall certify that the candidate is or is  
11 19 not eligible.  
11 20 2. Eligibility can be revoked if the candidate  
11 21 violates the requirements of this subchapter, in which  
11 22 case all clean election campaign funds shall be  
11 23 repaid.  
11 24 3. The candidate's request for certification shall  
11 25 be signed by the candidate and the treasurer of the  
11 26 candidate's committee under penalty of perjury.  
11 27 4. The board's determination is final except that  
11 28 it is subject to examination and audit by an outside  
11 29 agency according to rule and to prompt judicial review  
11 30 according to rule and chapter 17A.  
11 31 Sec. \_\_\_\_\_. NEW SECTION. 68A.813 BENEFITS PROVIDED  
11 32 TO CANDIDATES ELIGIBLE TO RECEIVE CLEAN ELECTION  
11 33 CAMPAIGN FUNDING.  
11 34 1. Candidates who qualify for clean election  
11 35 campaign funding for primary and general elections  
11 36 shall receive all of the following:  
11 37 a. Clean election campaign funding from the board  
11 38 for each election, the amount of which is specified in  
11 39 section 68A.815. This funding may be used to finance  
11 40 any and all campaign expenses during the particular  
11 41 campaign period for which it was received.  
11 42 b. Additional clean election campaign funding to  
11 43 match any excess expenditure amount spent by a  
11 44 nonparticipating candidate, as specified in section  
11 45 68A.817.  
11 46 c. Additional clean election campaign funding to  
11 47 match any independent expenditure made in opposition  
11 48 to their candidacies or on behalf of their opponents'  
11 49 candidacies, as specified in section 68A.819.  
11 50 d. Additional clean election funding to match any



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12 1 electioneering communication expenditure, as specified  
12 2 in section 68A.820.  
12 3 2. The maximum aggregate amount of additional  
12 4 funding a participating candidate shall receive to  
12 5 match independent expenditures and the excess  
12 6 expenditures of nonparticipating candidates shall be  
12 7 two hundred percent of the full amount of clean  
12 8 election campaign funding allocated to a participating  
12 9 candidate for a particular primary or general election  
12 10 campaign period.  
12 11 Sec. \_\_\_\_\_. NEW SECTION. 68A.814 SCHEDULE OF CLEAN  
12 12 ELECTION CAMPAIGN FUNDING PAYMENTS.  
12 13 1. An eligible candidate shall receive clean  
12 14 election campaign funding for the primary election  
12 15 campaign period on the date on which the board  
12 16 certifies the candidate as a participating candidate.  
12 17 This certification shall take place no later than five  
12 18 days after the candidate has submitted the required  
12 19 number of qualifying contributions and a declaration  
12 20 stating that the candidate has complied with all other  
12 21 requirements for eligibility as a participating  
12 22 candidate, but no earlier than the beginning of the  
12 23 primary election campaign period.  
12 24 2. An eligible candidate shall receive clean  
12 25 election campaign funding for the general election  
12 26 campaign period within forty-eight hours after  
12 27 certification of the primary election results.  
12 28 Sec. \_\_\_\_\_. NEW SECTION. 68A.815 DETERMINATION OF  
12 29 CLEAN ELECTION CAMPAIGN FUNDING AMOUNTS.  
12 30 1. a. For party candidates, the amount of clean  
12 31 election campaign funding for a contested primary  
12 32 election is as follows:  
12 33 (1) Seven hundred fifty thousand dollars for a  
12 34 candidate team running for governor and lieutenant  
12 35 governor.  
12 36 (2) Seventy-five thousand dollars for a candidate  
12 37 for statewide office other than governor and  
12 38 lieutenant governor.  
12 39 (3) Twenty-two thousand five hundred dollars for a  
12 40 candidate running for the Iowa senate.  
12 41 (4) Fifteen thousand dollars for a candidate  
12 42 running for the Iowa house of representatives.  
12 43 b. The clean election campaign funding amount for  
12 44 an eligible party candidate in an uncontested primary  
12 45 election is twenty-five percent of the amount provided  
12 46 in a contested primary election.  
12 47 c. In a contested general election, if an eligible  
12 48 party candidate or all of the candidates of the  
12 49 candidate's party combined received at least twenty  
12 50 percent of the total number of votes cast for all



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13 1 candidates seeking that office in the most recent  
13 2 primary election or in the previous general election,  
13 3 the candidate shall receive the full amount of clean  
13 4 election campaign funding for the general election, as  
13 5 follows:

13 6 (1) Three million dollars for a candidate team  
13 7 running for governor and lieutenant governor.

13 8 (2) Two hundred thousand dollars for a candidate  
13 9 for statewide office other than governor and  
13 10 lieutenant governor.

13 11 (3) Forty thousand dollars for a candidate running  
13 12 for the Iowa senate.

13 13 (4) Thirty thousand dollars for a candidate  
13 14 running for the Iowa house of representatives.

13 15 d. The clean election campaign funding amount for  
13 16 an eligible party candidate in an uncontested general  
13 17 election is ten percent of the amount provided in a  
13 18 contested general election for the same office.

13 19 2. a. For eligible independent candidates, the  
13 20 clean election campaign funding amount for the primary  
13 21 election campaign period is twenty-five percent of the  
13 22 amount of clean election funding received by a party  
13 23 candidate in a contested primary election for the same  
13 24 office.

13 25 b. The clean election campaign funding amount for  
13 26 an eligible independent candidate in the general  
13 27 election is the same as the full amount received by a  
13 28 party candidate in the general election for the same  
13 29 office.

13 30 c. After the first cycle of clean election fund  
13 31 elections, the board shall modify all clean election  
13 32 campaign funding amounts based on the percentage  
13 33 increase in the consumer price index, for all urban  
13 34 consumers, United States city average, as published in  
13 35 the federal register by the United States department  
13 36 of labor, bureau of labor statistics, that reflects  
13 37 the percentage increase in the consumer price index  
13 38 for the twelve-month period ending December 31 of the  
13 39 previous year.

13 40 Sec. \_\_\_\_ . NEW SECTION. 68A.816 EXPENDITURES MADE  
13 41 WITH CLEAN ELECTION CAMPAIGN FUNDS.

13 42 1. The clean election campaign funding received by  
13 43 a participating candidate shall be used only for the  
13 44 purpose of defraying that candidate's campaign-related  
13 45 expenses during the particular election campaign  
13 46 period for which the clean election campaign funding  
13 47 was received.

13 48 2. Payments shall not be used for the following:

13 49 a. Payments that are in violation of the law.

13 50 b. Payments that repay any personal, family, or



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14 1 business loans, expenditures, or debts.  
14 2     Sec. \_\_\_\_\_. NEW SECTION. 68A.817 DISCLOSURE OF  
14 3 EXCESS SPENDING BY NONPARTICIPATING CANDIDATES.  
14 4     1. If a nonparticipating candidate's total  
14 5 expenditures exceed the amount of clean election  
14 6 campaign funding allocated to the candidate's clean  
14 7 election opponent, the candidate shall declare to the  
14 8 board within forty=eight hours every excess  
14 9 expenditure amount that, in the aggregate, is more  
14 10 than one thousand dollars.  
14 11     2. During the last twenty days before the end of  
14 12 the relevant campaign period, a nonparticipating  
14 13 candidate shall declare to the board each excess  
14 14 expenditure amount over five hundred dollars within  
14 15 twenty=four hours of when the expenditure is made or  
14 16 obligated to be made.  
14 17     3. The board may make its own determination as to  
14 18 whether excess expenditures have been made by  
14 19 nonparticipating candidates.  
14 20     4. Upon receiving an excess expenditure  
14 21 declaration, the board shall immediately release  
14 22 additional clean election campaign funding to the  
14 23 opposing participating candidate or candidates equal  
14 24 to the excess expenditure amount the nonparticipating  
14 25 candidate has spent or intends to spend, subject to  
14 26 the limit set forth in section 68A.813.  
14 27     Sec. \_\_\_\_\_. NEW SECTION. 68A.818 CAMPAIGN  
14 28 ADVERTISEMENTS.  
14 29     All broadcast and print advertisements placed by  
14 30 candidates or candidate's committees shall include a  
14 31 clear written or spoken statement indicating that the  
14 32 candidate has approved of the contents of the  
14 33 advertisement.  
14 34     Sec. \_\_\_\_\_. NEW SECTION. 68A.819 DISCLOSURE OF  
14 35 INDEPENDENT EXPENDITURES == ADDITIONAL CLEAN ELECTION  
14 36 CAMPAIGN FUNDING.  
14 37     1. Any person or group of persons who makes or  
14 38 obligates to make an independent expenditure during a  
14 39 primary or general election campaign period which, in  
14 40 the aggregate, exceeds one thousand dollars, shall  
14 41 report each expenditure within forty=eight hours to  
14 42 the board.  
14 43     2. The report to the board shall include a  
14 44 statement, under penalty of perjury, by the person or  
14 45 persons making the independent expenditure identifying  
14 46 the candidate whom the independent expenditure is  
14 47 intended to help elect or defeat and affirming that  
14 48 the expenditure is totally independent and involves no  
14 49 coordination with a candidate or a political party.  
14 50     a. An individual or organization may file a



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15 1 complaint with the board if the candidate or the  
15 2 organization believes that the statement according to  
15 3 this subsection is false.  
15 4     b. A hearing on a complaint under this subsection  
15 5 shall be held within three business days of filing and  
15 6 a decision issued within seven days of filing.  
15 7     3. Any person or group of persons who makes or  
15 8 obligates to make an independent expenditure during  
15 9 the last twenty days before the end of the relevant  
15 10 campaign period which, in the aggregate, exceeds five  
15 11 hundred dollars, shall report each expenditure within  
15 12 twenty-four hours to the board.  
15 13     4. Upon receiving a report that an independent  
15 14 expenditure has been made or obligated to be made, the  
15 15 board shall immediately release additional clean  
15 16 election funding, equal in amount to the cost of the  
15 17 independent expenditure, to all participating  
15 18 candidates whom the independent expenditure is  
15 19 intended to oppose or defeat provided that the maximum  
15 20 aggregate amount of additional funding a participating  
15 21 candidate shall receive to match independent  
15 22 expenditures and the excess expenditures of  
15 23 nonparticipating candidates is no more than two  
15 24 hundred percent of the full amount of clean election  
15 25 funding allocated to a participating candidate in that  
15 26 election.  
15 27     Sec. \_\_\_\_ . NEW SECTION. 68A.820 DEFINITION AND  
15 28 DISCLOSURE OF ELECTIONEERING COMMUNICATIONS ==  
15 29 ADDITIONAL CLEAN ELECTION CAMPAIGN FUNDING.  
15 30     1. A person who makes or obligates to make a  
15 31 disbursement to purchase an electioneering  
15 32 communication shall file a report with the board not  
15 33 later than forty-eight hours after making or  
15 34 obligating to make the disbursement, containing the  
15 35 following information:  
15 36     a. The amount of the disbursement.  
15 37     b. The name and address of the person making the  
15 38 disbursement.  
15 39     c. The purpose of the electioneering  
15 40 communication.  
15 41     2. Upon receiving a report that an electioneering  
15 42 communication has been made or obligated to be made,  
15 43 and upon determination that the electioneering  
15 44 communication can reasonably be interpreted as having  
15 45 the effect of promoting the defeat of a participating  
15 46 candidate or the election of that candidate's  
15 47 opponent, the board shall immediately release to that  
15 48 candidate additional clean election funding, equal in  
15 49 amount to the cost of the electioneering  
15 50 communication.



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16 1       Sec. \_\_\_\_\_. NEW SECTION. 68A.821 VOTER INFORMATION  
16 2 PROGRAM.  
16 3       1. The board shall establish and administer a  
16 4 nonpartisan voter information program, including an  
16 5 advisory council consisting of representatives of  
16 6 nonprofit organizations, political parties, the media,  
16 7 and interested citizens.  
16 8       2. The voter information program advisory council  
16 9 may establish a voter information program for the  
16 10 purpose of providing voters with election-related  
16 11 information and fostering political dialogue and  
16 12 debate.  
16 13       3. The voter information program advisory council  
16 14 shall organize the publication and distribution of a  
16 15 voter information guide that includes important  
16 16 information about the following issues:  
16 17       a. Candidates appearing on the ballot, including  
16 18 biographical material submitted by the candidates.  
16 19       b. Whether candidates are funding their campaigns  
16 20 with public money or private money.  
16 21       c. Policy statements by the candidates or their  
16 22 political parties on issues designated by the council  
16 23 and other issues.  
16 24       d. Candidates' voting records.  
16 25       Sec. \_\_\_\_\_. NEW SECTION. 68A.822 DEBATES.  
16 26       1. A nonpartisan organization that is involved in  
16 27 providing information to the public concerning  
16 28 elections, or a nonpartisan organization that has been  
16 29 involved in education and the advocacy of open, clean  
16 30 election and campaign laws for at least five years,  
16 31 may host and sponsor voter-owned Iowa clean election  
16 32 candidate debates in contested primary and general  
16 33 elections.  
16 34       2. All participating candidates shall participate  
16 35 in the debates and all nonparticipating candidates for  
16 36 the same office whose names will appear on the ballot  
16 37 shall be invited to join the debates.  
16 38       Sec. \_\_\_\_\_. NEW SECTION. 68A.823 VOTER-OWNED IOWA  
16 39 CLEAN ELECTIONS FUND (VOICE) == NATURE AND PURPOSES.  
16 40       1. An voter-owned Iowa clean elections fund is  
16 41 established as a separate fund within the office of  
16 42 the state treasurer, under the control of the board,  
16 43 for the following purposes:  
16 44       a. Providing public financing for the election  
16 45 campaigns of certified participating candidates during  
16 46 primary election and general election campaign  
16 47 periods.  
16 48       b. Paying for the administrative and enforcement  
16 49 costs of the board in relation to this subchapter.  
16 50       2. The fund shall consist of moneys received



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17 1 according to section 68A.824. Notwithstanding section  
17 2 8.33, unencumbered or unobligated moneys and any  
17 3 interest earned on moneys in the fund on June 30 of  
17 4 any fiscal year shall not revert to the general fund  
17 5 of the state but shall remain in the fund and be  
17 6 available for expenditure in subsequent years.  
17 7 Sec. \_\_\_\_\_. NEW SECTION. 68A.824 FUNDING.  
17 8 In addition to any moneys appropriated by the  
17 9 general assembly to the voter-owned Iowa clean  
17 10 elections fund established in section 68A.823, the  
17 11 following moneys shall be deposited in the fund:  
17 12 1. The qualifying contributions required of  
17 13 candidates seeking to become certified as  
17 14 participating candidates according to section 68A.802  
17 15 or 68A.803 and candidates' excess qualifying  
17 16 contributions.  
17 17 2. Moneys deposited with the fund pursuant to  
17 18 section 68A.610 or section 556.18.  
17 19 3. The excess seed money contributions of  
17 20 candidates seeking to become certified as  
17 21 participating candidates.  
17 22 4. Moneys distributed to any participating  
17 23 candidate who does not remain a candidate until the  
17 24 primary or general election for which they were  
17 25 distributed.  
17 26 5. Civil penalties levied by the board against  
17 27 candidates for violations of this subchapter.  
17 28 6. Voluntary donations made directly to the fund.  
17 29 7. Moneys from unclaimed or abandoned property in  
17 30 the state's custody pursuant to chapter 556.  
17 31 8. Any other sources of revenue designated by the  
17 32 general assembly.  
17 33 Sec. \_\_\_\_\_. NEW SECTION. 68A.825 POWERS AND  
17 34 PROCEDURES.  
17 35 The board shall have the following powers and  
17 36 procedures, in addition to those granted in this  
17 37 chapter and chapter 68B, when administering this  
17 38 subchapter:  
17 39 1. After every primary and general election, the  
17 40 board may conduct random audits and investigations to  
17 41 ensure compliance with this subchapter.  
17 42 2. The subjects of audits and investigations shall  
17 43 be selected on the basis of impartial criteria  
17 44 established by a vote of at least four members of the  
17 45 board.  
17 46 3. The board may investigate anonymous complaints.  
17 47 4. The identity of a complainant may be kept  
17 48 confidential if the complainant states in the  
17 49 complaint that revealing the identity of the  
17 50 complainant could reasonably result in disciplinary



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18 1 action or loss of employment.  
18 2 5. The board may seek injunctions when all of the  
18 3 following conditions are met:  
18 4 a. There is a substantial likelihood that a  
18 5 violation of this subchapter is occurring or is about  
18 6 to occur.  
18 7 b. The failure to act expeditiously will result in  
18 8 irreparable harm to a party affected by the violation  
18 9 or potential violation.  
18 10 c. Expeditious action will not cause undue harm or  
18 11 prejudice to the interests of others.  
18 12 d. The public interest would be best served by the  
18 13 issuance of an injunction.  
18 14 6. The board may levy civil penalties for  
18 15 violations of this subchapter. Civil penalties shall  
18 16 be deposited in the voter-owned Iowa clean elections  
18 17 fund.  
18 18 7. The board shall refer criminal violations to  
18 19 the county attorney or attorney general for  
18 20 prosecution.  
18 21 8. The board may participate fully in any actions  
18 22 filed under this section.  
18 23 9. The board shall adopt rules pursuant to chapter  
18 24 17A as necessary to administer this subchapter.  
18 25 Sec. \_\_\_\_\_. NEW SECTION. 68A.826 CIVIL ACTIONS.  
18 26 1. A citizen who believes a candidate has violated  
18 27 this subchapter may pursue a civil action in a court  
18 28 of relevant jurisdiction, provided that both of the  
18 29 following are true:  
18 30 a. The citizen has previously filed a complaint  
18 31 regarding the same alleged violation with the board.  
18 32 b. The board has failed to make a determination  
18 33 within thirty days of the filing of the complaint.  
18 34 2. A complainant who prevails in a civil action  
18 35 charging a violation of this subchapter shall be  
18 36 entitled to receive reasonable attorney fees and court  
18 37 costs from the defendant.  
18 38 3. If a court in which a civil action has been  
18 39 filed under subsection 1 finds that the complaint in  
18 40 that action was made frivolously or without cause, the  
18 41 court may require the complainant to pay the costs of  
18 42 the board, the court, and the defendant parties.  
18 43 Sec. \_\_\_\_\_. NEW SECTION. 68A.827 BOARD REPORTS.  
18 44 1. The board shall report to the general assembly  
18 45 after each election cycle.  
18 46 2. The report shall include a detailed summary of  
18 47 all seed money contributions, qualifying  
18 48 contributions, and campaign funding benefits received,  
18 49 and expenditures made, by all participating  
18 50 candidates. The report shall also include a summary



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19 1 and evaluation of the board's activities and  
19 2 recommendations relating to the implementation,  
19 3 administration, and enforcement of this subchapter.  
19 4 Sec. \_\_\_\_\_. NEW SECTION. 68A.828 REPAYMENTS OF  
19 5 EXCESS EXPENDITURES.  
19 6 1. If a participating candidate spends or  
19 7 obligates to spend more than the clean election  
19 8 funding the candidate receives, and if such is  
19 9 determined not to be an amount that had or could have  
19 10 been expected to have a significant impact on the  
19 11 outcome of the election, the candidate shall  
19 12 personally repay to the voter-owned Iowa clean  
19 13 elections fund an amount equal to the excess.  
19 14 2. If a participating candidate spends or  
19 15 obligates to spend more than the clean election  
19 16 campaign funding the candidate receives, and if such  
19 17 is determined to be an amount that had or could have  
19 18 been expected to have a significant impact on the  
19 19 outcome of the election, the candidate shall  
19 20 personally repay to the voter-owned Iowa clean  
19 21 elections fund an amount equal to five times the value  
19 22 of the excess.  
19 23 Sec. \_\_\_\_\_. NEW SECTION. 68A.829 PENALTIES.  
19 24 1. A candidate shall not knowingly accept more  
19 25 benefits than those to which the candidate is  
19 26 entitled, spend more than the amount of clean election  
19 27 campaign funding received, or misuse such campaign  
19 28 funding benefits or clean election campaign funding.  
19 29 2. If a violation of subsection 1 was intentional  
19 30 and involved an amount that had or could have been  
19 31 expected to have a significant impact on the outcome  
19 32 of the election, the candidate commits an aggravated  
19 33 misdemeanor.  
19 34 3. If it is determined that the violation of  
19 35 subsection 1 was intentional and involved an amount  
19 36 that had or could have been expected to have a  
19 37 significant impact on the outcome of the election, and  
19 38 if, in the judgment of the board, the violation is  
19 39 believed to have contributed to the violator winning  
19 40 the election, the board may recommend to the  
19 41 appropriate authority that proceedings be commenced to  
19 42 remove the violator from office or to impeach the  
19 43 violator if applicable.  
19 44 4. A person shall not provide false information to  
19 45 the board or conceal or withhold information from the  
19 46 board. A violation of this subsection is an  
19 47 aggravated misdemeanor.  
19 48 5. Each city council, school board, and county  
19 49 board of supervisors shall have the authority to adopt  
19 50 and fund a voter-owned Iowa clean elections fund,



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20 1 consistent with this section, for local government  
20 2 elections.

20 3 Sec. \_\_\_\_\_. Section 422.7, Code 2007, is amended by  
20 4 adding the following new subsection:  
20 5 NEW SUBSECTION. 50. Subtract, to the extent not  
20 6 otherwise excluded, up to two hundred dollars of the  
20 7 amount contributed to the voter-owned Iowa clean  
20 8 elections fund pursuant to section 68A.824, subsection  
20 9 6.

20 10 Sec. \_\_\_\_\_. Section 422.12E, unnumbered paragraph 1,  
20 11 Code 2007, is amended to read as follows:  
20 12 For tax years beginning on or after January 1,  
20 13 2004, there shall be allowed no more than four income  
20 14 tax return checkoffs on each income tax return. When  
20 15 the same four income tax return checkoffs have been  
20 16 provided on the income tax return for two consecutive  
20 17 years, the two checkoffs for which the least amount  
20 18 has been contributed, in the aggregate for the first  
20 19 tax year and through March 15 of the second tax year,  
20 20 are repealed. This section does not apply to the  
20 21 income tax return ~~checkoff~~ checkoffs provided in  
20 22 ~~section~~ sections 68A.601 and 68A.610.

20 23 Sec. \_\_\_\_\_. NEW SECTION. 422.12K INCOME TAX  
20 24 CHECKOFF FOR VOTER=OWNED IOWA CLEAN ELECTIONS FUND.  
20 25 A person who files an individual or a joint income  
20 26 tax return with the department of revenue under  
20 27 section 422.13 may designate a contribution to the  
20 28 voter-owned Iowa clean elections fund authorized  
20 29 pursuant to section 68A.610.

20 30 Sec. \_\_\_\_\_. Section 556.18, subsections 2 and 3,  
20 31 Code 2007, are amended to read as follows:  
20 32 2. Before making any deposit to the credit of the  
20 33 general funds, the state treasurer may deduct:  
20 34 a. Any costs in connection with sale of abandoned  
20 35 property.  
20 36 b. Any costs of mailing and publication in  
20 37 connection with any abandoned property.  
20 38 c. Reasonable service charges.  
20 39 d. Any costs in connection with information on  
20 40 outstanding state warrants addressed pursuant to  
20 41 section 556.2C.  
20 42 e. Ten million dollars to be deposited in the  
20 43 voter-owned Iowa clean elections fund established in  
20 44 section 68A.823.

20 45 3. The treasurer of state shall annually credit  
20 46 all moneys received under section 556.4 to the general  
20 47 fund of the state. Moneys credited to the general  
20 48 fund of the state pursuant to this subsection are  
20 49 subject to the requirements of subsections 1 and 2 and  
20 50 section 8.60. However, if the amount collected under



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21 1 subsection 2, paragraph "e", does not equal ten  
21 2 million dollars, the treasurer of state shall annually  
21 3 pay over an amount received under section 556.4 as  
21 4 necessary to bring the amount deposited with the  
21 5 voter-owned Iowa clean elections fund to ten million  
21 6 dollars.

21 7 Sec. \_\_\_\_\_. SEVERABILITY. The provisions of this  
21 8 Act are severable as provided in section 4.12.

21 9 Sec. \_\_\_\_\_. EFFECTIVE DATES.

21 10 1. The sections of this Act enacting sections  
21 11 68A.610 and 422.12K and amending sections 422.7 and  
21 12 556.18 are effective January 1, 2008.

21 13 2. The remaining sections of this Act amending  
21 14 chapter 68A take effect November 3, 2010.

21 15 Sec. \_\_\_\_\_. IMPLEMENTATION OF ACT. Section 25B.2,  
21 16 subsection 3, shall not apply to this Act.>>

21 17 #2. Page 3, line 26, by inserting after the word  
21 18 <ballots> the following: <and providing for  
21 19 voter-owned Iowa clean elections, including an income  
21 20 tax checkoff and exemption, penalties, and effective  
21 21 dates>.

21 22

21 23

21 24

21 25 JACOBS of Polk

21 26 HF 844.505 82

21 27 sc/je/6381



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House Amendment 2105

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 52, by inserting after line 33 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 422.11S, subsection 1, Code  
1 6 2007, is amended to read as follows:  
1 7 1. The taxes imposed under this division less the  
1 8 credits allowed under sections 422.12 and 422.12B  
1 9 shall be reduced by a school tuition organization and  
1 10 school foundation tax credit equal to sixty-five  
1 11 percent of the amount of the voluntary cash  
1 12 contributions made by the taxpayer during the tax year  
1 13 to a school tuition organization or public school  
1 14 foundation, subject to the total dollar value of the  
1 15 organization's or foundation's tax credit certificates  
1 16 as computed in subsection 7. The tax credit shall be  
1 17 claimed by use of a tax credit certificate as provided  
1 18 in subsection 6.  
1 19 Sec. \_\_\_\_\_. Section 422.11S, subsection 5, Code  
1 20 2007, is amended by adding the following new  
1 21 paragraph:  
1 22 NEW PARAGRAPH. aa. "Public school foundation"  
1 23 means a charitable organization in this state that is  
1 24 exempt from federal taxation under section 501(c)(3)  
1 25 of the Internal Revenue Code and that does all of the  
1 26 following:  
1 27 (1) Allocates at least ninety percent of its  
1 28 annual revenue in tuition grants for children to allow  
1 29 them to attend a qualified school, as defined in  
1 30 paragraph "b", subparagraph (2), of their parents'  
1 31 choice.  
1 32 (2) Only awards tuition grants to children who  
1 33 reside in Iowa.  
1 34 (3) Provides tuition grants to students without  
1 35 limiting availability to only students of one school.  
1 36 (4) Only provides tuition grants to eligible  
1 37 students.  
1 38 (5) Prepares an annual reviewed financial  
1 39 statement certified by a public accounting firm.  
1 40 Sec. \_\_\_\_\_. Section 422.11S, subsection 5, paragraph  
1 41 b, Code 2007, is amended to read as follows:  
1 42 b. "Qualified school" means ~~a~~ either of the  
1 43 following:  
1 44 (1) A nonpublic elementary or secondary school in  
1 45 this state which is accredited under section 256.11  
1 46 and adheres to the provisions of the federal Civil  
1 47 Rights Act of 1964 and chapter 216.  
1 48 (2) A public school where at least forty-eight  
1 49 percent of the students qualify for free and reduced  
1 50 price meals under the federal National School Lunch



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House Amendment 2105 continued

2 1 Act and the federal Child Nutrition Act of 1966, 42  
2 2 U.S.C. } 1751=~~1785~~.

2 3 Sec. \_\_\_\_\_. Section 422.11S, subsection 5, paragraph  
2 4 c, subparagraph (1), Code 2007, is amended to read as  
2 5 follows:

2 6 (1) Allocates at least ninety percent of its  
2 7 annual revenue in tuition grants for children to allow  
2 8 them to attend a qualified school, as defined in  
2 9 paragraph "b", subparagraph (1), of their parents'  
2 10 choice.

2 11 Sec. \_\_\_\_\_. Section 422.11S, subsection 6, Code  
2 12 2007, is amended to read as follows:

2 13 6. a. In order for the taxpayer to claim the  
2 14 school tuition organization and school foundation tax  
2 15 credit under subsection 1, a tax credit certificate  
2 16 issued by the school tuition organization or the  
2 17 public school foundation to which the contribution was  
2 18 made shall be attached to the person's tax return.  
2 19 The tax credit certificate shall contain the  
2 20 taxpayer's name, address, tax identification number,  
2 21 the amount of the contribution, the amount of the  
2 22 credit, and other information required by the  
2 23 department.

2 24 b. The department shall authorize a school tuition  
2 25 organization or the public school foundation to issue  
2 26 tax credit certificates for contributions made to the  
2 27 school tuition organization or the public school  
2 28 foundation. The aggregate amount of tax credit  
2 29 certificates that the department shall authorize for a  
2 30 school tuition organization or the public school  
2 31 foundation for a tax year shall be determined for that  
2 32 organization or foundation pursuant to subsection 7.  
2 33 However, a school tuition organization shall not be  
2 34 authorized to issue tax credit certificates unless the  
2 35 organization is controlled by a board of directors  
2 36 consisting of seven members. The names and addresses  
2 37 of the members shall be provided to the department and  
2 38 shall be made available by the department to the  
2 39 public, notwithstanding any state confidentiality  
2 40 restrictions.

2 41 c. Pursuant to rules of the department, a school  
2 42 tuition organization or the public school foundation  
2 43 shall initially register with the department. The  
2 44 organization's or foundation's registration shall  
2 45 include proof of section 501(c)(3) status and provide  
2 46 a list of the schools the school tuition organization  
2 47 or the public school foundation serves. Once the  
2 48 school tuition organization or the public school  
2 49 foundation has registered, it is not required to  
2 50 subsequently register unless the schools it serves



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House Amendment 2105 continued

3 1 changes.

3 2 d. Each school that is served by a school tuition  
3 3 organization or public school foundation shall submit  
3 4 a participation form annually to the department by  
3 5 October 15 providing the following information:

3 6 (1) Certified enrollment as of the third Friday of  
3 7 September.

3 8 (2) The school tuition organization or public  
3 9 school foundation that represents the school. A

3 10 school shall only be represented by one school tuition  
3 11 organization or public school foundation.

3 12 Sec. \_\_\_\_\_. Section 422.11S, subsection 7, paragraph  
3 13 a, subparagraph (1), Code 2007, is amended to read as  
3 14 follows:

3 15 (1) "Certified enrollment" means the enrollment at  
3 16 schools served by school tuition organizations or  
3 17 public school foundations as indicated by  
3 18 participation forms provided to the department each  
3 19 October.>

3 20 #2. Page 53, by inserting after line 6 the  
3 21 following:

3 22 <Sec. \_\_\_\_\_. Section 422.11S, subsection 7,  
3 23 paragraph b, Code 2007, is amended to read as follows:

3 24 b. Each year by November 15, the department shall  
3 25 authorize school tuition organizations and public  
3 26 school foundations to issue tax credit certificates

~~3 27 for the following tax year. However, for the tax year~~  
~~3 28 beginning in the 2006 calendar year only, the~~

~~3 29 department, by September 1, 2006, shall authorize~~

~~3 30 school tuition organizations to issue tax credit~~

~~3 31 certificates for the 2006 calendar tax year. For the~~

~~3 32 tax year beginning in the 2006 calendar year only,~~

~~3 33 each school served by a school tuition organization~~

~~3 34 shall submit a participation form to the department by~~

~~3 35 August 1, 2006, providing the certified enrollment as~~

~~3 36 of the third Friday of September 2005, along with the~~

~~3 37 school tuition organization that represents the~~

~~3 38 school. Tax credit certificates available for issue~~

3 39 by each school tuition organization and public school

3 40 foundation shall be determined in the following

3 41 manner:

3 42 (1) Total the certified enrollment of each  
3 43 participating qualified school to arrive at the total  
3 44 participating certified enrollment.

3 45 (2) Determine the per student tax credit available  
3 46 by dividing the total approved tax credits by the  
3 47 total participating certified enrollment.

3 48 (3) Multiply the per student tax credit by the  
3 49 total participating certified enrollment of each  
3 50 school tuition organization and each public school



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House Amendment 2105 continued

4 1 foundation.

4 2 Sec. \_\_\_\_\_. Section 422.11S, subsection 8,  
4 3 unnumbered paragraph 1, Code 2007, are amended to read  
4 4 as follows:

4 5 A school tuition organization or public school  
4 6 foundation that receives a voluntary cash contribution  
4 7 pursuant to this section shall report to the  
4 8 department, on a form prescribed by the department, by  
4 9 January 12 of each tax year all of the following  
4 10 information:

4 11 Sec. \_\_\_\_\_. Section 422.11S, subsection 8,  
4 12 paragraphs a and e, Code 2007, are amended to read as  
4 13 follows:

4 14 a. The name and address of the members and the  
4 15 chairperson of the governing board of the school  
4 16 tuition organization or public school foundation.

4 17 e. The name and address of each represented school  
4 18 at which tuition grants are currently being utilized,  
4 19 detailing the number of tuition grant students and the  
4 20 total dollar value of grants being utilized at each  
4 21 school served by the school tuition organization or  
4 22 public school foundation.>

4 23 #3. By renumbering as necessary.

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4 26

4 27 WESSEL-KROESCHELL of Story

4 28 SF 601.729 82

4 29 mg/gg/10054



Iowa General Assembly  
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## House Amendment 2106

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:

1 3 #1. Page 87, by inserting after line 35 the  
1 4 following:

1 5 <Sec. \_\_\_\_\_. Section 137C.28, Code 2007, is amended  
1 6 to read as follows:

1 7 137C.28 PENALTY.

1 8 1. A person who violates a provision of ~~the Iowa~~  
~~1 9 hotel sanitation code~~ this chapter or rules adopted  
1 10 pursuant to this chapter shall be guilty of a simple  
1 11 misdemeanor and subject to a civil penalty of one  
1 12 hundred dollars for each violation. Each day upon  
1 13 which a violation occurs constitutes a separate  
1 14 violation.

1 15 2. A person who is issued a violation as a result  
1 16 of an inspection, a reinspection or a complaint  
1 17 inspection shall be subject to a civil penalty ranging  
1 18 from fifty dollars to one thousand dollars for each  
1 19 violation based on criteria established by rule of the  
1 20 department.

1 21 3. A penalty may be issued by either the  
1 22 department or by a municipal corporation under  
1 23 agreement with the department pursuant to section  
1 24 137C.6.

1 25 4. Penalties collected by the department shall be  
1 26 deposited in the general fund of the state. Penalties  
1 27 collected by a municipal corporation shall be retained  
1 28 by the municipal corporation for use in regulation of  
1 29 entities licensed under this chapter.>

1 30 #2. Page 88, by inserting after line 10 the  
1 31 following:

1 32 <Sec. \_\_\_\_\_. Section 137D.3, Code 2007, is amended  
1 33 to read as follows:

1 34 137D.3 PENALTY.

1 35 1. A person who violates a provision of this  
1 36 ~~chapter, including a standard adopted by departmental~~  
~~1 37 rule, or rules adopted pursuant to this chapter~~  
1 38 relating to home food establishments or prepared foods  
1 39 created in a home food establishment, is guilty of a  
1 40 simple misdemeanor and subject to a civil penalty of  
1 41 one hundred dollars for each violation. Each day that  
1 42 the violation continues constitutes a separate  
1 43 offense.

1 44 2. A person who is issued a violation as a result  
1 45 of an inspection, a reinspection, or a complaint  
1 46 inspection shall be subject to a civil penalty ranging  
1 47 from fifty dollars to five hundred dollars for each  
1 48 violation based on criteria established by rule of the  
1 49 department.

1 50 3. A penalty may be issued by either the



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House Amendment 2106 continued

2 1 department or by a municipal corporation under  
 2 2 agreement with the department.  
 2 3 4. Penalties collected by the department shall be  
 2 4 deposited in the general fund of the state. Penalties  
 2 5 collected by a municipal corporation shall be retained  
 2 6 by the municipal corporation for use in regulation of  
 2 7 entities licensed under this chapter.>  
 2 8 #3. Page 94, by striking lines 3 through 15 and  
 2 9 inserting the following:  
 2 10 <A food establishment covered by subsections 4 and  
 2 11 5 shall be assessed license fees not to exceed  
 2 12 seventy-five percent of the total fees applicable  
 2 13 under both subsections.>  
 2 14 #4. Page 95, by inserting after line 14 the  
 2 15 following:  
 2 16 <Sec. \_\_\_\_ . Section 137F.17, Code 2007, is amended  
 2 17 to read as follows:  
 2 18 137F.17 PENALTY.  
 2 19 1. A person who violates this chapter or rules  
 2 20 adopted pursuant to this chapter shall be subject to a  
 2 21 civil penalty of one hundred dollars for each  
 2 22 violation. Each day upon which a violation occurs  
 2 23 constitutes a separate violation.  
 2 24 2. A person who is issued a violation as a result  
 2 25 of an inspection, a reinspection, or a complaint  
 2 26 inspection that is considered a critical or swing  
 2 27 violation shall be subject to a civil penalty ranging  
 2 28 between fifty dollars and one thousand dollars for  
 2 29 each violation based on criteria established by rule  
 2 30 of the department.  
 2 31 3. A penalty may be issued by either the  
 2 32 department or by a municipal corporation under  
 2 33 agreement with the department pursuant to section  
 2 34 137F.3.  
 2 35 4. Penalties collected by the department shall be  
 2 36 deposited in the general fund of the state. Penalties  
 2 37 collected by a municipal corporation shall be retained  
 2 38 by the municipal corporation for use in regulation of  
 2 39 entities licensed under this chapter.>  
 2 40  
 2 41  
 2 42  
 2 43 FORD of Polk  
 2 44 SF 601.730 82  
 2 45 mg/gg/10055



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House Amendment 2107

PAG LIN

1 1 Amend House File 922 as follows:  
1 2 #1. Page 3, by striking lines 14 through 31 and  
1 3 inserting the following:  
1 4 <1. The legislative council is requested to  
1 5 authorize a workgroup to address implementation of the  
1 6 child care registration changes made in this Act and  
1 7 the issues identified in this section. If  
1 8 established, the workgroup should engage participation  
1 9 by representatives of the departments of human  
1 10 services, education, human rights, and public health  
1 11 and the state child care advisory council. The  
1 12 workgroup should complete its deliberations in  
1 13 December 2007 to report to the governor and general  
1 14 assembly for consideration during the 2008 legislative  
1 15 session.>  
1 16  
1 17  
1 18  
1 19 MASCHER of Johnson  
1 20 HF 922.206 82  
1 21 jp/es/10508  
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**House Amendment 2108**

PAG LIN

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1 1 Amend Senate File 601, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 21, by inserting after line 20 the
1 4 following:
1 5 <Sec. _____. FOOD INSPECTIONS. There is
1 6 appropriated from the general fund of the state to the
1 7 department of inspections and appeals for the fiscal
1 8 year beginning July 1, 2007, and ending June 30, 2008,
1 9 the following amount, or so much thereof as is
1 10 necessary, to be used for the purposes designated:
1 11 To conduct food inspections at public and private
1 12 schools and correctional institutions:
1 13 ..... $ 500,000>
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1 17 KAUFMANN of Cedar
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1 20
1 21 ANDERSON of Page
1 22 SF 601.237 82
1 23 mg/es/10057
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House Amendment 2109

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 44, by inserting after line 26 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 216A.139 SEX OFFENDER  
1 6 TREATMENT AND SUPERVISION TASK FORCE.  
1 7 1. The division shall establish and maintain a  
1 8 task force to study and make recommendations for  
1 9 treating and supervising sex offenders in correctional  
1 10 institutions, community-based correctional programs,  
1 11 and in the community.  
1 12 2. Members of the task force shall include members  
1 13 of the general assembly selected by the legislative  
1 14 council and representatives of the following:  
1 15 a. One representative from the state department of  
1 16 transportation.  
1 17 b. One representative of the Iowa civil liberties  
1 18 union.  
1 19 c. One representative of the department of human  
1 20 services.  
1 21 d. One representative of the department of public  
1 22 safety.  
1 23 e. One representative of the Iowa state sheriffs'  
1 24 and deputies' association.  
1 25 f. One representative of the Iowa county attorneys  
1 26 association.  
1 27 g. One representative of the department of  
1 28 corrections.  
1 29 h. One representative of the board of parole.  
1 30 i. One representative of a judicial district  
1 31 department of correctional services.  
1 32 j. One representative of the department of  
1 33 justice.  
1 34 k. One representative of the state public  
1 35 defender.  
1 36 l. One representative of the Iowa coalition  
1 37 against sexual assault.  
1 38 m. One representative of the judicial branch.  
1 39 3. The task force shall study the following:  
1 40 a. The effectiveness of electronically monitoring  
1 41 sex offenders.  
1 42 b. The effects and costs of sex offender  
1 43 sentencing laws including the special sentence in  
1 44 chapter 903B.  
1 45 c. Risk assessment models created for sex  
1 46 offenders.  
1 47 d. Determining the best treatment programs  
1 48 available for sex offenders and the efforts of Iowa  
1 49 and other states to implement treatment programs.  
1 50 e. The efforts of Iowa and other states to prevent



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2 1 sex-related crimes and child sexual abuse.  
2 2 f. Any other issues the task force deems necessary  
2 3 including but not limited to computer and internet  
2 4 sex-related crimes, the investigation of sex-related  
2 5 crimes, sex offender case management, best practices  
2 6 for sex offender supervision, the sex offender  
2 7 registry, and the effectiveness of safety zones.  
2 8 4. During the 2007 interim and periodically  
2 9 thereafter the task force shall study and make  
2 10 specific recommendations for licensure or  
2 11 certification standards of sex offender treatment  
2 12 programs. The specific recommendations shall be part  
2 13 of any report submitted pursuant to subsection 6.  
2 14 5. In addition, during the 2007 interim the task  
2 15 force shall study the federal Adam Walsh Child  
2 16 Protection and Safety Act of 2006 and compare the Act  
2 17 with Iowa's sex offender registry laws, and make  
2 18 recommendations part of any report submitted pursuant  
2 19 to subsection 6.  
2 20 6. Beginning on January 15, 2008, and every year  
2 21 thereafter by January 15, the task force shall report  
2 22 to the governor and the general assembly the issues  
2 23 studied, actions taken, and task force  
2 24 recommendations.>  
2 25 #2. Page 59, by inserting after line 4 the  
2 26 following:  
2 27 <Sec. \_\_\_\_ . 2005 Iowa Acts, chapter 158, section  
2 28 52, is amended by striking the section.>  
2 29  
2 30  
2 31  
2 32 SWAIM of Davis  
2 33 SF 601.535 82  
2 34 mg/je/10058



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House Amendment 2110

PAG LIN

1 1 Amend House File 923, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by inserting after line 20 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 331.434, subsection 1, Code  
1 6 2007, is amended to read as follows:  
1 7 1. The budget shall show the amount required for  
1 8 each class of proposed expenditures, a comparison of  
1 9 the amounts proposed to be expended with the amounts  
1 10 expended for like purposes for the two preceding  
1 11 years, the revenues from sources other than property  
1 12 taxation, a tax increment financing budget including  
1 13 information required under section 384.16 for each  
1 14 urban renewal area established by the county, and the  
1 15 amount to be raised by property taxation, in the  
1 16 detail and form prescribed by the director of the  
1 17 department of management.  
1 18 Sec. \_\_\_\_\_. Section 384.16, subsection 1, Code 2007,  
1 19 is amended by adding the following new paragraph:  
1 20 NEW PARAGRAPH. d. A tax increment financing  
1 21 budget for each urban renewal area established by the  
1 22 city.  
1 23 Sec. \_\_\_\_\_. Section 384.16, subsection 1, unnumbered  
1 24 paragraph 2, Code 2007, is amended to read as follows:  
1 25 A budget must show comparisons between the  
1 26 estimated expenditures in each program in the  
1 27 following year, the latest estimated expenditures in  
1 28 each program in the current year, and the actual  
1 29 expenditures in each program from the annual report as  
1 30 provided in section 384.22, or as corrected by a  
1 31 subsequent audit report. Wherever practicable, as  
1 32 provided in rules of the committee, a budget,  
1 33 including the tax increment financing budget, must  
1 34 show comparisons between the levels of service  
1 35 provided by each program as estimated for the  
1 36 following year, and actual levels of service provided  
1 37 by each program during the two preceding years.  
1 38 Wherever practicable, the tax increment financing  
1 39 budget shall include estimated and actual tax  
1 40 increment financing revenues and all estimated and  
1 41 actual expenditures of the revenues, proceeds from  
1 42 debt and all estimated and actual expenditures of the  
1 43 debt proceeds, and identification of any entity  
1 44 receiving a direct payment of taxes funded by tax  
1 45 increment financing revenues.>  
1 46 #2. Page 9, by inserting after line 4 the  
1 47 following:  
1 48 <Sec. \_\_\_\_\_. Section 427.3, Code 2007, is amended to  
1 49 read as follows:  
1 50 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT



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House Amendment 2110 continued

2 1 ENTITIES.  
2 2 The board of supervisors may abate the taxes levied  
2 3 against property acquired by gift or purchase by a  
2 4 person or entity if the property acquired by gift or  
2 5 purchase was transferred to the person or entity after  
2 6 the deadline for filing for property tax exemption in  
2 7 the year in which the property was transferred and the  
2 8 property acquired by gift or purchase would have been  
2 9 exempt under section 427.1, subsection 7, 8, or 9, if  
2 10 the person or entity had been able to file for  
2 11 exemption in a timely manner.  
2 12 Sec. \_\_\_\_\_. REFUND OF PROPERTY TAXES.  
2 13 Notwithstanding the deadline for filing a claim for  
2 14 property tax exemption for property described in  
2 15 section 427.1, subsection 8 or 9, and notwithstanding  
2 16 any other provision to the contrary, the board of  
2 17 supervisors of a county having a population based upon  
2 18 the latest federal decennial census of more than  
2 19 eighty=eight thousand but not more than ninety=five  
2 20 thousand shall refund the property taxes paid, with  
2 21 all interest, penalties, fees, and costs which were  
2 22 due and payable in the fiscal year beginning July 1,  
2 23 2002, and in the fiscal year beginning July 1, 2005,  
2 24 on the land and buildings of an institution that  
2 25 purchased property and that did not receive a property  
2 26 tax exemption for the property due to the inability or  
2 27 failure to file for the exemption. To receive the  
2 28 refund provided for in this section, the institution  
2 29 shall apply to the county board of supervisors by  
2 30 October 1, 2007, and provide appropriate information  
2 31 establishing that the land and buildings for which the  
2 32 refund is sought were used by the institution for its  
2 33 appropriate objectives during the fiscal year  
2 34 beginning July 1, 2002, and during the fiscal year  
2 35 beginning July 1, 2005. The refund allowed under this  
2 36 section only applies to property taxes, with all  
2 37 interest, penalties, fees, and costs, due and payable  
2 38 in the fiscal year beginning July 1, 2002, and in the  
2 39 fiscal year beginning July 1, 2005.  
2 40 Sec. \_\_\_\_\_. IMMEDIATE EFFECTIVE DATE. The section  
2 41 of this division of this Act, amending section 427.3,  
2 42 being deemed of immediate importance, takes effect  
2 43 upon enactment and applies retroactively to property  
2 44 taxes due and payable in the fiscal year beginning  
2 45 July 1, 2002, and in the fiscal year beginning July 1,  
2 46 2005.>  
2 47 #3. By renumbering, relettering, or redesignating  
2 48 and correcting internal references as necessary.  
2 49 HF 923.S  
2 50 mg/cc/26



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House Amendment 2111

PAG LIN

1 1 Amend House File 924 as follows:  
1 2 #1. Page 1, line 5, by striking the word  
1 3 <indictable>.  
1 4 #2. Page 1, line 6, by inserting after the word  
1 5 <offense> the following: <specified in this  
1 6 subsection>.  
1 7 #3. Page 1, by striking lines 10 and 11.  
1 8 #4. Page 1, line 12, by striking the figure <(2)>  
1 9 and inserting the following: <(1)>.  
1 10 #5. Page 1, by striking line 14 and inserting the  
1 11 following:  
1 12 <(2) Notwithstanding subparagraph (1), for>.  
1 13  
1 14  
1 15  
1 16 GRASSLEY of Butler  
1 17 HF 924.701 82  
1 18 rn/gg/9493  
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## House Amendment 2112

PAG LIN

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1 1 Amend the House amendment, S=3506, to Senate File
1 2 588, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 1, by inserting after line 2 the
1 5 following:
1 6 <#____. Page 2, by striking line 21 and inserting
1 7 the following:
1 8 <..... $ 485,400>
1 9 #____. Page 3, line 20, by striking the figure
1 10 <395,600> and inserting the following: <295,600>.
1 11 #____. Page 3, line 21, by striking the figure
1 12 <215,600> and inserting the following: <162,508>.
1 13 #____. Page 7, by striking line 29 and inserting
1 14 the following:
1 15 <..... $ 1,801,761>
1 16 #____. Page 7, by striking line 32 and inserting
1 17 the following:
1 18 <..... $ 1,823,432>
1 19 #____. Page 8, by striking line 5 and inserting the
1 20 following:
1 21 <..... $ 8,448,649>
1 22 #____. Page 11, by striking lines 26 though 30.
1 23 #____. Page 13, by striking line 16 and inserting
1 24 the following:
1 25 <..... $ 400,000>
1 26 #____. Page 13, by striking line 26 and inserting
1 27 the following:
1 28 <..... $ 2,500,000>>
1 29 #2. By renumbering as necessary.
1 30 SF 588.S
1 31 kh/cc/26
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**Iowa General Assembly  
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**House Amendment 2113**

PAG LIN

1 1 Amend the Senate amendment, H=1701, to House File  
 1 2 844, as passed by the House, as follows:  
 1 3 #1. Page 1, by inserting before line 27 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 53.8, subsection 1, Code 2007,  
 1 6 is amended to read as follows:  
 1 7 1. a. Upon receipt of an application for an  
 1 8 absentee ballot and immediately after the absentee  
 1 9 ballots are printed, the commissioner shall mail an  
 1 10 absentee ballot to the applicant within twenty-four  
 1 11 hours, except as otherwise provided in subsection 3.  
 1 12 The absentee ballot shall be enclosed in an unsealed  
 1 13 envelope bearing a serial number and affidavit. The  
 1 14 absentee ballot and unsealed envelope shall be  
 1 15 enclosed in or with a return carrier envelope marked  
 1 16 postage paid which bears the same serial number as the  
 1 17 unsealed envelope. The return carrier envelope shall  
 1 18 also contain spaces for the printed name and signature  
 1 19 of the voter's designee should the voter designate a  
 1 20 person to return the completed absentee ballot. The  
 1 21 absentee ballot, unsealed envelope, and carrier  
 1 22 envelope shall be enclosed in a third envelope to be  
 1 23 sent to the registered voter. If the ballot cannot be  
 1 24 folded so that all of the votes cast on the ballot  
 1 25 will be hidden, the commissioner shall also enclose a  
 1 26 secrecy envelope with the absentee ballot.>  
 1 27 #2. Page 3, by inserting before line 20 the  
 1 28 following:  
 1 29 <#\_\_\_\_\_. Page 6, by inserting before line 26 the  
 1 30 following:  
 1 31 <Sec. \_\_\_\_\_. APPLICABILITY. The section of this Act  
 1 32 amending section 53.8, subsection 1, applies to return  
 1 33 carrier envelopes purchased on or after July 1,  
 1 34 2007.>>  
 1 35 #3. Page 3, line 26, by inserting after the word  
 1 36 <ballots> the following: <and for the Act's  
 1 37 applicability>.  
 1 38 #4. By renumbering as necessary.  
 1 39  
 1 40  
 1 41  
 1 42 JACOBS of Polk  
 1 43 HF 844.506 82  
 1 44 sc/je/10333  
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**Iowa General Assembly  
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**House Amendment 2114**

PAG LIN

1 1 Amend House File 911, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 2, by striking lines 26 through 28 and  
 1 4 inserting the following:  
 1 5 <o. For deposit into the Iowa workforce foundation  
 1 6 for the worker's monument committee for the purpose of  
 1 7 constructing a worker's monument to be located on the  
 1 8 capitol complex:>  
 1 9 #2. Page 3, by inserting after line 3, the  
 1 10 following:  
 1 11 <\_\_\_. For distribution to other governmental  
 1 12 entities:  
 1 13 ..... \$ 2,000,000  
 1 14 Moneys appropriated in this lettered paragraph  
 1 15 shall be separately accounted for in a distribution  
 1 16 account and shall be distributed to other governmental  
 1 17 entities based upon a formula established by the  
 1 18 department to pay for services provided during the  
 1 19 fiscal year to such other governmental entities by the  
 1 20 department associated with the integrated information  
 1 21 for Iowa system, notwithstanding section 8.57,  
 1 22 subsection 6, paragraph "c":>  
 1 23 #3. Page 4, by inserting after line 15 the  
 1 24 following:  
 1 25 <\_\_\_. For repairs to the historic Kimball organ  
 1 26 located in Claremont, Iowa, notwithstanding section  
 1 27 8.57, subsection 6, paragraph "c":  
 1 28 ..... \$ 80,000>  
 1 29 #4. Page 4, line 22, by striking the figure  
 1 30 <1,750,000> and inserting the following: <900,000>.  
 1 31 #5. Page 4, by inserting after line 33 the  
 1 32 following:  
 1 33 <\_\_\_. For equal distribution to regional sports  
 1 34 authority districts certified by the department  
 1 35 pursuant to section 15E.321, as enacted in this Act:  
 1 36 ..... \$ 500,000  
 1 37 \_\_\_\_\_. For deposit into the workforce training and  
 1 38 economic development funds created for each community  
 1 39 college in section 260C.18A, notwithstanding section  
 1 40 8.57, subsection 6, paragraph "c":  
 1 41 ..... \$ 2,000,000>  
 1 42 #6. Page 5, by inserting after line 10 the  
 1 43 following:  
 1 44 <\_\_\_. For allocation to the northeast Iowa  
 1 45 community college for merged area I for the national  
 1 46 education center for agricultural safety training for  
 1 47 equipment purchase, notwithstanding section 8.57,  
 1 48 subsection 6, paragraph "c":  
 1 49 ..... \$ 35,000>  
 1 50 #7. Page 6, by inserting after line 3 the



**Iowa General Assembly  
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House Amendment 2114 continued

2 1 following:

2 2 <(1) It is the intent of the general assembly that

2 3 the department of natural resources shall implement

2 4 the lake restoration annual report and plan submitted

2 5 to the joint appropriations subcommittee on

2 6 transportation, infrastructure, and capitals and the

2 7 legislative services agency on December 26, 2006,

2 8 pursuant to section 456A.33B. The lake restoration

2 9 projects that are recommended by the department to

2 10 receive funding for fiscal year 2007=2008 and that

2 11 satisfy the criteria in section 456A.33B, including

2 12 local commitment of funding for the projects, shall be

2 13 funded in the amounts provided in the report.

2 14 Of the amounts appropriated in this lettered

2 15 paragraph, at least the following amounts shall be

2 16 allocated as follows:

2 17 (a) For clear lake in Cerro Gordo county:

2 18 ..... \$ 2,500,000

2 19 (b) For storm lake in Buena Vista county:

2 20 ..... \$ 1,000,000

2 21 (c) For crystal lake in Hancock county:

2 22 ..... \$ 250,000>

2 23 #8. Page 6, line 4, by inserting before the word

2 24 <Of> the following: <(2)>.

2 25 #9. Page 6, line 9, by striking the figure <(1)>

2 26 and inserting the following: <(a)>.

2 27 #10. Page 6, line 14, by striking the figure <(2)>

2 28 and inserting the following: <(b)>.

2 29 #11. Page 7, by inserting after line 2 the

2 30 following:

2 31 <\_\_\_\_. For the EB Lyons nature and interpretive

2 32 center at the mines of Spain state recreation area:

2 33 ..... \$ 100,000>

2 34 #12. Page 8, line 9, by striking the figure

2 35 <1,900,000> and inserting the following: <1,400,000>.

2 36 #13. Page 8, by inserting after line 14 the

2 37 following:

2 38 <Of the amount appropriated in this lettered

2 39 paragraph, \$200,000 shall be allocated to eastern Iowa

2 40 community college district for the water rescue

2 41 training center.>

2 42 #14. Page 8, by inserting after line 18 the

2 43 following:

2 44 <Priority for funding shall be given to those

2 45 regional emergency response training centers whose

2 46 first project bid was let before May 1, 2007. Grants

2 47 awarded pursuant to this lettered paragraph shall not

2 48 exceed \$300,000 each.>

2 49 #15. Page 8, line 22, by inserting after the word

2 50 <subsection> the following: <, notwithstanding



**Iowa General Assembly  
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House Amendment 2114 continued

3 1 section 8.57, subsection 6, paragraph "c":>  
 3 2 #16. Page 8, line 23, by striking the figure  
 3 3 <4,500,000> and inserting the following: <2,000,000>.  
 3 4 #17. Page 10, by inserting after line 10 the  
 3 5 following:  
 3 6 <Moneys appropriated in this lettered paragraph are  
 3 7 contingent upon the board of regents or Iowa state  
 3 8 university of science and technology actively pursuing  
 3 9 the hiring of new research teams to provide world  
 3 10 class expertise in the area of biorenewable fuels  
 3 11 research.>  
 3 12 #18. Page 10, by inserting after line 14 the  
 3 13 following:  
 3 14 <Of the amount appropriated in this lettered  
 3 15 paragraph, \$215,000 shall be allocated to the Hamilton  
 3 16 county conservation board for the Jewell=Ellsworth  
 3 17 trail for the development of an abandoned railroad  
 3 18 right-of-way and \$200,000 shall be allocated to the  
 3 19 city of Fairfield for the development of the Fairfield  
 3 20 loop trail.  
 3 21 Moneys appropriated in this lettered paragraph may  
 3 22 be used for purposes of building equestrian or  
 3 23 snowmobile trails that run parallel to a recreational  
 3 24 trail. It is the intent of the general assembly to  
 3 25 promote multiple uses for trails funded in this  
 3 26 lettered paragraph and to maximize the number of trail  
 3 27 users.>  
 3 28 #19. Page 11, by inserting after line 8 the  
 3 29 following:  
 3 30 <Of the moneys deposited into the railroad  
 3 31 revolving loan and grant fund pursuant to this  
 3 32 lettered paragraph, up to \$100,000 may be used for the  
 3 33 acquisition and installation of close-clearance  
 3 34 warning devices along railroad tracks, consistent with  
 3 35 the provisions of 2007 Iowa Acts, Senate File 472, if  
 3 36 enacted.>  
 3 37 #20. Page 11, line 22, by striking the figure  
 3 38 <2,500,000> and inserting the following: <532,000>.  
 3 39 #21. Page 12, by inserting after line 9 the  
 3 40 following:  
 3 41 <Sec. \_\_\_\_\_. DEPARTMENT OF ECONOMIC DEVELOPMENT.  
 3 42 There is appropriated from the rebuild Iowa  
 3 43 infrastructure fund for the fiscal year beginning July  
 3 44 1, 2008, and ending June 30, 2009, the following  
 3 45 amount, or so much thereof as is necessary, to be used  
 3 46 for the purpose designated:  
 3 47 For equal distribution to regional sports authority  
 3 48 districts certified by the department pursuant to  
 3 49 section 15E.321, as enacted in this Act:  
 3 50 ..... \$ 500,000>



Iowa General Assembly  
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House Amendment 2114 continued

4 1 #22. Page 13, by inserting after line 26 the  
4 2 following:  
4 3 <Moneys appropriated in this lettered paragraph are  
4 4 contingent upon the board of regents or Iowa state  
4 5 university of science and technology actively pursuing  
4 6 the hiring of new research teams to provide world  
4 7 class expertise in the area of biorenewable fuels  
4 8 research.>  
4 9 #23. Page 14, by inserting after line 15 the  
4 10 following:  
4 11 <Sec. \_\_\_\_\_. 2007 Iowa Acts, House File 874, section  
4 12 1, subsection 1, paragraph "c", if enacted, is amended  
4 13 by striking the paragraph.>  
4 14 #24. Page 15, line 1, by striking the figure  
4 15 <1,000,000> and inserting the following: <600,000>.  
4 16 #25. Page 16, line 13, by striking the figure  
4 17 <4,010,375> and inserting the following: <3,810,375>.  
4 18 #26. Page 16, by inserting after line 22 the  
4 19 following:  
4 20 <Of the amount appropriated in this lettered  
4 21 paragraph, \$5,000 shall be allocated to the tri=state  
4 22 graduate center for the purchase of technology=related  
4 23 equipment and software.>  
4 24 #27. Page 17, line 17, by striking the figure  
4 25 <380,000> and inserting the following: <580,000>.  
4 26 #28. Page 21, line 9, by striking the figure  
4 27 <4,100,000> and inserting the following: <3,600,000>.  
4 28 #29. Page 21, line 11, by striking the figure  
4 29 <22,800,000> and inserting the following:  
4 30 <23,300,000>.  
4 31 #30. Page 27, by inserting after line 16 the  
4 32 following:  
4 33 <Sec. \_\_\_\_\_. NEW SECTION. 15E.321 REGIONAL SPORTS  
4 34 AUTHORITY DISTRICTS.  
4 35 1. As used in this section, "district" means a  
4 36 regional sports authority district certified under  
4 37 this section.  
4 38 2. A convention and visitors bureau may apply to  
4 39 the department for certification of a regional sports  
4 40 authority district which may include more than one  
4 41 city and more than one convention and visitors bureau  
4 42 within the district. The department shall not certify  
4 43 more than ten such districts.  
4 44 3. Each district shall actively promote youth  
4 45 sports, high school athletic activities, the special  
4 46 olympics, and other nonprofessional sporting events in  
4 47 the local area.  
4 48 4. Each district shall be governed by a  
4 49 seven-member board consisting of seven members  
4 50 appointed by the convention and visitors bureau filing



Iowa General Assembly  
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House Amendment 2114 continued

5 1 the application pursuant to subsection 2. At least  
5 2 three members of the board shall consist of city  
5 3 council members of any cities located in the district.  
5 4 Each board shall be responsible for administering  
5 5 programs designed to promote the activities enumerated  
5 6 in subsection 3.>

5 7 #31. Page 34, by inserting after line 12 the  
5 8 following:

5 9 <Sec. \_\_\_\_\_. Section 321.191, Code 2007, is amended  
5 10 by adding the following new subsection:

5 11 NEW SUBSECTION. 11. RENEWAL NOTICE BY MAIL. The  
5 12 state department of transportation may assess a fee of  
5 13 up to one dollar for notification by first-class mail  
5 14 in advance of the period for renewal of a driver's  
5 15 license, pursuant to section 321.196, subsection 1,  
5 16 paragraph "b". Moneys collected from the fee assessed  
5 17 under this subsection are appropriated to the state  
5 18 department of transportation for the costs associated  
5 19 with the first-class mailings.

5 20 Sec. \_\_\_\_\_. Section 321.196, subsection 1, Code  
5 21 2007, is amended to read as follows:

5 22 1. a. Except as otherwise provided, a driver's  
5 23 license, other than an instruction permit, chauffeur's  
5 24 instruction permit, or commercial driver's instruction  
5 25 permit issued under section 321.180, expires five  
5 26 years from the licensee's birthday anniversary  
5 27 occurring in the year of issuance if the licensee is  
5 28 between the ages of seventeen years eleven months and  
5 29 seventy years on the date of issuance of the license.  
5 30 If the licensee is under the age of seventeen years  
5 31 eleven months or age seventy or over, the license is  
5 32 effective for a period of two years from the  
5 33 licensee's birthday anniversary occurring in the year  
5 34 of issuance. A licensee whose license is restricted  
5 35 due to vision or other physical deficiencies may be  
5 36 required to renew the license every two years. If a  
5 37 licensee is a foreign national who is temporarily  
5 38 present in this state, the license shall be issued  
5 39 only for the length of time the foreign national is  
5 40 authorized to be present as determined by the  
5 41 department, not to exceed two years.

5 42 b. On or about the first day of each month, the  
5 43 department shall notify each licensee whose driver's  
5 44 license is due to expire in the following month of the  
5 45 need to renew the license and the period for renewal.  
5 46 Upon implementation of the requirements of the federal  
5 47 real ID Act of 2005, Pub. L. No. 109=13, Division B,  
5 48 by the department, the notice shall also include  
5 49 information regarding documentation requirements for  
5 50 renewal, consistent with the provisions of the federal



Iowa General Assembly  
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House Amendment 2114 continued

6 1 real ID Act of 2005, Pub L. No. 109-13, Division B, if  
6 2 applicable. The notice shall be mailed to the most  
6 3 recent address of record provided by the licensee  
6 4 pursuant to section 321.182, or the notice may be sent  
6 5 electronically by prior arrangement with the licensee.  
6 6 Failure to receive a renewal notice shall not affect  
6 7 the expiration of a license or the requirements for  
6 8 renewal of an expired license.>  
6 9 #32. By renumbering, relettering, or redesignating  
6 10 and correcting internal references as necessary.  
6 11 HF 911.S  
6 12 rh/cc/26



Iowa General Assembly  
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## House Amendment 2115

PAG LIN

1 1 Amend House File 556, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 2, line 21, by inserting after the word  
1 4 <ten> the following: <voting>.  
1 5 #2. Page 3, by inserting after line 11 the  
1 6 following:  
1 7 <\_\_\_. The following persons shall be ex officio,  
1 8 nonvoting members of the council designated for  
1 9 three-year terms as follows:  
1 10 a. A professional fire fighter designated by the  
1 11 Iowa association of professional fire chiefs.  
1 12 b. A volunteer fire fighter designated by the Iowa  
1 13 firemen's association.  
1 14 c. An experienced plumber involved in plumbing  
1 15 training programs designated by the Iowa state  
1 16 building and construction trades council.  
1 17 d. A heating, ventilation, and air conditioning  
1 18 professional involved in heating, ventilation, and air  
1 19 conditioning training programs designated by the Iowa  
1 20 state building and construction trades council.  
1 21 e. A community college instructor with experience  
1 22 in conducting fire safety programs designated by the  
1 23 Iowa association of community college presidents.  
1 24 f. A representative of a property and casualty  
1 25 insurance company with experience in insuring sellers  
1 26 of propane gas designated by the Iowa insurance  
1 27 institute.>  
1 28 #3. Page 3, line 32, by inserting after the word  
1 29 <The> the following: <voting members of the>.  
1 30 #4. Page 3, line 33, by striking the words <its  
1 31 membership> and inserting the following: <the voting  
1 32 members>.  
1 33 #5. Page 4, by striking lines 31 and 32, and  
1 34 inserting the following: <undertaken. The council  
1 35 shall submit the>.  
1 36 #6. Page 6, by striking lines 1 through 14 and  
1 37 inserting the following: <annual assessment. Upon  
1 38 establishment of the council and each year thereafter  
1 39 the annual assessment shall be made at a rate of  
1 40 one-tenth of one cent on each gallon of odorized  
1 41 propane sold.>  
1 42 #7. Page 7, lines 14 and 15, by striking the words  
1 43 <INCREASED ASSESSMENTS OR>.  
1 44 #8. By striking page 7, line 16, through page 8,  
1 45 line 1.  
1 46 #9. Page 8, line 2, by striking the figure <2.>  
1 47 #10. Page 8, by striking lines 8 through 10 and  
1 48 inserting the following: <whether the council should  
1 49 be terminated or suspended. Voting rights in the  
1 50 referendum shall be based on the volume of odorized



Iowa General Assembly  
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House Amendment 2115 continued

2 1 propane sold in this state by each retail propane  
2 2 marketer during the previous calendar year. Each  
2 3 retail propane marketer voting in the referendum shall  
2 4 certify to the independent auditing firm the volume of  
2 5 odorized propane sold by that person as represented by  
2 6 that person's vote. Upon the approval of those retail  
2 7 propane>.  
2 8 #11. Page 8, line 28, by striking the words <fire  
2 9 marshal> and inserting the following: <general  
2 10 assembly>.  
2 11 #12. Page 9, by inserting after line 28 the  
2 12 following:  
2 13 <Sec. \_\_\_\_\_. NEW SECTION. 101B.14 FUTURE REPEAL.  
2 14 This chapter is repealed December 31, 2014.>  
2 15 #13. Title page, line 5, by inserting after the  
2 16 word <for> the following: <a future repeal and for>.  
2 17 #14. By renumbering, relettering, or redesignating  
2 18 and correcting internal references as necessary.  
2 19 HF 556.S  
2 20 av/cc/26



Iowa General Assembly  
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# House Amendment 2116

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 55, by inserting after line 8, the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 459.310, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 6. A confinement feeding  
1 8 operation structure shall not be constructed or  
1 9 expanded within the following separation distance from  
1 10 a geographic location which is identified as an Iowa  
1 11 great place as provided in section 303.3C, 10,560  
1 12 feet.>  
1 13 #2. By renumbering as necessary.  
1 14  
1 15  
1 16  
1 17 WHITAKER of Van Buren  
1 18 SF 601.323 82  
1 19 da/cf/10178  
1 20  
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# House Amendment 2117

PAG LIN

1 1 Amend the amendment, H=2108, to Senate File 601, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, line 11, by striking the words <and  
1 5 private>.  
1 6  
1 7  
1 8  
1 9 KAUFMANN of Cedar  
1 10 SF 601.241 82  
1 11 mg/es/10063  
1 12  
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## House Amendment 2118

PAG LIN

1 1 Amend the amendment, H=2048, to Senate File 601, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. By striking page 1, line 1, through page 7,  
1 5 line 6, and inserting the following:  
1 6 <Amend Senate File 601, as amended, passed, and  
1 7 reprinted by the Senate, as follows:  
1 8 #\_\_. Page 55, by striking lines 23 through 30.  
1 9 #\_\_. Page 56, by striking lines 13 through 19.  
1 10 #\_\_. By striking page 56, line 26, through page  
1 11 57, line 6.  
1 12 #\_\_. Page 59, by inserting after line 10 the  
1 13 following:  
1 14 <DIVISION  
1 15 REGULATION OF ESTRAY AND GAME SWINE  
1 16 Sec. \_\_\_\_. Section 163.2, Code 2007, is amended by  
1 17 adding the following new subsections:  
1 18 NEW SUBSECTION. 2A. "Custody or control" means to  
1 19 keep an animal in an enclosed or confined location, in  
1 20 a manner that prevents the release or escape of the  
1 21 animal from the location including but not limited to  
1 22 keeping the animal for breeding, growing, movement, or  
1 23 harvesting.  
1 24 NEW SUBSECTION. 3A. "Estray" means not to be in  
1 25 the custody or control of a person.  
1 26 NEW SUBSECTION. 3B. "Game swine" means the same  
1 27 as defined in section 171.1.  
1 28 Sec. \_\_\_\_. Section 163.30, subsection 5, unnumbered  
1 29 paragraph 1, Code 2007, is amended to read as follows:  
1 30 All swine moved shall be accompanied by a  
1 31 certificate of veterinary inspection issued by the  
1 32 state of origin and prepared and signed by a  
1 33 veterinarian. The certificate shall show the point of  
1 34 origin, the point of destination, individual  
1 35 identification, immunization status, and, when  
1 36 required, any movement permit number assigned to the  
1 37 shipment by the department. The certificate of  
1 38 veterinary inspection shall state whether the swine  
1 39 are game swine, and shall provide any registration  
1 40 information as required by section 171.4. All ~~such~~  
1 41 movement of swine shall be completed within  
1 42 seventy-two hours unless an extension of time for  
1 43 movement is granted by the department.  
1 44 Sec. \_\_\_\_. NEW SECTION. 163.32 ESTRAY SWINE.  
1 45 1. Estray swine are declared to be a public  
1 46 nuisance and are subject to a policy of eradication as  
1 47 administered by the department which is the principal  
1 48 enforcement agency charged with carrying out the  
1 49 policy.  
1 50 a. The department of natural resources shall



Iowa General Assembly  
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House Amendment 2118 continued

2 1 cooperate with the department of agriculture and land  
2 2 stewardship in carrying out the policy. The  
2 3 departments shall periodically consult about how to  
2 4 most effectively contribute resources and their  
2 5 respective expertise, and divide jurisdictional  
2 6 responsibility, including the assignment of  
2 7 investigative personnel where appropriate. However,  
2 8 the department of natural resources shall regulate  
2 9 hunting preserves under chapter 484B, and the  
2 10 regulation of persons taking animals under Title XI,  
2 11 subtitle 6.

2 12 b. The department of agriculture and land  
2 13 stewardship shall cooperate with the animal and plant  
2 14 health inspection service of the United States  
2 15 department of agriculture, and may enter into  
2 16 cooperative agreements with the animal and plant  
2 17 health inspection service in order to carry out the  
2 18 eradication policy.

2 19 2. A person who captures swine which is estray in  
2 20 another state shall not move that swine into this  
2 21 state.

2 22 Sec. \_\_\_\_\_. NEW SECTION. 163.61A PENALTY AND  
2 23 DISCIPLINARY ACTION FOR TAKING ESTRAY SWINE.

2 24 1. A person who violates section 163.32 is guilty  
2 25 of an aggravated misdemeanor. A person is guilty of a  
2 26 separate offense for each swine which is the subject  
2 27 of the violation.

2 28 2. Upon a person's conviction for violating  
2 29 section 163.32, the sentencing court may, as part of  
2 30 the judgment, revoke or suspend a license issued  
2 31 pursuant to chapter 481A or 483A for a definite period  
2 32 of time.

2 33 Sec. \_\_\_\_\_. NEW SECTION. 171.1 DEFINITIONS.

2 34 As used in this chapter, unless the context  
2 35 otherwise requires:

2 36 1. "Custody or control" means the same as defined  
2 37 in section 163.2.

2 38 2. "Department" means the department of  
2 39 agriculture and land stewardship.

2 40 3. "Game swine" means the same as defined in  
2 41 section 484B.1.

2 42 4. "Swine" means an animal belonging to the order  
2 43 artiodactyla, and classified as part of the family  
2 44 suidae.

2 45 Sec. \_\_\_\_\_. NEW SECTION. 171.2 RULES.

2 46 The department may adopt rules pursuant to chapter  
2 47 17A as necessary to administer this chapter.

2 48 Sec. \_\_\_\_\_. NEW SECTION. 171.3 IDENTIFICATION.

2 49 A person who has custody or control of game swine  
2 50 shall identify the game swine as required by the



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House Amendment 2118 continued

3 1 department. Game swine shall at least be identified  
3 2 with a numbered metal ear tag affixed to the game  
3 3 swine or other method such as installing an electronic  
3 4 device onto or beneath the hide of the game swine as  
3 5 prescribed by the department. The game swine must be  
3 6 identified within ten days following the person's  
3 7 acquisition of the game swine, including acquisition  
3 8 by transfer or birth.

3 9 Sec. \_\_\_\_\_. NEW SECTION. 171.4 GAME SWINE  
3 10 REGISTRATION SYSTEM.

3 11 The department of agriculture and land stewardship  
3 12 shall establish a game swine registration system, in  
3 13 cooperation with the department of natural resources.

3 14 1. A person who has custody or control of a game  
3 15 swine shall register the game swine within ten days  
3 16 following the person's acquisition of the game swine,  
3 17 including acquisition by transfer or birth.

3 18 2. The person required to register game swine as  
3 19 provided in this section shall provide information  
3 20 required by the department which shall at least  
3 21 include all of the following:

3 22 a. The number, age, and description of the game  
3 23 swine, including its identification number as provided  
3 24 in section 171.3.

3 25 b. The location where the person maintains custody  
3 26 or control of the game swine.

3 27 c. The purpose of the person in maintaining  
3 28 custody or control of the game swine.

3 29 d. Whether the person has been issued a hunting  
3 30 preserve operator's license as required in chapter  
3 31 484B.

3 32 3. The department shall to every extent feasible  
3 33 provide for registration using the internet, including  
3 34 programming, necessary to ensure the convenience,  
3 35 completeness, and accuracy of the registrations.

3 36 Sec. \_\_\_\_\_. NEW SECTION. 171.5 GAME SWINE  
3 37 REGISTRATION FEE.

3 38 A person required to register game swine as  
3 39 provided in section 171.4 shall remit a registration  
3 40 fee to the department. The amount of the registration  
3 41 fee shall not exceed five dollars per head of swine.  
3 42 The moneys collected by the department under this  
3 43 section shall be retained as repayment receipts by the  
3 44 department exclusively to offset the costs of  
3 45 providing for registrations pursuant to section 171.4.

3 46 Sec. \_\_\_\_\_. NEW SECTION. 171.6 HEALTH  
3 47 REQUIREMENTS.

3 48 Game swine shall be free of an infectious or  
3 49 contagious disease as defined in section 163.2. The  
3 50 department shall regulate game swine as any other



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House Amendment 2118 continued

4 1 swine for purposes of preventing, suppressing, and  
4 2 eradicating an infectious or contagious disease  
4 3 afflicting swine within the state.  
4 4 Sec. \_\_\_\_\_. NEW SECTION. 171.7 PENALTY.  
4 5 A person who violates section 171.3 or 171.4 is  
4 6 subject to a civil penalty of not more than one  
4 7 hundred dollars. Penalty moneys shall be deposited  
4 8 into the general fund of the state.  
4 9 Sec. \_\_\_\_\_. Section 484B.1, Code 2007, is amended by  
4 10 adding the following new subsections:  
4 11 NEW SUBSECTION. 3A. "Estray" means not to be in  
4 12 the custody or control of a person.  
4 13 NEW SUBSECTION. 4A. "Game swine" means swine that  
4 14 are classified as part of the species sus scrofa  
4 15 linnaeus which may be commonly known as Russian boar  
4 16 or European boar, as well as Eurasian wild boar or  
4 17 Eurasian=domestic stock hybrids, of either sex.  
4 18 Sec. \_\_\_\_\_. Section 484B.1, subsection 6, Code 2007,  
4 19 is amended to read as follows:  
4 20 6. "Livestock" means ~~the same~~ livestock as defined  
4 21 in section 717.1 other than game swine.  
4 22 Sec. \_\_\_\_\_. Section 484B.3, Code 2007, is amended by  
4 23 adding the following new subsection:  
4 24 NEW SUBSECTION. 3. The department shall regulate  
4 25 game swine in cooperation with the department of  
4 26 agriculture and land stewardship as provided in  
4 27 chapter 171.  
4 28 Sec. \_\_\_\_\_. Section 484B.4, subsection 2, Code 2007,  
4 29 is amended by adding the following new paragraph:  
4 30 NEW PARAGRAPH. f. The person has registered any  
4 31 game swine to be kept at the hunting preserve with the  
4 32 department of agriculture and land stewardship as  
4 33 provided in section 171.4.  
4 34 Sec. \_\_\_\_\_. Section 484B.5, Code 2007, is amended to  
4 35 read as follows:  
4 36 484B.5 BOUNDARIES SIGNED == FENCED.  
4 37 1. Upon receipt of a hunting preserve license, the  
4 38 licensee shall promptly sign the licensed property  
4 39 with signs prescribed by the department.  
4 40 2. a. A licensee holding and releasing ungulates  
4 41 shall construct and maintain boundary fences  
4 42 prescribed by the department so as to enclose and  
4 43 contain all released ungulates and exclude all  
4 44 ungulates which are property of the state from  
4 45 becoming a part of the hunting preserve enterprise.  
4 46 b. A person who begins to keep game swine on or  
4 47 after the effective date of this Act shall construct  
4 48 and maintain a fence in compliance with this  
4 49 paragraph. The fence shall be constructed of twelve  
4 50 gauge woven wire at least five feet high and topped



Iowa General Assembly  
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House Amendment 2118 continued

5 1 with one strand of electrified wire. An additional  
5 2 two feet of such fencing shall be buried and angled  
5 3 underground toward the enclosed interior. However,  
5 4 upon application, the department may waive this  
5 5 requirement if the department determines that a fence  
5 6 is to be designed and constructed which provides  
5 7 equivalent or greater security from escape by game  
5 8 swine.

5 9 Sec. \_\_\_\_\_. NEW SECTION. 484B.6A ESTRAY GAME  
5 10 SWINE.

5 11 A person required to be licensed pursuant to  
5 12 section 484B.4 shall not allow the game swine to  
5 13 become estray.

5 14 Sec. \_\_\_\_\_. Section 484B.7, subsection 1, Code 2007,  
5 15 is amended to read as follows:

5 16 1. Each hunting preserve licensee shall keep the  
5 17 records and make the reports required on forms  
5 18 prepared and provided by the department. All records  
5 19 shall be open for inspection at any reasonable time by  
5 20 the department or its authorized agents. The  
5 21 department of agriculture and land stewardship may  
5 22 inspect records relating to game swine in order to  
5 23 ensure compliance with chapter 171.

5 24 Sec. \_\_\_\_\_. Section 484B.9, Code 2007, is amended to  
5 25 read as follows:

5 26 484B.9 UNGULATE TRANSPORTATION TAGS == MARKINGS.

5 27 The department shall prepare transportation tags  
5 28 suitable for use upon the carcass of ungulates  
5 29 described in this chapter. The tags shall be used to  
5 30 designate all ungulates taken by hunters upon a  
5 31 licensed hunting preserve. The department shall  
5 32 provide licensees with the tags. All ungulates taken  
5 33 on a licensed hunting preserve shall be tagged with a  
5 34 numbered tag prior to being removed from the hunting  
5 35 preserve. ~~The~~ For game swine, the department shall  
5 36 provide for tags in cooperation with the department of  
5 37 agriculture and land stewardship as provided in  
5 38 chapter 171. A hunter shall tag the ungulate taken in

5 39 accordance with the rules as determined by the  
5 40 department. The tag shall remain attached to the  
5 41 carcass of the dead ungulate until processed for  
5 42 consumption. The hunter shall be provided with a bill  
5 43 of sale by the licensee. The bill of sale shall  
5 44 remain in the possession of the hunter. Ungulate tags  
5 45 issued to a hunting preserve are not transferable.

5 46 Sec. \_\_\_\_\_. Section 484B.12, Code 2007, is amended  
5 47 to read as follows:

5 48 484B.12 HEALTH REQUIREMENTS == UNGULATES.

5 49 All ungulates which are purchased, propagated,  
5 50 confined, released, or sold by a licensed hunting



Iowa General Assembly  
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House Amendment 2118 continued

6 1 preserve shall be free of diseases considered  
6 2 significant for wildlife, poultry, or livestock. The  
6 3 department of agriculture and land stewardship shall  
6 4 provide for the regulation of farm deer as provided in  
6 5 chapter 170, and for the regulation of game swine as  
6 6 provided in chapter 171.

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6 7 Sec. \_\_\_\_\_. NEW SECTION. 484B.12A HEALTH AND  
6 8 MOVEMENT REQUIREMENTS == GAME SWINE.

6 9 1. All game swine which are purchased, propagated,  
6 10 confined, released, or sold by a hunting preserve  
6 11 required to be licensed under this chapter shall be  
6 12 free of diseases considered significant for wildlife,  
6 13 poultry, or livestock. The department of agriculture  
6 14 and land stewardship shall provide for the regulation  
6 15 of game swine as any other swine for purposes of  
6 16 preventing, suppressing, and eradicating an infectious  
6 17 or contagious disease afflicting swine within the  
6 18 state.

6 19 2. Game swine that are purchased, propagated,  
6 20 confined, or sold by a hunting preserve shall only be  
6 21 moved in accordance with rules adopted or orders  
6 22 issued by the department of agriculture and land  
6 23 stewardship.

6 24 Sec. \_\_\_\_\_. NEW SECTION. 484B.15 CIVIL PENALTIES.  
6 25 A person who violates section 484B.6A is subject to  
6 26 a civil penalty of one thousand dollars. Each day  
6 27 that a violation continues shall be considered a  
6 28 separate offense. All civil penalties shall be  
6 29 deposited in the general fund of the state.

6 30 Sec. \_\_\_\_\_. NEW SECTION. 484B.16 RESTITUTION.

6 31 1. A person required to be licensed pursuant to  
6 32 section 484B.4 and who keeps game swine shall pay  
6 33 restitution to the department of natural resources for  
6 34 damages to the environment and wildlife caused by the  
6 35 game swine which become estray. The amount of the  
6 36 restitution shall also include the department's  
6 37 administrative costs for investigating the incident.

6 38 2. The department shall adopt rules providing for  
6 39 procedures for investigations and the administrative  
6 40 assessment of restitution amounts. The rules shall  
6 41 establish an opportunity to appeal a departmental  
6 42 action including by a contested case proceeding under  
6 43 chapter 17A. A final administrative decision  
6 44 assessing an amount of restitution may be enforced by  
6 45 the attorney general at the request of the department.

6 46 3. Moneys collected by the department in  
6 47 restitution shall be deposited into the state fish and  
6 48 game protection fund. The moneys shall be used  
6 49 exclusively to support restoration or improvement of  
6 50 the environment and repopulation of wildlife.



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House Amendment 2118 continued

7 1 However, moneys collected from restitution paid for  
7 2 investigative costs shall be used as determined by the  
7 3 department.  
7 4 Sec. \_\_\_\_\_. IDENTIFICATION AND REGISTRATION ==  
7 5 COMPLIANCE PERIOD. Notwithstanding sections 171.3 and  
7 6 171.4, a person required to identify game swine and  
7 7 register game swine shall have until September 1,  
7 8 2007, to comply with those sections.  
7 9 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
7 10 Act, being deemed of immediate importance, takes  
7 11 effect upon enactment.>>  
7 12 #2. By renumbering as necessary.  
7 13  
7 14  
7 15  
7 16 WHITAKER of Van Buren  
7 17 SF 601.236 82  
7 18 da/es/10176



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# House Amendment 2119

PAG LIN

1 1 Amend House File 908 as follows:  
1 2 #1. Page 9, line 16, by inserting after the word  
1 3 <commercial> the following: <retail>.  
1 4  
1 5  
1 6  
1 7 JACOBS of Polk  
1 8 HF 908.203 82  
1 9 jr/es/6383  
1 10  
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## House Amendment 2120

PAG LIN

1 1 Amend the Senate amendment, H=2110, to House File  
1 2 923, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 1, by striking lines 12 through 14 and  
1 5 inserting the following: <taxation, and the>.  
1 6 #2. Page 1, line 17, by inserting after the word  
1 7 <management.> the following: <For each county that  
1 8 has established an urban renewal area, the budget  
1 9 shall include estimated and actual tax increment  
1 10 financing revenues and all estimated and actual  
1 11 expenditures of the revenues, proceeds from debt and  
1 12 all estimated and actual expenditures of the debt  
1 13 proceeds, and identification of any entity receiving a  
1 14 direct payment of taxes funded by tax increment  
1 15 financing revenues and shall include the total amount  
1 16 of loans, advances, indebtedness, or bonds outstanding  
1 17 at the close of the most recently ended fiscal year,  
1 18 which qualify for payment from the special fund  
1 19 created in section 403.19, including interest  
1 20 negotiated on such loans, advances, indebtedness, or  
1 21 bonds. For purposes of this subsection,  
1 22 "indebtedness" includes written agreements whereby the  
1 23 county agrees to suspend, abate, exempt, rebate,  
1 24 refund, or reimburse property taxes, provide a grant  
1 25 for property taxes paid, or make a direct payment of  
1 26 taxes, with moneys in the special fund. The amount of  
1 27 loans, advances, indebtedness, or bonds shall be  
1 28 listed in the aggregate for each county reporting.  
1 29 The county finance committee, in consultation with the  
1 30 department of management and the legislative services  
1 31 agency, shall determine reporting criteria and shall  
1 32 prepare a form for reports filed with the department  
1 33 pursuant to this section. The department shall make  
1 34 the information available by electronic means.>  
1 35 #3. Page 1, by striking lines 18 through 22.  
1 36 #4. Page 1, line 32, by striking the word  
1 37 <budget,> and inserting the following: <budget>.  
1 38 #5. Page 1, by striking line 33 and inserting the  
1 39 following: <must>.  
1 40 #6. Page 1, by striking line 38 and inserting the  
1 41 following: <For each city that has established an  
1 42 urban renewal area, the>.  
1 43 #7. Page 1, line 45, by inserting after the word  
1 44 <revenues> the following: <and shall include the  
1 45 total amount of loans, advances, indebtedness, or  
1 46 bonds outstanding at the close of the most recently  
1 47 ended fiscal year, which qualify for payment from the  
1 48 special fund created in section 403.19, including  
1 49 interest negotiated on such loans, advances,  
1 50 indebtedness, or bonds. For purposes of this



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House Amendment 2120 continued

2 1 subsection, "indebtedness" includes written agreements  
2 2 whereby the city agrees to suspend, abate, exempt,  
2 3 rebate, refund, or reimburse property taxes, provide a  
2 4 grant for property taxes paid, or make a direct  
2 5 payment of taxes, with moneys in the special fund.  
2 6 The amount of loans, advances, indebtedness, or bonds  
2 7 shall be listed in the aggregate for each city  
2 8 reporting. The city finance committee, in  
2 9 consultation with the department of management and the  
2 10 legislative services agency, shall determine reporting  
2 11 criteria and shall prepare a form for reports filed  
2 12 with the department pursuant to this section. The  
2 13 department shall make the information available by  
2 14 electronic means>.

2 15 #8. Page 2, by inserting after line 11 the  
2 16 following:  
2 17 <Sec. \_\_\_\_ . Section 403.23, Code 2007, is  
2 18 repealed.>  
2 19 #9. By renumbering as necessary.

2 20  
2 21  
2 22  
2 23 SCHUELLER of Jackson  
2 24 HF 923.505 82  
2 25 tm/je/9648



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House Amendment 2121

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 23 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. APPROPRIATIONS REDUCED. The amounts  
1 6 appropriated from the general fund of the state in  
1 7 enactments made for the fiscal year beginning July 1,  
1 8 2007, and ending June 30, 2008, and in standing  
1 9 limited and unlimited appropriations from the general  
1 10 fund of the state for the fiscal year beginning July  
1 11 1, 2007, and ending June 30, 2008, are each reduced by  
1 12 \$10. For an appropriation that is reduced or limited  
1 13 to a specific amount in this division, the  
1 14 appropriation reduction required pursuant to this  
1 15 section shall be applied to the final appropriation  
1 16 amount. For an appropriation that is allocated for  
1 17 various purposes, the reduction shall be prorated  
1 18 among the various purposes based upon the allocations'  
1 19 relative proportion of the amount appropriated.>  
1 20 #2. By renumbering as necessary.  
1 21  
1 22  
1 23  
1 24 BAILEY of Hamilton  
1 25  
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1 28 QUIRK of Chickasaw  
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1 32 D. OLSON of Boone  
1 33  
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1 36 SCHUELLER of Jackson  
1 37  
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1 39  
1 40 HUSER of Polk  
1 41  
1 42  
1 43  
1 44 PETTENGILL of Benton  
1 45 SF 601.724 82  
1 46 jp/gg/10365  
1 47  
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**House Amendment 2122**

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 52, by inserting after line 12 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 321M.9, subsection 1, Code  
 1 6 2007, is amended to read as follows:  
 1 7 1. FEES TO COUNTIES. Notwithstanding any other  
 1 8 provision in the Code to the contrary, the county  
 1 9 treasurer of any county authorized to issue driver's  
 1 10 licenses under this chapter shall retain for deposit  
 1 11 in the county general fund seven dollars of fees  
 1 12 received pursuant to chapter 321 for each issuance or  
 1 13 renewal of driver's licenses and nonoperator's  
 1 14 identification cards, but shall not retain any moneys  
 1 15 for the issuance of any persons with disabilities  
 1 16 identification devices. The county treasurer shall  
 1 17 remit the balance of fees to the department.  
 1 18 Sec. \_\_\_\_\_. Section 321M.9, Code 2007, is amended by  
 1 19 adding the following new subsection:  
 1 20 NEW SUBSECTION. 5. ADMINISTRATIVE FEE.  
 1 21 Notwithstanding any other provision, the county  
 1 22 treasurer of a county authorized to issue driver's  
 1 23 licenses under this chapter may charge an  
 1 24 administrative fee of not more than three dollars for  
 1 25 the issuance of a driver's license or nonoperator's  
 1 26 identification card. This amount shall be added to  
 1 27 the total amount of the fee, including any applicable  
 1 28 surcharges, due pursuant to chapter 321. Moneys  
 1 29 collected from administrative fees under this  
 1 30 subsection shall be deposited in the county general  
 1 31 fund.  
 1 32 Sec. \_\_\_\_\_. Section 331.557A, Code 2007, is amended  
 1 33 by adding the following new subsection:  
 1 34 NEW SUBSECTION. 3A. If authorized by the board,  
 1 35 collect an administrative fee for the issuance of a  
 1 36 driver's license or nonoperator's identification card,  
 1 37 to be retained by the county for deposit in the county  
 1 38 general fund.>  
 1 39 #2. By renumbering as necessary.  
 1 40  
 1 41  
 1 42  
 1 43 BAILEY of Hamilton  
 1 44  
 1 45  
 1 46  
 1 47 GRANZOW of Hardin  
 1 48 SF 601.728 82  
 1 49 dea/gg/8972

1 50



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House Amendment 2123

PAG LIN

1 1 Amend the Senate amendment, H=2114, to House File  
1 2 911, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 3, by inserting after line 3 the  
1 5 following:  
1 6 <#\_\_\_\_. Page 10, by inserting after line 14 the  
1 7 following:  
1 8 <Of the amount appropriated in this lettered  
1 9 paragraph, \$60,000 shall be allocated for general  
1 10 infrastructure improvements for the Crawford county  
1 11 trail.>>  
1 12 #2. By renumbering as necessary.  
1 13  
1 14  
1 15  
1 16 HOFFMAN of Crawford  
1 17 HF 911.308 82  
1 18 rh/cf/9543  
1 19  
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# House Amendment 2124

PAG LIN

1 1 Amend the Senate amendment, H=2114, to House File  
1 2 911, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 3, by striking lines 2 and 3.  
1 5  
1 6  
1 7  
1 8 JACOBS of Polk  
1 9 HF 911.306 82  
1 10 rh/cf/9539  
1 11  
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**Iowa General Assembly  
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# House Resolution 53 - Introduced

PAG LIN

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

1 1                                   HOUSE RESOLUTION NO.  
 1 2                   BY COMMITTEE ON ADMINISTRATION AND RULES  
 1 3                                   (SUCCESSOR TO HSB 232)  
 1 4 A Resolution relating to an annual budget for the  
 1 5       daily operations of the House of Representatives.  
 1 6       WHEREAS, the legislative authority of this state is  
 1 7 vested in the General Assembly consisting of the House  
 1 8 of Representatives and the Senate; and  
 1 9       WHEREAS, the House of Representatives necessarily  
 1 10 incurs substantial expenses for its daily operations;  
 1 11 and  
 1 12       WHEREAS, the House of Representatives is authorized  
 1 13 to expend funds from the state treasury necessary to  
 1 14 pay for its expenses and for expenses incurred jointly  
 1 15 by the House of Representatives and the Senate; and  
 1 16       WHEREAS, it is deemed advisable and proper for the  
 1 17 House of Representatives to make expenditures in  
 1 18 accordance with a budgetary plan; NOW THEREFORE,  
 1 19       BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:  
 1 20       Section 1. Expenditures of the House of  
 1 21 Representatives payable pursuant to Iowa Code sections  
 1 22 2.10 through 2.14 for the regular legislative session  
 1 23 and the interim period during the fiscal year  
 1 24 beginning July 1, 2007, and ending June 30, 2008, are  
 1 25 budgeted to be as follows:  
 1 26       1. Members' salary, per diem, and expenses,  
 1 27 \$5,901,500.  
 1 28       2. Staff compensation, \$5,488,000.  
 1 29       3. Operations expenses, \$540,500.  
 1 30       Sec. 2. The Chief Clerk of the House of



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House Resolution 53 - Introduced continued

2 1 Representatives shall immediately provide written  
2 2 notice to the Speaker and Minority Leader of the House  
2 3 of Representatives and to the Chair and Ranking Member  
2 4 of the House Committee on Appropriations if actual  
2 5 expenditures payable pursuant to Iowa Code sections  
2 6 2.10 through 2.14 exceed the maximum amount allocated  
2 7 for any category of the budget provided by section 1  
2 8 of this Resolution. The written notice shall specify  
2 9 the amount of and reasons for any excess expenditure.  
2 10     Sec. 3. Joint expenditures by the House of  
2 11 Representatives and the Senate or by the Legislative  
2 12 Council, special expenditures approved by the  
2 13 Committee on Administration and Rules, and special  
2 14 session expenses are not included in the budget set  
2 15 forth in this Resolution.  
2 16 LSB 2429HV 82  
2 17 rj:nh/cf/24



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House Study Bill 323

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
GOVERNMENT OVERSIGHT BILL  
BY CHAIRPERSON LENSING)

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

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

A BILL FOR

- 1 An Act authorizing leases and agreements relating to the Iowa
- 2 communications network under specified circumstances.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2941YC 82
- 5 rn/es/88



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House Study Bill 323 continued

PAG LIN

1 1 Section 1. Section 8D.2, subsection 4, Code 2007, is  
1 2 amended to read as follows:  
1 3 4. "Private agency" means an accredited nonpublic school,  
1 4 a nonprofit institution of higher education eligible for  
1 5 tuition grants, ~~or~~ a hospital licensed pursuant to chapter  
1 6 135B or a physician clinic to the extent provided in section  
1 7 8D.13, subsection 16, or a private corporation or individual  
1 8 entering into a leasing arrangement pursuant to section 8D.11,  
1 9 subsection 2, paragraph "b".

1 10 Sec. 2. Section 8D.11, subsection 2, Code 2007, is amended  
1 11 to read as follows:

1 12 2. a. The commission also shall not provide or resell  
1 13 communications services to entities other than public and  
1 14 private agencies. The public or private agency shall not  
1 15 provide communication services of the network to another  
1 16 entity unless otherwise authorized pursuant to this chapter.  
1 17 The commission may arrange for joint use of available services  
1 18 and facilities, and may enter into leases and agreements with  
1 19 private and public agencies with respect to the Iowa  
1 20 communications network, and public agencies are authorized to  
1 21 enter into leases and agreements with respect to the network  
1 22 for their use and operation. Rentals and other amounts due  
1 23 under the agreements or leases entered into pursuant to this  
1 24 section by a state agency are payable from funds annually  
1 25 appropriated by the general assembly or from other funds  
1 26 legally available. Other public agencies may pay the rental  
1 27 costs and other amounts due under an agreement or lease from  
1 28 their annual budgeted funds or other funds legally available  
1 29 or to become available.

1 30 b. The commission may enter into leases and agreements  
1 31 relating to the network and utilization of fiber optic cable  
1 32 with private corporations or individuals considered a private  
1 33 agency pursuant to section 8D.2, subsection 4, pursuant to  
1 34 terms and conditions to be established by the commission by  
1 35 rule. The rules shall provide for an application and review



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2 1 process and may provide for a limited number of initial leases  
2 2 and agreements entered into pending a determination of network  
2 3 capacity and private sector interest.

2 4 Sec. 3. Section 8D.13, Code 2007, is amended by adding the  
2 5 following new subsection:

2 6 NEW SUBSECTION. 20. Access shall be offered to a private  
2 7 corporation or individual defined as a private agency in  
2 8 section 8D.2, subsection 4, pursuant to a lease or agreement  
2 9 entered into as provided in section 8D.11, subsection 2,  
2 10 paragraph "b".

2 11 EXPLANATION

2 12 This bill authorizes a private corporation or individual to  
2 13 enter into a lease or agreement with the Iowa  
2 14 telecommunications and technology commission in relation to  
2 15 the network and utilization of fiber optic cable. The bill  
2 16 provides that such a private corporation or individual shall  
2 17 be considered a private agency for purposes of access to the  
2 18 Iowa communications network pursuant to the lease or  
2 19 agreement. The bill specifies that the commission shall  
2 20 establish by rule terms and conditions for leases and  
2 21 agreements with private corporations and individuals, and that  
2 22 the rules shall provide for an application and review process  
2 23 and may limit the initial number of leases and agreements  
2 24 entered into, pending a determination of network capacity and  
2 25 private sector interest.

2 26 LSB 2941YC 82

2 27 rn:rj/es/88



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## Senate Amendment 3505

PAG LIN

1 1 Amend Senate File 344 as follows:  
1 2 #1. Page 1, line 34, by striking the word <thirty>  
1 3 and inserting the following: <sixty>.  
1 4 #2. Page 1, line 35, by inserting after the word  
1 5 <department> the following: <by certified mail>.  
1 6 SF 344.H  
1 7 tm/jg/25  
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**Senate Amendment 3506**

PAG LIN

1 1 Amend Senate File 588, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 15, by inserting after line 35 the  
 1 4 following:  
 1 5 <The state board of regents shall conduct a  
 1 6 detailed study examining campus security protocols,  
 1 7 processes, procedures, technologies, and prevention  
 1 8 counseling techniques in use at each of the  
 1 9 institutions of higher learning the board governs.  
 1 10 The study shall also explore process, protocol, and  
 1 11 technology improvements, as well as any other  
 1 12 improvements which may lead to significant  
 1 13 improvements in campus safety and security. The study  
 1 14 shall include a review of arming campus security  
 1 15 officers. The board shall complete the study by  
 1 16 October 1, 2007, and shall submit its findings and  
 1 17 recommendations in a report to the governor and the  
 1 18 general assembly by October 15, 2007.>  
 1 19 #2. By striking page 19, line 31, through page 20,  
 1 20 line 1, and inserting the following: <adults with  
 1 21 disabilities and special needs. The funds shall be  
 1 22 used for a nationally recognized program that began in  
 1 23 1986 and has been replicated in at least thirty  
 1 24 other>.  
 1 25 #3. Page 21, by inserting after line 35 the  
 1 26 following:  
 1 27 <Sec. \_\_\_\_ . STATE BOARD OF REGENTS == GEORGE  
 1 28 WASHINGTON CARVER ENDOWED CHAIR. There is  
 1 29 appropriated from the general fund of the state to the  
 1 30 state board of regents for the fiscal period beginning  
 1 31 July 1, 2007, and ending June 30, 2009, the following  
 1 32 amounts, or so much thereof as is necessary, to be  
 1 33 used for the purpose designated:  
 1 34 For purposes of recruiting and retaining  
 1 35 high-quality faculty and to support their academic  
 1 36 pursuits and endeavors through the establishment of  
 1 37 the George Washington Carver endowed chair at the Iowa  
 1 38 state university of science and technology:  
 1 39 FY 2007=2008 ..... \$ 250,000  
 1 40 FY 2008=2009 ..... \$ 250,000  
 1 41 Moneys appropriated for purposes of the George  
 1 42 Washington Carver endowed chair as provided by this  
 1 43 section shall be allocated only to the extent that the  
 1 44 state moneys are matched from other sources by the  
 1 45 Iowa state university of science and technology on a  
 1 46 basis of a two dollar university contribution for  
 1 47 every one dollar appropriated under this section.>  
 1 48 #4. Page 22, by inserting after line 14 the  
 1 49 following:  
 1 50 #5. Page 22, by inserting after line 14 the



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2 1 following:

2 2 <Sec. \_\_\_\_\_. PARTICIPATION IN AN INSTRUCTIONAL  
2 3 SUPPORT PROGRAM BY SCHOOL DISTRICTS == SUSPENSION OF  
2 4 REQUIREMENTS. Notwithstanding any contrary provision  
2 5 in chapter 257, including sections 257.18 through  
2 6 257.21, a school district that has participated in a  
2 7 board=approved instructional support program during  
2 8 the fiscal year beginning July 1, 2006, and ending  
2 9 June 30, 2007, may continue to participate in the  
2 10 board=approved instructional support program for the  
2 11 fiscal year beginning July 1, 2007, and ending June  
2 12 30, 2008, to the extent established by the board's  
2 13 resolution, as if it had complied with those sections,  
2 14 if all of the following apply:

2 15 1. The board of directors of the school district  
2 16 has adopted or adopts a resolution not later than May  
2 17 15, 2007, to participate in the board=approved  
2 18 instructional support program as otherwise provided in  
2 19 section 257.18. If the board of directors has adopted  
2 20 a budget which did not account for the board=approved  
2 21 instructional support program, the board of directors  
2 22 may adjust its budget to account for the  
2 23 board=approved instructional support program as  
2 24 approved by the department of management.

2 25 2. The secretary of the board of directors does  
2 26 not receive a petition as authorized in section  
2 27 257.18, subsection 2, within twenty=eight days  
2 28 following the adoption of the resolution by the board  
2 29 of directors of the school district to participate in  
2 30 the board=approved instructional support program as  
2 31 provided in subsection 1, which asks that an election  
2 32 be called to approve or disapprove the action of the  
2 33 board of directors in adopting the resolution.>

2 34 <Sec. \_\_\_\_\_. The Iowa learning technology commission  
2 35 shall submit a report by January 1, 2008, to the  
2 36 general assembly which shall include a description and  
2 37 the results of the pilot programs which received  
2 38 funding pursuant to section 280A.4 and, based on the  
2 39 findings resulting from implementation of the  
2 40 programs, the commission's recommendations for funding  
2 41 and implementing statewide learning technology  
2 42 initiatives.>

2 43 #6. Page 25, by inserting after line 14 the  
2 44 following:

2 45 <Sec. \_\_\_\_\_. Section 256.9, Code 2007, is amended by  
2 46 adding the following new subsection:

2 47 NEW SUBSECTION. 55. Establish and maintain a  
2 48 process and a procedure, in cooperation with the board  
2 49 of educational examiners, to compare a practitioner's  
2 50 teaching assignment with the license and endorsements



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3 1 held by the practitioner. The director may report  
3 2 noncompliance issues identified by this process to the  
3 3 board of educational examiners pursuant to section  
3 4 272.15, subsection 3.>  
3 5 #7. By striking page 26, line 34, through page 27,  
3 6 line 15, and inserting the following:  
3 7 <a. A school district that provides a virtual  
3 8 class to a pupil in another school district and the  
3 9 school district receiving that virtual class for a  
3 10 pupil shall each receive a supplemental weighting of  
3 11 one-twentieth of the percentage of the pupil's school  
3 12 day during which the pupil attends the virtual class.  
3 13 b. Fifty percent of the funding the school  
3 14 district providing the virtual class receives as a  
3 15 result of this subsection shall be reserved as  
3 16 additional pay for the virtual classroom instructor.  
3 17 If an instructor's contract provides additional pay  
3 18 for teaching a virtual class, the instructor shall  
3 19 receive the greater amount of either the amount  
3 20 provided for in this paragraph or the amount provided  
3 21 for in the instructor's contract.  
3 22 c. A school district receiving a virtual class for  
3 23 a pupil from a community college, which class meets  
3 24 the sharing agreement requirements in section 257.11,  
3 25 subsection 3, shall receive a supplemental funding  
3 26 weighting of one-twentieth of the percentage of the  
3 27 pupil's school day during which the pupil attends the  
3 28 virtual class.  
3 29 d. For the purposes of this subsection, "virtual  
3 30 class" means either of the following:  
3 31 (1) A class provided by a school district to a  
3 32 pupil in another school district via the Iowa  
3 33 communications network's video services.  
3 34 (2) A class provided by a community college to a  
3 35 pupil in a school district via the Iowa communications  
3 36 network's video services.>  
3 37 #8. Page 39, by inserting after line 4 the  
3 38 following:  
3 39 <Sec. \_\_\_\_\_. Section 272.15, Code 2007, is amended  
3 40 to read as follows:  
3 41 272.15 ~~SCHOOL REPORTING REQUIREMENT~~ REQUIREMENTS  
3 42 == COMPLAINTS.  
3 43 1. The board of directors of a school district or  
3 44 area education agency, the superintendent of a school  
3 45 district or the chief administrator of an area  
3 46 education agency, and the authorities in charge of a  
3 47 nonpublic school shall report to the board the  
3 48 nonrenewal or termination, for reasons of alleged or  
3 49 actual misconduct, of a person's contract executed  
3 50 under sections 279.12, 279.13, 279.15 through 279.21,



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4 1 279.23, and 279.24, and the resignation of a person  
4 2 who holds a license, certificate, or authorization  
4 3 issued by the board as a result of or following an  
4 4 incident or allegation of misconduct that, if proven,  
4 5 would constitute a violation of the rules adopted by  
4 6 the board to implement section 272.2, subsection 14,  
4 7 paragraph "b", subparagraph (1), when the board or  
4 8 reporting official has a good faith belief that the  
4 9 incident occurred or the allegation is true.  
4 10 Information reported to the board in accordance with  
4 11 this section is privileged and confidential, and  
4 12 except as provided in section 272.13, is not subject  
4 13 to discovery, subpoena, or other means of legal  
4 14 compulsion for its release to a person other than the  
4 15 respondent and the board and its employees and agents  
4 16 involved in licensee discipline, and is not admissible  
4 17 in evidence in a judicial or administrative proceeding  
4 18 other than the proceeding involving licensee  
4 19 discipline. The board shall review the information  
4 20 reported to determine whether a complaint should be  
4 21 initiated. In making that determination, the board  
4 22 shall consider the factors enumerated in section  
4 23 272.2, subsection 14, paragraph "a". For purposes of  
4 24 this section, unless the context otherwise requires,  
4 25 "misconduct" means an action disqualifying an  
4 26 applicant for a license or causing the license of a  
4 27 person to be revoked or suspended in accordance with  
4 28 the rules adopted by the board to implement section  
4 29 272.2, subsection 14, paragraph "b", subparagraph (1).  
4 30 2. If, in the course of performing official  
4 31 duties, an employee of the department becomes aware of  
4 32 any alleged misconduct by an individual licensed under  
4 33 this chapter, the employee shall report the alleged  
4 34 misconduct to the board of educational examiners under  
4 35 rules adopted pursuant to subsection 1.  
4 36 3. If the executive director of the board verifies  
4 37 through a review of official records that a teacher  
4 38 who holds a practitioner's license under this chapter  
4 39 is assigned instructional duties for which the teacher  
4 40 does not hold the appropriate license or endorsement,  
4 41 either by grade level or subject area, by a school  
4 42 district or accredited nonpublic school, the executive  
4 43 director may initiate a complaint against the teacher  
4 44 and the administrator responsible for the  
4 45 inappropriate assignment of instructional duties.>  
4 46 #9. Page 39, by inserting after line 18 the  
4 47 following:  
4 48 <Sec. \_\_\_\_\_. NEW SECTION. 279.43 REPORTING  
4 49 INAPPROPRIATE TEACHING ASSIGNMENTS.  
4 50 An employee licensed by the board of educational



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5 1 examiners and holding a contract as described in  
5 2 section 279.13 shall disclose any occurrence of a  
5 3 teaching assignment for which that employee is not  
5 4 properly licensed to the school official responsible  
5 5 for determining teaching assignments. Failure of the  
5 6 employee to disclose this occurrence or failure of the  
5 7 school official responsible for determining teaching  
5 8 assignments to make appropriate adjustments to the  
5 9 employee's teaching assignment once the employee  
5 10 discloses the occurrence shall constitute an incident  
5 11 of misconduct as provided in section 272.2, subsection  
5 12 14, and is actionable by the board. If the school  
5 13 official fails to make appropriate adjustments to the  
5 14 teaching assignment once disclosure by the employee is  
5 15 made, the employee shall report this occurrence to the  
5 16 department or to the board for further action.>

5 17 #10. Page 41, by inserting after line 30 the  
5 18 following:

5 19 <Sec. \_\_\_\_\_. NEW SECTION. 279.66 DISCIPLINE AND  
5 20 PERSONAL CONDUCT STANDARDS.

5 21 The board of directors of a school district shall  
5 22 review and modify existing policies related to student  
5 23 discipline and student conduct that are designed to  
5 24 promote responsible behavior on school property and at  
5 25 school functions in order that the policy shall govern  
5 26 the conduct of students, teachers and other school  
5 27 personnel, and visitors; provide opportunities for  
5 28 students to exercise self-discipline and practice  
5 29 cooperative classroom behavior; and encourage students  
5 30 and practitioners to model fairness, equity, and  
5 31 respect. The policy shall specify the  
5 32 responsibilities of students, parents and guardians,  
5 33 and practitioners in creating an atmosphere where all  
5 34 individuals feel a sense of respect, safety, and  
5 35 belonging, and shall set forth the consequences for  
5 36 unacceptable behavior. The policy shall be published  
5 37 in the student handbook.>

5 38 #11. Page 45, line 13, by inserting after the word  
5 39 <EFFECTIVE> the following: <AND APPLICABILITY>.

5 40 #12. Page 45, by inserting after line 16 the  
5 41 following:

5 42 <\_\_\_\_\_. The section of this Act enacting section  
5 43 257.11, subsection 6, takes effect July 1, 2007, and  
5 44 is applicable to school budget years beginning on or  
5 45 after July 1, 2008.>

5 46 #13. Page 45, by inserting after line 16 the  
5 47 following:

5 48 <\_\_\_\_\_. The section of this Act relating to a  
5 49 suspension of the requirements for participation in an  
5 50 instructional support program by school districts,



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6 1 being deemed of immediate importance, takes effect  
6 2 upon enactment.>  
6 3 #14. Title page, line 4, by inserting after the  
6 4 word <regents,> the following: <providing for related  
6 5 matters concerning the Iowa learning technology  
6 6 commission,>.  
6 7 #15. Title page, line 4, by inserting after the  
6 8 word <regents,> the following: <providing for a  
6 9 related matter concerning participation in an  
6 10 instructional support program by school districts,>.  
6 11 #16. By renumbering, relettering, or redesignating  
6 12 and correcting internal references as necessary.  
6 13 SF 588.H  
6 14 kh/jg/25



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Senate Amendment 3507

PAG LIN

1 1 Amend Senate File 512 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. NEW SECTION. 510B.1 DEFINITIONS.  
1 5 As used in this chapter, unless the context  
1 6 otherwise requires:  
1 7 1. "Commissioner" means the commissioner of  
1 8 insurance.  
1 9 2. "Covered entity" means a nonprofit hospital or  
1 10 medical services corporation, health insurer, health  
1 11 benefit plan, or health maintenance organization; a  
1 12 health program administered by a department or the  
1 13 state in the capacity of provider of health coverage;  
1 14 or an employer, labor union, or other group of persons  
1 15 organized in the state that provides health coverage.  
1 16 "Covered entity" does not include a self-funded health  
1 17 coverage plan that is exempt from state regulation  
1 18 pursuant to the federal Employee Retirement Income  
1 19 Security Act of 1974 (ERISA), as codified at 29 U.S.C.  
1 20 } 1001 et seq., a plan issued for health coverage for  
1 21 federal employees, or a health plan that provides  
1 22 coverage only for accidental injury, specified  
1 23 disease, hospital indemnity, Medicare supplemental,  
1 24 disability income, or long-term care, or other limited  
1 25 benefit health insurance policy or contract.  
1 26 3. "Covered individual" means a member,  
1 27 participant, enrollee, contract holder, policyholder,  
1 28 or beneficiary of a covered entity who is provided  
1 29 health coverage by the covered entity, and includes a  
1 30 dependent or other person provided health coverage  
1 31 through a policy, contract, or plan for a covered  
1 32 individual.  
1 33 4. "Generic drug" means a chemically equivalent  
1 34 copy of a brand-name drug with an expired patent.  
1 35 5. "Labeler" means a person that receives  
1 36 prescription drugs from a manufacturer or wholesaler  
1 37 and repackages those drugs for later retail sale and  
1 38 that has a labeler code from the federal food and drug  
1 39 administration pursuant to 21 C.F.R. } 207.20.  
1 40 6. "Pharmacy" means pharmacy as defined in section  
1 41 155A.3.  
1 42 7. "Pharmacy benefits management" means the  
1 43 administration or management of prescription drug  
1 44 benefits provided by a covered entity under the terms  
1 45 and conditions of the contract between the pharmacy  
1 46 benefits manager and the covered entity.  
1 47 8. "Pharmacy benefits manager" means a person who  
1 48 performs pharmacy benefits management services.  
1 49 "Pharmacy benefits manager" includes a person acting  
1 50 on behalf of a pharmacy benefits manager in a



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2 1 contractual or employment relationship in the  
2 2 performance of pharmacy benefits management services  
2 3 for a covered entity. "Pharmacy benefits manager"  
2 4 does not include a health insurer licensed in the  
2 5 state if the health insurer or its subsidiary is  
2 6 providing pharmacy benefits management services  
2 7 exclusively to its own insureds, or a public  
2 8 self-funded pool or a private single employer  
2 9 self-funded plan that provides such benefits or  
2 10 services directly to its beneficiaries.  
2 11 9. "Prescription drug" means prescription drug as  
2 12 defined in section 155A.3.  
2 13 10. "Prescription drug order" means prescription  
2 14 drug order as defined in section 155A.3.  
2 15 Sec. 2. NEW SECTION. 510B.2 CERTIFICATION AS A  
2 16 THIRD-PARTY ADMINISTRATOR REQUIRED.  
2 17 A pharmacy benefits manager doing business in this  
2 18 state shall obtain a certificate as a third-party  
2 19 administrator under chapter 510, and the provisions  
2 20 relating to a third-party administrator pursuant to  
2 21 chapter 510 shall apply to a pharmacy benefits  
2 22 manager.  
2 23 Sec. 3. NEW SECTION. 510B.3 ENFORCEMENT ==  
2 24 RULES.  
2 25 1. The commissioner shall enforce the provisions  
2 26 of this chapter.  
2 27 2. The commissioner shall adopt rules pursuant to  
2 28 chapter 17A to administer this chapter including rules  
2 29 relating to all of the following:  
2 30 a. Timely payment of pharmacy claims.  
2 31 b. A process for adjudication of complaints and  
2 32 settlement of disputes between a pharmacy benefits  
2 33 manager and a licensed pharmacy related to pharmacy  
2 34 auditing practices, termination of pharmacy  
2 35 agreements, and timely payment of pharmacy claims.  
2 36 Sec. 4. NEW SECTION. 510B.4 PERFORMANCE OF  
2 37 DUTIES == GOOD FAITH == CONFLICT OF INTEREST.  
2 38 1. A pharmacy benefits manager shall perform the  
2 39 pharmacy benefits manager's duties exercising good  
2 40 faith and fair dealing in the performance of its  
2 41 contractual obligations toward the covered entity.  
2 42 2. A pharmacy benefits manager shall notify the  
2 43 covered entity in writing of any activity, policy,  
2 44 practice ownership interest, or affiliation of the  
2 45 pharmacy benefits manager that presents any conflict  
2 46 of interest.  
2 47 Sec. 5. NEW SECTION. 510B.5 CONTACTING COVERED  
2 48 INDIVIDUAL == REQUIREMENTS.  
2 49 A pharmacy benefits manager, unless authorized  
2 50 pursuant to the terms of its contract with a covered



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3 1 entity, shall not contact any covered individual  
3 2 without the express written permission of the covered  
3 3 entity.  
3 4 Sec. 6. NEW SECTION. 510B.6 DISPENSING OF  
3 5 SUBSTITUTE PRESCRIPTION DRUG FOR PRESCRIBED DRUG.  
3 6 1. The following provisions shall apply when a  
3 7 pharmacy benefits manager requests the dispensing of a  
3 8 substitute prescription drug for a prescribed drug to  
3 9 a covered individual:  
3 10 a. The pharmacy benefits manager may request the  
3 11 substitution of a lower priced generic and  
3 12 therapeutically equivalent drug for a higher priced  
3 13 prescribed drug.  
3 14 b. If the substitute drug's net cost to the  
3 15 covered individual or covered entity exceeds the cost  
3 16 of the prescribed drug, the substitution shall be made  
3 17 only for medical reasons that benefit the covered  
3 18 individual.  
3 19 2. A pharmacy benefits manager shall obtain the  
3 20 approval of the prescribing practitioner prior to  
3 21 requesting any substitution under this section.  
3 22 3. A pharmacy benefits manager shall not  
3 23 substitute an equivalent prescription drug contrary to  
3 24 a prescription drug order that prohibits a  
3 25 substitution.  
3 26 Sec. 7. NEW SECTION. 510B.7 DUTIES TO PHARMACY  
3 27 NETWORK PROVIDERS.  
3 28 1. A pharmacy benefits manager shall not mandate  
3 29 basic recordkeeping that is more stringent than that  
3 30 required by state or federal law or regulation.  
3 31 2. If a pharmacy benefits manager receives notice  
3 32 from a covered entity of termination of the covered  
3 33 entity's contract, the pharmacy benefits manager shall  
3 34 notify, within ten working days of the notice, all  
3 35 pharmacy network providers of the effective date of  
3 36 the termination.  
3 37 3. Within three business days of a price increase  
3 38 notification by a manufacturer or supplier, a pharmacy  
3 39 benefits manager shall adjust its payment to the  
3 40 pharmacy network provider consistent with the price  
3 41 increase.  
3 42 Sec. 8. PHARMACY BENEFITS MANAGER LEGISLATIVE  
3 43 INTERIM COMMITTEE. The legislative council is  
3 44 requested to establish a legislative interim committee  
3 45 on pharmacy benefits managers to review all of the  
3 46 following:  
3 47 1. Transparency and disclosure arrangements  
3 48 between pharmacy benefits managers and covered  
3 49 entities.  
3 50 2. Confidentiality protections for information



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4 1 disclosed to covered entities and remedies for  
4 2 unauthorized disclosure.  
4 3 3. The ability of covered entities to audit  
4 4 pharmacy benefits managers.  
4 5 4. Appropriate remedies for covered entities to  
4 6 enforce a provision of or for violation of a provision  
4 7 of chapter 510B, as enacted in this Act.  
4 8 Sec. 9. EFFECTIVE DATE == DIRECTIVE TO  
4 9 COMMISSIONER OF INSURANCE.  
4 10 1. This Act takes effect January 1, 2008.  
4 11 2. Notwithstanding the effective date of this Act,  
4 12 the commissioner of insurance shall commence the  
4 13 process of developing proposed rules to implement and  
4 14 administer this Act beginning July 1, 2007.>  
4 15 #2. Title page, by striking line 2 and inserting  
4 16 the following: <and making penalties applicable, and  
4 17 providing an effective date.>  
4 18  
4 19  
4 20  
4 21 JEFF DANIELSON  
4 22  
4 23  
4 24  
4 25 PAT WARD  
4 26  
4 27  
4 28  
4 29 MARK ZIEMAN  
4 30 SF 512.704 82  
4 31 pf/gg/9507



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Senate Amendment 3508

PAG LIN

1 1 Amend Senate File 606 as follows:  
1 2 #1. Page 3, by inserting after line 1 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 312.2, Code 2007, is amended by  
1 5 adding the following new subsection:  
1 6 NEW SUBSECTION. 19. The treasurer of state,  
1 7 before making the allotments provided for in this  
1 8 section, shall credit monthly to the TIME=21 fund  
1 9 created in section 312A.2 the revenue accruing to the  
1 10 road use tax fund from motor vehicle registration fees  
1 11 that is attributable to the change in registration  
1 12 fees for motor trucks with an unladen weight of seven  
1 13 thousand five hundred pounds or less, to be determined  
1 14 as follows:  
1 15 a. For months in the calendar year beginning  
1 16 January 1, 2008, the motor vehicle registration  
1 17 revenue attributable to the change in motor truck  
1 18 registration fees shall be the actual increase in  
1 19 revenue derived from basing registration fees for  
1 20 motor trucks weighing seven thousand five hundred  
1 21 pounds or less on the vehicle's weight and value, as  
1 22 required under section 321.109, instead of charging  
1 23 the flat fee required under section 321.122, Code  
1 24 2007. In calculating the actual increase in revenue  
1 25 derived from the change in motor truck fees, the  
1 26 department shall take into consideration any automatic  
1 27 reduction applied to the registration fees for motor  
1 28 trucks weighing seven thousand five hundred pounds or  
1 29 less pursuant to section 321.113.  
1 30 b. The total amount of motor vehicle registration  
1 31 revenue attributable to the change in motor truck  
1 32 registration fees for all months in the calendar year  
1 33 beginning January 1, 2008, as determined under  
1 34 paragraph "a", divided by the total amount of all  
1 35 motor vehicle registration revenues credited to the  
1 36 road use tax fund for that calendar year, is the  
1 37 "percentage multiplier" to be used to determine the  
1 38 motor vehicle registration revenue attributable to the  
1 39 change in motor truck registration fees for months in  
1 40 subsequent calendar years, as provided in paragraph  
1 41 "c".  
1 42 c. For months in the calendar year beginning  
1 43 January 1, 2009, and subsequent years, the motor  
1 44 vehicle registration revenue attributable to the  
1 45 change in motor truck registration fees is the product  
1 46 of the total amount of all motor vehicle registration  
1 47 revenues credited to the road use tax fund for the  
1 48 month multiplied by the percentage multiplier under  
1 49 paragraph "b".>  
1 50 #2. Page 3, by inserting before line 2 the



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Senate Amendment 3508 continued

2 1 following:  
2 2 <Sec. \_\_\_\_\_. Section 321.109, subsection 1,  
2 3 paragraph a, Code 2007, is amended to read as follows:  
2 4 a. The annual fee for all motor vehicles including  
2 5 vehicles designated by manufacturers as station  
2 6 wagons, ~~and~~ 1993 and subsequent model years for  
2 7 multipurpose vehicles, and 2009 and subsequent model  
2 8 year motor trucks with an unladen weight of seven  
2 9 thousand five hundred pounds or less, except motor  
2 10 trucks registered under section 321.122, special  
2 11 trucks, motor homes, ambulances, hearses, motorcycles,  
2 12 motorized bicycles, and 1992 and older model years for  
2 13 multipurpose vehicles, shall be equal to one percent  
2 14 of the value as fixed by the department plus forty  
2 15 cents for each one hundred pounds or fraction thereof  
2 16 of weight of vehicle, as fixed by the department. The  
2 17 weight of a motor vehicle, fixed by the department for  
2 18 registration purposes, shall include the weight of a  
2 19 battery, heater, bumpers, spare tire, and wheel.  
2 20 Provided, however, that for any new vehicle purchased  
2 21 in this state by a nonresident for removal to the  
2 22 nonresident's state of residence the purchaser may  
2 23 make application to the county treasurer in the county  
2 24 of purchase for a transit plate for which a fee of ten  
2 25 dollars shall be paid. And provided, however, that  
2 26 for any used vehicle held by a registered dealer and  
2 27 not currently registered in this state, or for any  
2 28 vehicle held by an individual and currently registered  
2 29 in this state, when purchased in this state by a  
2 30 nonresident for removal to the nonresident's state of  
2 31 residence, the purchaser may make application to the  
2 32 county treasurer in the county of purchase for a  
2 33 transit plate for which a fee of three dollars shall  
2 34 be paid. The county treasurer shall issue a  
2 35 nontransferable certificate of registration for which  
2 36 no refund shall be allowed; and the transit plates  
2 37 shall be void thirty days after issuance. Such  
2 38 purchaser may apply for a certificate of title by  
2 39 surrendering the manufacturer's or importer's  
2 40 certificate or certificate of title, duly assigned as  
2 41 provided in this chapter. In this event, the  
2 42 treasurer in the county of purchase shall, when  
2 43 satisfied with the genuineness and regularity of the  
2 44 application, and upon payment of a fee of ten dollars,  
2 45 issue a certificate of title in the name and address  
2 46 of the nonresident purchaser delivering the title to  
2 47 the owner. If there is a security interest noted on  
2 48 the title, the county treasurer shall mail to the  
2 49 secured party an acknowledgment of the notation of the  
2 50 security interest. The county treasurer shall not



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Senate Amendment 3508 continued

3 1 release a security interest that has been noted on a  
3 2 title issued to a nonresident purchaser as provided in  
3 3 this paragraph. The application requirements of  
3 4 section 321.20 apply to a title issued as provided in  
3 5 this subsection, except that a natural person who  
3 6 applies for a certificate of title shall provide  
3 7 either the person's social security number, passport  
3 8 number, or driver's license number, whether the  
3 9 license was issued by this state, another state, or  
3 10 another country. The provisions of this subsection  
3 11 relating to multipurpose vehicles are effective  
3 12 January 1, 1993, for all 1993 and subsequent model  
3 13 years. The annual registration fee for multipurpose  
3 14 vehicles that are 1992 model years and older shall be  
3 15 in accordance with section 321.124.

3 16 Sec. \_\_\_\_\_. Section 321.122, subsection 1,  
3 17 unnumbered paragraph 1, Code 2007, is amended to read  
3 18 as follows:

3 19 The annual registration fee for truck tractors,  
3 20 road tractors, and motor trucks, except 2009 and  
3 21 subsequent model year motor trucks with an unladen  
3 22 weight of seven thousand five hundred pounds or less  
3 23 and motor trucks registered as special trucks, shall  
3 24 be based on the combined gross weight of the vehicle  
3 25 or combination of vehicles. All such trucks, truck  
3 26 tractors, or road tractors registered under this  
3 27 section shall be registered for a gross weight equal  
3 28 to or in excess of the unladen weight of the vehicle  
3 29 or combination of vehicles. The annual registration  
3 30 fee fees for such vehicles or combination of vehicles,  
3 31 except special trucks, shall be are as follows:

3 32 Sec. \_\_\_\_\_. Section 321.123, subsection 2, Code  
3 33 2007, is amended by adding the following new  
3 34 paragraph:

3 35 NEW PARAGRAPH. c. This subsection does not apply  
3 36 to motor trucks registered under section 321.109.>  
3 37 #3. Page 3, by inserting after line 21 the  
3 38 following:

3 39 <Sec. \_\_\_\_\_. APPLICABILITY. The following sections  
3 40 of this Act apply to registrations of 2009 and  
3 41 subsequent model year motor trucks with an unladen  
3 42 weight of seven thousand five hundred pounds or less  
3 43 registered on or after January 1, 2008:

3 44 1. The section of this Act that enacts section  
3 45 312.2, subsection 19.

3 46 2. The section of this Act that amends section  
3 47 321.109, subsection 1, paragraph "a".

3 48 3. The section of this Act that amends section  
3 49 321.122, subsection 1.

3 50 4. The section of this Act that enacts section



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Senate Amendment 3508 continued

4 1 321.123, subsection 2, paragraph "c".>  
4 2 #4. Title page, line 1, by inserting after the  
4 3 word <to> the following: <certain motor truck  
4 4 registration fees, allocation of revenue from the  
4 5 fees, and applicability of the fee provisions, and to  
4 6 other>.  
4 7 #5. By renumbering as necessary.  
4 8  
4 9  
4 10  
4 11 JOHN PUTNEY  
4 12 SF 606.701 82  
4 13 dea/gg/8969



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Senate Amendment 3509

PAG LIN

1 1 Amend House File 923, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by inserting after line 20 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 331.434, subsection 1, Code  
1 6 2007, is amended to read as follows:  
1 7 1. The budget shall show the amount required for  
1 8 each class of proposed expenditures, a comparison of  
1 9 the amounts proposed to be expended with the amounts  
1 10 expended for like purposes for the two preceding  
1 11 years, the revenues from sources other than property  
1 12 taxation, a tax increment financing budget including  
1 13 information required under section 384.16 for each  
1 14 urban renewal area established by the county, and the  
1 15 amount to be raised by property taxation, in the  
1 16 detail and form prescribed by the director of the  
1 17 department of management.  
1 18 Sec. \_\_\_\_\_. Section 384.16, subsection 1, Code 2007,  
1 19 is amended by adding the following new paragraph:  
1 20 NEW PARAGRAPH. d. A tax increment financing  
1 21 budget for each urban renewal area established by the  
1 22 city.  
1 23 Sec. \_\_\_\_\_. Section 384.16, subsection 1, unnumbered  
1 24 paragraph 2, Code 2007, is amended to read as follows:  
1 25 A budget must show comparisons between the  
1 26 estimated expenditures in each program in the  
1 27 following year, the latest estimated expenditures in  
1 28 each program in the current year, and the actual  
1 29 expenditures in each program from the annual report as  
1 30 provided in section 384.22, or as corrected by a  
1 31 subsequent audit report. Wherever practicable, as  
1 32 provided in rules of the committee, a budget,  
1 33 including the tax increment financing budget, must  
1 34 show comparisons between the levels of service  
1 35 provided by each program as estimated for the  
1 36 following year, and actual levels of service provided  
1 37 by each program during the two preceding years.  
1 38 Wherever practicable, the tax increment financing  
1 39 budget shall include estimated and actual tax  
1 40 increment financing revenues and all estimated and  
1 41 actual expenditures of the revenues, proceeds from  
1 42 debt and all estimated and actual expenditures of the  
1 43 debt proceeds, and identification of any entity  
1 44 receiving a direct payment of taxes funded by tax  
1 45 increment financing revenues.>  
1 46  
1 47  
1 48  
1 49 COMMITTEE ON WAYS AND MEANS  
1 50 JOE BOLKCOM, CHAIRPERSON



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Senate Amendment 3509 continued

2 1 HF 923.504 82  
2 2 mg/je/10053



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Senate Amendment 3510

PAG LIN

1 1 Amend House File 923, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 9, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 427.3, Code 2007, is amended to  
1 6 read as follows:  
1 7 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT  
1 8 ENTITIES.  
1 9 The board of supervisors may abate the taxes levied  
1 10 against property acquired by gift or purchase by a  
1 11 person or entity if the property acquired by gift or  
1 12 purchase was transferred to the person or entity after  
1 13 the deadline for filing for property tax exemption in  
1 14 the year in which the property was transferred and the  
1 15 property acquired by gift or purchase would have been  
1 16 exempt under section 427.1, subsection 7, 8, or 9, if  
1 17 the person or entity had been able to file for  
1 18 exemption in a timely manner.  
1 19 Sec. \_\_\_\_\_. REFUND OF PROPERTY TAXES.  
1 20 Notwithstanding the deadline for filing a claim for  
1 21 property tax exemption for property described in  
1 22 section 427.1, subsection 8 or 9, and notwithstanding  
1 23 any other provision to the contrary, the board of  
1 24 supervisors of a county having a population based upon  
1 25 the latest federal decennial census of more than  
1 26 eighty=eight thousand but not more than ninety=five  
1 27 thousand shall refund the property taxes paid, with  
1 28 all interest, penalties, fees, and costs which were  
1 29 due and payable in the fiscal year beginning July 1,  
1 30 2002, and in the fiscal year beginning July 1, 2005,  
1 31 on the land and buildings of an institution that  
1 32 purchased property and that did not receive a property  
1 33 tax exemption for the property due to the inability or  
1 34 failure to file for the exemption. To receive the  
1 35 refund provided for in this section, the institution  
1 36 shall apply to the county board of supervisors by  
1 37 October 1, 2007, and provide appropriate information  
1 38 establishing that the land and buildings for which the  
1 39 refund is sought were used by the institution for its  
1 40 appropriate objectives during the fiscal year  
1 41 beginning July 1, 2002, and during the fiscal year  
1 42 beginning July 1, 2005. The refund allowed under this  
1 43 section only applies to property taxes, with all  
1 44 interest, penalties, fees, and costs, due and payable  
1 45 in the fiscal year beginning July 1, 2002, and in the  
1 46 fiscal year beginning July 1, 2005.  
1 47 Sec. \_\_\_\_\_. IMMEDIATE EFFECTIVE DATE. The section  
1 48 of this division of this Act, amending section 427.3,  
1 49 being deemed of immediate importance, takes effect  
1 50 upon enactment and applies retroactively to property



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Senate Amendment 3510 continued

2 1 taxes due and payable in the fiscal year beginning  
2 2 July 1, 2002, and in the fiscal year beginning July 1,  
2 3 2005.>  
2 4  
2 5  
2 6  
2 7 JOE BOLKCOM  
2 8 HF 923.702 82  
2 9 mg/gg/10052



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Senate Amendment 3511

PAG LIN

1 1 Amend House File 918, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 15, by inserting after line 15 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 476.110 TRADING OF  
1 6 CREDITS.  
1 7 The board may establish or participate in a program  
1 8 to track, record, and verify the trading of credits  
1 9 for electricity generated from renewable energy  
1 10 sources among electric generators, utilities, and  
1 11 other interested entities, within this state and with  
1 12 similar entities in other states.  
1 13 Sec. \_\_\_\_\_. NEW SECTION. 476A.17 COAL=FIRED  
1 14 MERCHANT POWER PLANTS.  
1 15 1. For purposes of this section, "coal=fired  
1 16 merchant power plant" means a power plant located in  
1 17 this state that burns primarily coal and was built  
1 18 after January 1, 2007, that is not owned more than  
1 19 fifty percent by a public utility, municipally owned  
1 20 utility, municipal power agency, or electric  
1 21 cooperative corporation or association, and which is  
1 22 not subject to rate regulation pursuant to chapter  
1 23 476.  
1 24 2. As a condition of a permit issued by the board  
1 25 pursuant to this chapter, the board shall order an  
1 26 owner or operator of a coal=fired merchant power plant  
1 27 to do all of the following:  
1 28 a. Fulfill a plan or agreement to generate,  
1 29 provide, or purchase renewable energy, including but  
1 30 not limited to the use of biomass, in Iowa equal to at  
1 31 least two percent of the energy generated by the  
1 32 coal=fired merchant power plant.  
1 33 b. Provide one=tenth of one percent of annual  
1 34 gross revenues for the support of the Iowa energy  
1 35 center created in section 266.39C and the center for  
1 36 global and regional environmental research created by  
1 37 the state board of regents.  
1 38 c. Provide one=half of one percent of annual gross  
1 39 revenues for a statewide energy efficiency education  
1 40 program to be operated by the center for energy and  
1 41 environmental education at the university of northern  
1 42 Iowa in conjunction with the board.  
1 43 3. The board, after consultation with the  
1 44 department of natural resources, may waive all or part  
1 45 of the requirements of subsection 2 upon finding that  
1 46 the coal=fired merchant power plant has exceeded  
1 47 another requirement of subsection 2 or implemented  
1 48 other methods to expand renewable energy, energy  
1 49 efficiency, and energy research, or to offset its  
1 50 production of greenhouse gases and other pollutants.



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Senate Amendment 3511 continued

2 1 4. The board shall adopt rules pursuant to chapter  
2 2 17A prescribing regulatory standards and  
2 3 implementation procedures relating to the application  
2 4 of the requirements in subsection 2.>  
2 5 #2. By renumbering as necessary.  
2 6  
2 7  
2 8  
2 9 ROBERT M. HOGG  
2 10  
2 11  
2 12  
2 13 JEFF DANIELSON  
2 14 HF 918.508 82  
2 15 tm/je/9646



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## Senate Amendment 3512

PAG LIN

1 1 Amend Senate File 606 as follows:  
1 2 #1. Page 3, by inserting after line 1 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 312.2, Code 2007, is amended by  
1 5 adding the following new subsection:  
1 6 NEW SUBSECTION. 19. The treasurer of state,  
1 7 before making the allotments provided for in this  
1 8 section, shall credit annually to the TIME=21 fund  
1 9 created in section 312A.2 the revenue accruing to the  
1 10 road use tax fund from motor vehicle registration fees  
1 11 that is attributable to the change in registration  
1 12 fees for motor trucks with an unladen weight of seven  
1 13 thousand five hundred pounds or less. For purposes of  
1 14 this subsection, the motor vehicle registration fee  
1 15 revenue attributable to the change in motor truck  
1 16 registration fees is the amount in excess of the total  
1 17 amount collected for the fiscal year beginning July 1,  
1 18 2006, and ending June 30, 2007, from registration fees  
1 19 for motor trucks with a combined gross weight of four  
1 20 tons or less under section 321.122, Code 2007.>  
1 21 #2. Page 3, by inserting before line 2 the  
1 22 following:  
1 23 <Sec. \_\_\_\_\_. Section 321.109, subsection 1,  
1 24 paragraph a, Code 2007, is amended to read as follows:  
1 25 a. The annual fee for all motor vehicles including  
1 26 vehicles designated by manufacturers as station  
1 27 wagons, ~~and~~ 1993 and subsequent model years for  
1 28 multipurpose vehicles, and 2009 and subsequent model  
1 29 year motor trucks with an unladen weight of seven  

---

1 30 thousand five hundred pounds or less, except motor  

---

1 31 trucks registered under section 321.122, special  

---

1 32 trucks, motor homes, ambulances, hearses, motorcycles,  
1 33 motorized bicycles, and 1992 and older model years for  
1 34 multipurpose vehicles, shall be equal to one percent  
1 35 of the value as fixed by the department plus forty  
1 36 cents for each one hundred pounds or fraction thereof  
1 37 of weight of vehicle, as fixed by the department. The  
1 38 weight of a motor vehicle, fixed by the department for  
1 39 registration purposes, shall include the weight of a  
1 40 battery, heater, bumpers, spare tire, and wheel.  
1 41 Provided, however, that for any new vehicle purchased  
1 42 in this state by a nonresident for removal to the  
1 43 nonresident's state of residence the purchaser may  
1 44 make application to the county treasurer in the county  
1 45 of purchase for a transit plate for which a fee of ten  
1 46 dollars shall be paid. And provided, however, that  
1 47 for any used vehicle held by a registered dealer and  
1 48 not currently registered in this state, or for any  
1 49 vehicle held by an individual and currently registered  
1 50 in this state, when purchased in this state by a



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Senate Amendment 3512 continued

2 1 nonresident for removal to the nonresident's state of  
2 2 residence, the purchaser may make application to the  
2 3 county treasurer in the county of purchase for a  
2 4 transit plate for which a fee of three dollars shall  
2 5 be paid. The county treasurer shall issue a  
2 6 nontransferable certificate of registration for which  
2 7 no refund shall be allowed; and the transit plates  
2 8 shall be void thirty days after issuance. Such  
2 9 purchaser may apply for a certificate of title by  
2 10 surrendering the manufacturer's or importer's  
2 11 certificate or certificate of title, duly assigned as  
2 12 provided in this chapter. In this event, the  
2 13 treasurer in the county of purchase shall, when  
2 14 satisfied with the genuineness and regularity of the  
2 15 application, and upon payment of a fee of ten dollars,  
2 16 issue a certificate of title in the name and address  
2 17 of the nonresident purchaser delivering the title to  
2 18 the owner. If there is a security interest noted on  
2 19 the title, the county treasurer shall mail to the  
2 20 secured party an acknowledgment of the notation of the  
2 21 security interest. The county treasurer shall not  
2 22 release a security interest that has been noted on a  
2 23 title issued to a nonresident purchaser as provided in  
2 24 this paragraph. The application requirements of  
2 25 section 321.20 apply to a title issued as provided in  
2 26 this subsection, except that a natural person who  
2 27 applies for a certificate of title shall provide  
2 28 either the person's social security number, passport  
2 29 number, or driver's license number, whether the  
2 30 license was issued by this state, another state, or  
2 31 another country. The provisions of this subsection  
2 32 relating to multipurpose vehicles are effective  
2 33 January 1, 1993, for all 1993 and subsequent model  
2 34 years. The annual registration fee for multipurpose  
2 35 vehicles that are 1992 model years and older shall be  
2 36 in accordance with section 321.124.

2 37 Sec. \_\_\_\_\_. Section 321.122, subsection 1,  
2 38 unnumbered paragraph 1, Code 2007, is amended to read  
2 39 as follows:

2 40 The annual registration fee for truck tractors,  
2 41 road tractors, and motor trucks, except 2009 and  
2 42 subsequent model year motor trucks with an unladen  
2 43 weight of seven thousand five hundred pounds or less  
2 44 and motor trucks registered as special trucks, shall  
2 45 be based on the combined gross weight of the vehicle  
2 46 or combination of vehicles. All such trucks, truck  
2 47 tractors, or road tractors registered under this  
2 48 section shall be registered for a gross weight equal  
2 49 to or in excess of the unladen weight of the vehicle  
2 50 or combination of vehicles. The annual registration



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Senate Amendment 3512 continued

3 1 ~~fee fees~~ for such vehicles or combination of vehicles,  
3 2 except special trucks, ~~shall be~~ are as follows:  
3 3 Sec. \_\_\_\_\_. Section 321.123, subsection 2, Code  
3 4 2007, is amended by adding the following new  
3 5 paragraph:  
3 6 NEW PARAGRAPH. c. This subsection does not apply  
3 7 to motor trucks registered under section 321.109.>  
3 8 #3. Page 3, by inserting after line 21 the  
3 9 following:  
3 10 <Sec. \_\_\_\_\_. APPLICABILITY. The following sections  
3 11 of this Act apply to registrations of 2009 and  
3 12 subsequent model year motor trucks with an unladen  
3 13 weight of seven thousand five hundred pounds or less  
3 14 registered on or after January 1, 2008:  
3 15 1. The section of this Act that enacts section  
3 16 312.2, subsection 19.  
3 17 2. The section of this Act that amends section  
3 18 321.109, subsection 1, paragraph "a".  
3 19 3. The section of this Act that amends section  
3 20 321.122, subsection 1.  
3 21 4. The section of this Act that enacts section  
3 22 321.123, subsection 2, paragraph "c".>  
3 23 #4. Title page, line 1, by inserting after the  
3 24 word <to> the following: <certain motor truck  
3 25 registration fees, allocation of revenue from the  
3 26 fees, and applicability of the fee provisions, and to  
3 27 other>.  
3 28 #5. By renumbering as necessary.  
3 29  
3 30  
3 31  
3 32 JOHN PUTNEY  
3 33 SF 606.503 82  
3 34 dea/je/8971



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## Senate Amendment 3513

PAG LIN

1 1 Amend House File 901, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. NEW SECTION. 91.7 SECURITY EMPLOYEE  
1 6 TRAINING == FEES == RETENTION.  
1 7 1. The commissioner shall establish and conduct  
1 8 security employee training for designated security  
1 9 employees, as defined in section 123.3, who are  
1 10 required to be trained and certified pursuant to  
1 11 section 123.32. The commissioner shall assess a fee  
1 12 of not more than twenty-five dollars to a person  
1 13 participating in the training.  
1 14 2. Fees assessed pursuant to this section shall be  
1 15 retained by the commissioner and shall be considered  
1 16 repayment receipts as defined in section 8.2, and  
1 17 shall be used to offset the cost of conducting the  
1 18 training. Notwithstanding section 8.33, repayment  
1 19 receipts collected by the commissioner for security  
1 20 employee training that remain unencumbered or  
1 21 unobligated at the close of the fiscal year shall not  
1 22 revert but shall remain available for expenditure for  
1 23 the purpose designated until the close of the  
1 24 succeeding fiscal year.>  
1 25 #2. Page 1, line 11, by inserting after the word  
1 26 <However,> the following: <the local authority for a  
1 27 city with a population of more than forty thousand  
1 28 shall require>.  
1 29 #3. Page 1, by striking lines 12 through 18 and  
1 30 inserting the following: <licensee or permittee of  
1 31 premises with an occupancy of at least one hundred  
1 32 fifty persons to have at least one designated security  
1 33 employee, who shall be designated as the supervising  
1 34 security person, who is trained and certified in  
1 35 security methods, on the premises during an event for  
1 36 which an admission or a cover charge of at least five  
1 37 dollars is charged or collected to enter the premises  
1 38 or attend a performance or program on the premises  
1 39 while>.  
1 40 #4. Page 1, line 21, by striking the words  
1 41 <authorized by the administrator> and inserting the  
1 42 following: <conducted by the division of labor  
1 43 services of the department of workforce development.  
1 44 However, a designated security employee who is a  
1 45 certified peace officer shall be exempt from the  
1 46 requirement to be trained and certified through a  
1 47 program conducted by the division of labor services>.  
1 48 #5. Page 1, by inserting after line 33 the  
1 49 following:  
1 50 <Sec. \_\_\_\_ . EFFECTIVE DATE. The section of this



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Senate Amendment 3513 continued

2 1 Act amending section 123.32 takes effect July 1,  
2 2 2008.>  
2 3 #6. Title page, line 3, by inserting after the  
2 4 word <permit> the following: <and providing an  
2 5 effective date>.  
2 6 #7. By renumbering as necessary.  
2 7  
2 8  
2 9  
2 10 WILLIAM DOTZLER  
2 11 HF 901.501 82  
2 12 ec/je/9587



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## Senate Amendment 3514

PAG LIN

1 1 Amend House File 911, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 3, by inserting after line 3, the  
 1 4 following:  
 1 5 <\_\_\_\_. For distribution to other governmental  
 1 6 entities:  
 1 7 ..... \$ 2,000,000  
 1 8 Moneys appropriated in this lettered paragraph  
 1 9 shall be separately accounted for in a distribution  
 1 10 account and shall be distributed to other governmental  
 1 11 entities based upon a formula established by the  
 1 12 department to pay for services provided during the  
 1 13 fiscal year to such other governmental entities by the  
 1 14 department associated with the integrated information  
 1 15 for Iowa system, notwithstanding section 8.57,  
 1 16 subsection 6, paragraph "c":>  
 1 17 #2. Page 8, line 23, by striking the figure  
 1 18 <4,500,000> and inserting the following: <2,000,000>.  
 1 19 #3. Page 14, by inserting after line 15 the  
 1 20 following:  
 1 21 <Sec. \_\_\_\_\_. 2007 Iowa Acts, House File 874, section  
 1 22 1, subsection 1, paragraph "c", if enacted, is amended  
 1 23 by striking the paragraph.>  
 1 24 #4. Page 21, line 9, by striking the figure  
 1 25 <4,100,000> and inserting the following: <3,600,000>.  
 1 26 #5. Page 21, line 11, by striking the figure  
 1 27 <22,800,000> and inserting the following:  
 1 28 <23,300,000>.  
 1 29 #6. By renumbering as necessary.  
 1 30  
 1 31  
 1 32  
 1 33 MATT McCOY  
 1 34 HF 911.523 82  
 1 35 rh/je/9537  
 1 36  
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## Senate Amendment 3515

PAG LIN

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1 1 Amend the House amendment, S=3506, to Senate File
1 2 588, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 1, by inserting after line 2 the
1 5 following:
1 6 <#____. Page 2, by striking line 21 and inserting
1 7 the following:
1 8 <..... $ 485,400>
1 9 #____. Page 3, line 20, by striking the figure
1 10 <395,600> and inserting the following: <295,600>.
1 11 #____. Page 3, line 21, by striking the figure
1 12 <215,600> and inserting the following: <162,508>.
1 13 #____. Page 7, by striking line 29 and inserting
1 14 the following:
1 15 <..... $ 1,801,761>
1 16 #____. Page 7, by striking line 32 and inserting
1 17 the following:
1 18 <..... $ 1,823,432>
1 19 #____. Page 8, by striking line 5 and inserting the
1 20 following:
1 21 <..... $ 8,448,649>
1 22 #____. Page 11, by striking lines 26 though 30.
1 23 #____. Page 13, by striking line 16 and inserting
1 24 the following:
1 25 <..... $ 400,000>
1 26 #____. Page 13, by striking line 26 and inserting
1 27 the following:
1 28 <..... $ 2,500,000>
1 29 #2. By renumbering as necessary.
1 30
1 31
1 32
1 33 FRANK B. WOOD
1 34 SF 588.323 82
1 35 kh/cf/9808
1 36
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Senate Amendment 3516

PAG LIN

1 1 Amend House File 556, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 28 through 32.  
1 4 #2. By striking page 2, line 16, through page 3,  
1 5 line 11, and inserting the following:  
1 6 <\_\_\_. The Iowa propane education and research  
1 7 council is established. Members of the council shall  
1 8 be appointed by the governor. The council shall  
1 9 consist of the following members:  
1 10 a. One member who is a representative of a  
1 11 community college.  
1 12 b. Two members who are fire fighters or emergency  
1 13 medical services providers.  
1 14 c. One member who is a building inspector.  
1 15 d. One member who represents building contractors.  
1 16 e. One member who is a representative of a  
1 17 building trade union.  
1 18 f. Three members appointed from a list of nominees  
1 19 submitted by qualified propane industry organizations  
1 20 within thirty days after the effective date of this  
1 21 Act and by December 15 of each year thereafter.  
1 22 g. One member who is a member of the general  
1 23 public.  
1 24 The fire marshal or a designee may serve as an ex  
1 25 officio, nonvoting member of the council.>  
1 26 #3. By renumbering as necessary.  
1 27  
1 28  
1 29  
1 30 HERMAN C. QUIRMBACH  
1 31 HF 556.701 82  
1 32 av/gg/9194  
1 33  
1 34  
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**Senate Amendment 3517**

PAG LIN

1 1 Amend House File 556, as passed by the House, as  
 1 2 follows:  
 1 3 #1. Page 4, by striking lines 18 through 20 and  
 1 4 inserting the following: <benefits to the fullest  
 1 5 extent practicable. The council shall coordinate  
 1 6 its>.  
 1 7 #2. Page 4, by striking lines 28 through 33 and  
 1 8 inserting the following:  
 1 9 <8. On or before December 15 of each year, the  
 1 10 council shall submit a budget plan to the general  
 1 11 assembly for the next fiscal year that includes the  
 1 12 probable cost of all programs, projects, and contracts  
 1 13 recommended to be undertaken and a requested  
 1 14 appropriation sufficient to cover the probable costs.  
 1 15 The council may submit the proposed budget and  
 1 16 appropriation request to the fire marshal for review  
 1 17 and comment.>  
 1 18 #3. By striking page 5, line 34, through page 8,  
 1 19 line 22.  
 1 20 #4. Page 8, line 24, by striking the word  
 1 21 <collected> and inserting the following: <received>.  
 1 22 #5. Page 8, line 28, by striking the words <fire  
 1 23 marshal> and inserting the following: <general  
 1 24 assembly>.  
 1 25 #6. Page 8, by striking lines 29 through 35.  
 1 26 #7. Page 9, line 14, by inserting after the word  
 1 27 <to> the following: <the general assembly and to>.  
 1 28 #8. Page 9, by striking lines 20 through 34 and  
 1 29 inserting the following:  
 1 30 <Sec. \_\_\_\_\_. NEW SECTION. 101B.12 FUTURE REPEAL.  
 1 31 This chapter is repealed December 31, 2012.  
 1 32 Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed  
 1 33 of immediate importance, takes effect upon enactment.>  
 1 34 #9. Title page, by striking lines 3 through 5 and  
 1 35 inserting the following: <projects related to  
 1 36 propane, and providing for a repeal and an effective  
 1 37 date.>  
 1 38 #10. By renumbering as necessary.  
 1 39  
 1 40  
 1 41  
 1 42 HERMAN C. QUIRMBACH  
 1 43 HF 556.201 82  
 1 44 av/es/9196  
 1 45  
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## Senate Amendment 3518

PAG LIN

1 1 Amend the amendment, S=3512, to Senate File 606 as  
1 2 follows:  
1 3 #1. Page 1, line 12, by inserting after the word  
1 4 <trucks> the following: <, other than business trade  
1 5 trucks and farm trucks,>.  
1 6 #2. Page 1, line 15, by inserting after the word  
1 7 <in> the following: <those>.  
1 8 #3. Page 1, by inserting after line 22 the  
1 9 following:  
1 10 <<Sec. \_\_\_\_\_. Section 321.1, Code 2007, is amended  
1 11 by adding the following new subsections:  
1 12 NEW SUBSECTION. 7A. "Business trade truck" means  
1 13 a motor truck with an unladen weight of seven thousand  
1 14 five hundred pounds or less that is any of the  
1 15 following:  
1 16 a. Owned, leased, or used by a person who files a  
1 17 schedule C form with the federal internal revenue  
1 18 service.  
1 19 b. Eligible for depreciation under 26 U.S.C. }  
1 20 167.  
1 21 c. Owned, leased, or used by a person engaged in a  
1 22 business or trade and regularly used to haul supplies,  
1 23 trade tools, equipment, merchandise, or freight for  
1 24 that business or trade.  
1 25 NEW SUBSECTION. 95. "Farm truck" means a motor  
1 26 truck with an unladen weight of seven thousand five  
1 27 hundred pounds or less that is any of the following:  
1 28 a. Owned, leased, or used by a person who files a  
1 29 schedule F form with the federal internal revenue  
1 30 service.  
1 31 b. Eligible for depreciation under 26 U.S.C. }  
1 32 167.  
1 33 c. Owned, leased, or used by a person who is  
1 34 engaged in the production of farm products, including  
1 35 but not limited to crops, energy, livestock, or  
1 36 poultry, equal in value to more than one thousand  
1 37 dollars annually.>  
1 38 #4. Page 1, line 23, by striking the word <<Sec.>  
1 39 and inserting the following: <Sec.>  
1 40 #5. Page 1, lines 31 and 32, by striking the  
1 41 figure and words <321.122, special trucks> and  
1 42 inserting the following: <321.120, 321.121, or  
1 43 321.122>.  
1 44 #6. Page 2, by inserting after line 36 the  
1 45 following:  
1 46 <Sec. \_\_\_\_\_. NEW SECTION. 321.120 BUSINESS TRADE  
1 47 TRUCKS AND FARM TRUCKS.  
1 48 1. The annual registration fee for a business  
1 49 trade truck or farm truck shall be determined pursuant  
1 50 to section 321.122, subsection 1, paragraph "a" or



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Senate Amendment 3518 continued

2 1 "b".  
2 2 2. Upon application for a new registration or a  
2 3 renewal, an owner who registers a 2009 or subsequent  
2 4 model year vehicle as a business trade truck or farm  
2 5 truck may be required to provide proof or certify by  
2 6 signed affidavit that the vehicle meets the definition  
2 7 of a business trade truck or farm truck. The  
2 8 department may adopt rules as necessary to prescribe  
2 9 the documentation required as proof or certification  
2 10 under this subsection.  
2 11 3. If the department determines by audit or other  
2 12 means that a person has registered a vehicle as a  
2 13 business trade truck or farm truck that is not  
2 14 qualified for such registration, the person may be  
2 15 required to pay regular registration fees applicable  
2 16 to the vehicle under section 321.109 or 321.113, in  
2 17 addition to any other penalty or sanction imposed by  
2 18 law.>  
2 19 #7. Page 2, line 42, by inserting after the word  
2 20 <trucks> the following: <, other than business trade  
2 21 trucks and farm trucks,>.  
2 22 #8. Page 3, by inserting after line 16 the  
2 23 following:  
2 24 <\_\_\_\_. The section of this Act that enacts section  
2 25 321.1, subsections 7A and 95.>  
2 26 #9. Page 3, by inserting after line 18 the  
2 27 following:  
2 28 <\_\_\_\_. The section of this Act that enacts section  
2 29 321.120.>  
2 30 #10. By renumbering as necessary.  
2 31  
2 32  
2 33  
2 34 EUGENE S. FRAISE  
2 35 SF 606.201 82  
2 36 dea/es/8973



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**Senate Amendment 3519**

PAG LIN

1 1 Amend House File 911, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by striking lines 31 through 34.  
1 4 #2. By renumbering as necessary.  
1 5  
1 6  
1 7  
1 8 BRAD ZAUN  
1 9 HF 911.305 82  
1 10 rh/cf/9538  
1 11  
1 12  
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**Senate Amendment 3520**

PAG LIN

1 1 Amend House File 556 as passed by the House as  
1 2 follows:  
1 3 #1. Page 6, by striking lines 3 through 5 and  
1 4 inserting the following: <cent on each gallon of  
1 5 odorized propane sold. The>  
1 6  
1 7  
1 8  
1 9 MICHAEL CONNOLLY  
1 10  
1 11  
1 12  
1 13 JOE BOLKCOM  
1 14 HF 556.1  
1 15 cc/cc/26  
1 16  
1 17  
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Senate Amendment 3521

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 <\_\_\_. In promoting and marketing the tax amnesty  
1 6 program, the director and the Iowa lottery shall  
1 7 collaborate in the use of television, print, and radio  
1 8 advertising.>  
1 9 #2. Page 2, by inserting after line 29 the  
1 10 following:  
1 11 <\_\_\_. If new full-time equivalent positions are  
1 12 hired by the department as a result of the  
1 13 appropriation made in subsection 1 or 2, the  
1 14 department shall eliminate such full-time equivalent  
1 15 positions by June 30, 2008, and these full-time  
1 16 equivalent positions are not authorized for employment  
1 17 by the department after that date.>  
1 18 #3. By renumbering, relettering, or redesignating  
1 19 and correcting internal references as necessary.  
1 20 SF 580.H  
1 21 mg/jg/25  
1 22  
1 23  
1 24  
1 25  
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## Senate Amendment 3522

PAG LIN

1 1 Amend House File 932, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 3, by inserting after line 28 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 312.2, Code 2007, is amended by  
1 6 adding the following new subsection:  
1 7 NEW SUBSECTION. 19. The treasurer of state,  
1 8 before making the allotments provided for in this  
1 9 section, shall credit annually to the TIME=21 fund  
1 10 created in section 312A.2 the revenue accruing to the  
1 11 road use tax fund from motor vehicle registration fees  
1 12 that is attributable to the change in registration  
1 13 fees for motor trucks with an unladen weight of seven  
1 14 thousand five hundred pounds or less. For purposes of  
1 15 this subsection, the motor vehicle registration fee  
1 16 revenue attributable to the change in motor truck  
1 17 registration fees is the amount in excess of the total  
1 18 amount collected for the fiscal year beginning July 1,  
1 19 2006, and ending June 30, 2007, from registration fees  
1 20 for motor trucks with a combined gross weight of four  
1 21 tons or less under section 321.122, Code 2007.>  
1 22 #2. Page 4, by inserting after line 20 the  
1 23 following:  
1 24 <Sec. \_\_\_\_\_. Section 321.109, subsection 1,  
1 25 paragraph a, Code 2007, is amended to read as follows:  
1 26 a. The annual fee for all motor vehicles including  
1 27 vehicles designated by manufacturers as station  
1 28 wagons, ~~and~~ 1993 and subsequent model years for  
1 29 multipurpose vehicles, and 2009 and subsequent model  
1 30 year motor trucks with an unladen weight of seven  
1 31 thousand five hundred pounds or less, except motor  
1 32 trucks registered under section 321.122, special  
1 33 trucks, motor homes, ambulances, hearses, motorcycles,  
1 34 motorized bicycles, and 1992 and older model years for  
1 35 multipurpose vehicles, shall be equal to one percent  
1 36 of the value as fixed by the department plus forty  
1 37 cents for each one hundred pounds or fraction thereof  
1 38 of weight of vehicle, as fixed by the department. The  
1 39 weight of a motor vehicle, fixed by the department for  
1 40 registration purposes, shall include the weight of a  
1 41 battery, heater, bumpers, spare tire, and wheel.  
1 42 Provided, however, that for any new vehicle purchased  
1 43 in this state by a nonresident for removal to the  
1 44 nonresident's state of residence the purchaser may  
1 45 make application to the county treasurer in the county  
1 46 of purchase for a transit plate for which a fee of ten  
1 47 dollars shall be paid. And provided, however, that  
1 48 for any used vehicle held by a registered dealer and  
1 49 not currently registered in this state, or for any  
1 50 vehicle held by an individual and currently registered



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Senate Amendment 3522 continued

2 1 in this state, when purchased in this state by a  
2 2 nonresident for removal to the nonresident's state of  
2 3 residence, the purchaser may make application to the  
2 4 county treasurer in the county of purchase for a  
2 5 transit plate for which a fee of three dollars shall  
2 6 be paid. The county treasurer shall issue a  
2 7 nontransferable certificate of registration for which  
2 8 no refund shall be allowed; and the transit plates  
2 9 shall be void thirty days after issuance. Such  
2 10 purchaser may apply for a certificate of title by  
2 11 surrendering the manufacturer's or importer's  
2 12 certificate or certificate of title, duly assigned as  
2 13 provided in this chapter. In this event, the  
2 14 treasurer in the county of purchase shall, when  
2 15 satisfied with the genuineness and regularity of the  
2 16 application, and upon payment of a fee of ten dollars,  
2 17 issue a certificate of title in the name and address  
2 18 of the nonresident purchaser delivering the title to  
2 19 the owner. If there is a security interest noted on  
2 20 the title, the county treasurer shall mail to the  
2 21 secured party an acknowledgment of the notation of the  
2 22 security interest. The county treasurer shall not  
2 23 release a security interest that has been noted on a  
2 24 title issued to a nonresident purchaser as provided in  
2 25 this paragraph. The application requirements of  
2 26 section 321.20 apply to a title issued as provided in  
2 27 this subsection, except that a natural person who  
2 28 applies for a certificate of title shall provide  
2 29 either the person's social security number, passport  
2 30 number, or driver's license number, whether the  
2 31 license was issued by this state, another state, or  
2 32 another country. The provisions of this subsection  
2 33 relating to multipurpose vehicles are effective  
2 34 January 1, 1993, for all 1993 and subsequent model  
2 35 years. The annual registration fee for multipurpose  
2 36 vehicles that are 1992 model years and older shall be  
2 37 in accordance with section 321.124.

2 38 Sec. \_\_\_\_\_. Section 321.122, subsection 1,  
2 39 unnumbered paragraph 1, Code 2007, is amended to read  
2 40 as follows:

2 41 The annual registration fee for truck tractors,  
2 42 road tractors, and motor trucks, except 2009 and  
2 43 subsequent model year motor trucks with an unladen  
2 44 weight of seven thousand five hundred pounds or less  
2 45 and motor trucks registered as special trucks, shall  
2 46 be based on the combined gross weight of the vehicle  
2 47 or combination of vehicles. All such trucks, truck  
2 48 tractors, or road tractors registered under this  
2 49 section shall be registered for a gross weight equal  
2 50 to or in excess of the unladen weight of the vehicle



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Senate Amendment 3522 continued

3 1 or combination of vehicles. The annual registration  
3 2 fee fees for such vehicles or combination of vehicles,  
3 3 except special trucks, ~~shall be~~ are as follows:  
3 4 Sec. \_\_\_\_\_. Section 321.123, subsection 2, Code  
3 5 2007, is amended by adding the following new  
3 6 paragraph:  
3 7 NEW PARAGRAPH. c. This subsection does not apply  
3 8 to motor trucks registered under section 321.109.>  
3 9 #3. Page 5, by inserting after line 5 the  
3 10 following:  
3 11 <Sec. \_\_\_\_\_. APPLICABILITY. The following sections  
3 12 of this Act apply to registrations of 2009 and  
3 13 subsequent model year motor trucks with an unladen  
3 14 weight of seven thousand five hundred pounds or less  
3 15 registered on or after January 1, 2008:  
3 16 1. The section of this Act that enacts section  
3 17 312.2, subsection 19.  
3 18 2. The section of this Act that amends section  
3 19 321.109, subsection 1, paragraph "a".  
3 20 3. The section of this Act that amends section  
3 21 321.122, subsection 1.  
3 22 4. The section of this Act that enacts section  
3 23 321.123, subsection 2, paragraph "c".>  
3 24 #4. Title page, line 1, by inserting after the  
3 25 word <to> the following: <certain motor truck  
3 26 registration fees, allocation of revenue from the  
3 27 fees, and applicability of the fee provisions, and to  
3 28 other>.  
3 29 #5. By renumbering as necessary.  
3 30  
3 31  
3 32  
3 33 JOHN PUTNEY  
3 34 HF 932.501 82  
3 35 dea/je/8975



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Senate Amendment 3523

PAG LIN

1 1 Amend Senate File 593, 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 598.16, Code 2007, is amended  
1 6 to read as follows:  
1 7 598.16 CONCILIATION == DOMESTIC RELATIONS  
1 8 DIVISIONS.  
1 9 1. A majority of the judges in any judicial  
1 10 district, with the cooperation of any county board of  
1 11 supervisors in the district, may establish a domestic  
1 12 relations division of the district court of the county  
1 13 where the board is located. The division shall offer  
1 14 counseling and related services to persons before the  
1 15 court.  
1 16 2. ~~Upon~~ Except as provided in subsection 7, upon  
1 17 the application of the petitioner in the petition or  
1 18 by the respondent in the responsive pleading thereto  
1 19 or, within twenty days of appointment, of an attorney  
1 20 appointed under section 598.12, the court shall  
1 21 require the parties to participate in conciliation  
1 22 efforts for a period of sixty days from the issuance  
1 23 of an order setting forth the conciliation procedure  
1 24 and the conciliator.  
1 25 3. At any time upon its own motion or upon the  
1 26 application of a party the court may require the  
1 27 parties to participate in conciliation efforts for  
1 28 sixty days or less following the issuance of such an  
1 29 order.  
1 30 4. Every order for conciliation shall require the  
1 31 conciliator to file a written report by a date certain  
1 32 which shall state the conciliation procedures  
1 33 undertaken and such other matters as may have been  
1 34 required by the court. The report shall be a part of  
1 35 the record unless otherwise ordered by the court.  
1 36 Such conciliation procedure may include, but is not  
1 37 limited to, referrals to the domestic relations  
1 38 division of the court, if established, public or  
1 39 private marriage counselors, family service agencies,  
1 40 community health centers, physicians and clergy.  
1 41 5. The costs of conciliation procedures shall be  
1 42 paid in full or in part by the parties and taxed as  
1 43 court costs; however, if the court determines that the  
1 44 parties will be unable to pay the costs without  
1 45 prejudicing their financial ability to provide  
1 46 themselves and any minor children with economic  
1 47 necessities, the costs may be paid in full or in part  
1 48 by the county.  
1 49 6. Persons providing counseling and other services  
1 50 pursuant to this section are not court employees, but



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Senate Amendment 3523 continued

2 1 are subject to court supervision.  
2 2 7. Upon application, the court shall grant a  
2 3 waiver from the requirements of this section if a  
2 4 party demonstrates that a history of domestic abuse,  
2 5 as defined in section 236.2, exists. In determining  
2 6 whether a history of domestic abuse exists, the  
2 7 court's consideration shall include, but is not  
2 8 limited to, commencement of an action pursuant to  
2 9 section 236.3, the issuance of a protective order  
2 10 against a party or the issuance of a court order or  
2 11 consent agreement pursuant to section 236.5, the  
2 12 issuance of an emergency order pursuant to section  
2 13 236.6, the holding of a party in contempt pursuant to  
2 14 section 664A.7, the response of a peace officer to the  
2 15 scene of alleged domestic abuse or the arrest of a  
2 16 party following response to a report of alleged  
2 17 domestic abuse, or a conviction for domestic abuse  
2 18 assault pursuant to section 708.2A.>  
2 19 #2. Page 1, by inserting after line 10 the  
2 20 following:  
2 21 <Sec. \_\_\_\_\_. Section 664A.1, subsection 2, Code  
2 22 2007, is amended to read as follows:  
2 23 2. "Protective order" means a protective order  
2 24 issued pursuant to chapter 232, a court order or  
2 25 court-approved consent agreement entered pursuant to  
2 26 chapter 236, including a valid foreign protective  
2 27 order under section 236.19, subsection 3, a temporary  
2 28 or permanent protective order or order to vacate the  
2 29 homestead under chapter 598, ~~and~~ or an order that  
2 30 establishes conditions of release or is a protective  
2 31 order or sentencing order in a criminal prosecution  
2 32 arising from a domestic abuse assault under section  
2 33 708.2A, or a civil injunction issued pursuant to  
2 34 section 915.22.  
2 35 Sec. \_\_\_\_\_. Section 664A.2, subsection 2, Code 2007,  
2 36 is amended to read as follows:  
2 37 2. A protective order issued in a civil proceeding  
2 38 shall be issued pursuant to chapter 232, 236, ~~or~~ 598,  
2 39 or 915. Punishment for a violation of a protective  
2 40 order shall be imposed pursuant to section 664A.7.  
2 41 Sec. \_\_\_\_\_. Section 664A.3, Code 2007, is amended by  
2 42 adding the following new subsection:  
2 43 NEW SUBSECTION. 1A. Notwithstanding chapters 804  
2 44 and 805, a person taken into custody pursuant to  
2 45 section 236.11 or arrested pursuant to section 236.12  
2 46 may be released on bail or otherwise only after  
2 47 initial appearance before a magistrate as provided in  
2 48 chapter 804 and the rules of criminal procedure or  
2 49 section 236.11, whichever is applicable.  
2 50 Sec. \_\_\_\_\_. Section 664A.5, Code 2007, is amended to



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3 1 read as follows:  
3 2 664A.5 MODIFICATION == ENTRY OF PERMANENT  
3 3 NO=CONTACT ORDER.  
3 4 If a defendant is convicted of, receives a deferred  
3 5 judgment for, or pleads guilty to a public offense  
3 6 referred to in section 664A.2, subsection 1, or is  
3 7 held in contempt for a violation of a no=contact order  
3 8 issued under section 664A.3 or for a violation of a  
3 9 protective order issued pursuant to chapter 232, 236,  
3 10 ~~or~~ 598, or 915, the court shall either terminate or  
3 11 modify the temporary no=contact order issued by the  
3 12 magistrate. The court may enter a no=contact order or  
3 13 continue the no=contact order already in effect for a  
3 14 period of five years from the date the judgment is  
3 15 entered or the deferred judgment is granted,  
3 16 regardless of whether the defendant is placed on  
3 17 probation.  
3 18 Sec. \_\_\_\_\_. Section 664A.6, Code 2007, is amended by  
3 19 adding the following new subsection:  
3 20 NEW SUBSECTION. 3. A peace officer shall not be  
3 21 held civilly or criminally liable for acting pursuant  
3 22 to this section provided the peace officer acts in  
3 23 good faith and on reasonable grounds and the peace  
3 24 officer's acts do not constitute a willful or wanton  
3 25 disregard for the rights or safety of another.  
3 26 Sec. \_\_\_\_\_. Section 664A.7, subsections 3 and 4,  
3 27 Code 2007, are amended to read as follows:  
3 28 3. If convicted of or held in contempt for a  
3 29 violation of a no=contact order or a modified  
3 30 no=contact order for a public offense referred to in  
3 31 section 664A.2, subsection 1, or held in contempt of a  
3 32 no=contact order issued during a contempt proceeding  
3 33 brought pursuant to section 236.11, the person shall  
3 34 be confined in the county jail for a minimum of seven  
3 35 days. A jail sentence imposed pursuant to this  
3 36 subsection shall be served on consecutive days. No  
3 37 portion of the mandatory minimum term of confinement  
3 38 imposed by this subsection shall be deferred or  
3 39 suspended. A deferred judgment, deferred sentence, or  
3 40 suspended sentence shall not be entered for a  
3 41 violation of a no=contact order, ~~or~~ modified  
3 42 no=contact order, or protective order and the court  
3 43 shall not impose a fine in lieu of the minimum  
3 44 sentence, although a fine may be imposed in addition  
3 45 to the minimum sentence.  
3 46 4. Violation of a no=contact order entered for the  
3 47 offense or alleged offense of domestic abuse assault  
3 48 in violation of section 708.2A or a violation of a  
3 49 protective order issued pursuant to chapter 232, 236,  
3 50 ~~or~~ 598, or 915 constitutes a public offense and is



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Senate Amendment 3523 continued

4 1 punishable as a simple misdemeanor. Alternatively,  
4 2 the court may hold a person in contempt of court for  
4 3 such a violation, as provided in subsection 3.  
4 4 Sec. \_\_\_\_\_. Section 664A.7, Code 2007, is amended by  
4 5 adding the following new subsection:  
4 6 NEW SUBSECTION. 3A. If convicted or held in  
4 7 contempt for a violation of a civil protective order  
4 8 referred to in section 664A.2, the person shall serve  
4 9 a jail sentence. A jail sentence imposed pursuant to  
4 10 this subsection shall be served on consecutive days.  
4 11 A person who is convicted of or held in contempt for a  
4 12 violation of a protective order referred to in section  
4 13 664A.2 may be ordered by the court to pay the  
4 14 plaintiff's attorney's fees and court costs.  
4 15 Sec. \_\_\_\_\_. Section 664A.8, Code 2007, is amended to  
4 16 read as follows:  
4 17 664A.8 EXTENSION OF NO=CONTACT ORDER.  
4 18 Upon the filing of an application by the state or  
4 19 by the victim of any public offense referred to in  
4 20 section 664A.2, subsection 1 which is filed within  
4 21 ninety days prior to the expiration of a modified  
4 22 no=contact order, the court shall modify and extend  
4 23 the no=contact order for an additional period of five  
4 24 years, unless the court finds that the defendant no  
4 25 longer poses a threat to the safety of the victim,  
4 26 persons residing with the victim, or members of the  
4 27 victim's family. The number of modifications  
4 28 extending the no=contact order permitted by this  
4 29 section is not limited.  
4 30 #3. Page 1, line 18, by inserting after the figure  
4 31 <907.14.> the following: <However, the court shall  
4 32 assess any required surcharge, court cost, or fee upon  
4 33 the total amount of the fine prior to reduction  
4 34 pursuant to this subsection.>  
4 35 #4. Title page, by striking lines 1 and 2 and  
4 36 inserting the following: <An Act relating to court  
4 37 procedures including conciliation proceedings and  
4 38 civil and criminal fees, penalties, and protective  
4 39 orders.>  
4 40 #5. By renumbering, relettering, or redesignating  
4 41 and correcting internal references as necessary.  
4 42 SF 593.H  
4 43 jm/jg/25



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Senate Amendment 3524

PAG LIN

1 1 Amend House File 556, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 4, by striking lines 31 and 32, and  
1 4 inserting the following: <undertaken. The council  
1 5 shall submit the>.  
1 6 #2. Page 6, by striking lines 1 through 14 and  
1 7 inserting the following: <annual assessment. Upon  
1 8 establishment of the council and each year thereafter  
1 9 the annual assessment shall be made at a rate of  
1 10 one-tenth of one cent on each gallon of odorized  
1 11 propane sold.>  
1 12 #3. Page 7, lines 14 and 15, by striking the words  
1 13 <INCREASED ASSESSMENTS OR>.  
1 14 #4. By striking page 7, line 16, through page 8,  
1 15 line 1.  
1 16 #5. Page 8, line 2, by striking the figure <2.>  
1 17 #6. Page 8, by striking lines 8 through 10 and  
1 18 inserting the following: <whether the council should  
1 19 be terminated or suspended. Voting rights in the  
1 20 referendum shall be based on the volume of odorized  
1 21 propane sold in this state by each retail propane  
1 22 marketer during the previous calendar year. Each  
1 23 retail propane marketer voting in the referendum shall  
1 24 certify to the independent auditing firm the volume of  
1 25 odorized propane sold by that person as represented by  
1 26 that person's vote. Upon the approval of those retail  
1 27 propane>.  
1 28 #7. Page 9, by inserting after line 28 the  
1 29 following:  
1 30 <Sec. \_\_\_\_\_. NEW SECTION. 101B.14 FUTURE REPEAL.  
1 31 This chapter is repealed December 31, 2014.>  
1 32 #8. Title page, line 5, by inserting after the  
1 33 word <for> the following: <a future repeal and for>.  
1 34 #9. By renumbering as necessary.  
1 35  
1 36  
1 37  
1 38 MICHAEL CONNOLLY  
1 39  
1 40  
1 41  
1 42 JOE BOLKCOM  
1 43 HF 556.202 82  
1 44 av/es/9707  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



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## Senate Amendment 3525

PAG LIN

1 1 Amend the amendment, S=3522, to House File 932, as  
1 2 amended, passed, and reprinted by the House, as  
1 3 follows:  
1 4 #1. Page 1, line 13, by inserting after the word  
1 5 <trucks> the following: <, other than business trade  
1 6 trucks and farm trucks,>.  
1 7 #2. Page 1, line 16, by inserting after the word  
1 8 <in> the following: <those>.  
1 9 #3. Page 1, by inserting after line 23 the  
1 10 following:  
1 11 <<Sec. \_\_\_\_\_. Section 321.1, Code 2007, is amended  
1 12 by adding the following new subsections:  
1 13 NEW SUBSECTION. 7A. "Business trade truck" means  
1 14 a motor truck with an unladen weight of seven thousand  
1 15 five hundred pounds or less that is any of the  
1 16 following:  
1 17 a. Owned, leased, or used by a person who files a  
1 18 schedule C form with the federal internal revenue  
1 19 service.  
1 20 b. Eligible for depreciation under 26 U.S.C. }  
1 21 167.  
1 22 c. Owned, leased, or used by a person engaged in a  
1 23 business or trade and regularly used to haul supplies,  
1 24 trade tools, equipment, merchandise, or freight for  
1 25 that business or trade.  
1 26 NEW SUBSECTION. 95. "Farm truck" means a motor  
1 27 truck with an unladen weight of seven thousand five  
1 28 hundred pounds or less that is any of the following:  
1 29 a. Owned, leased, or used by a person who files a  
1 30 schedule F form with the federal internal revenue  
1 31 service.  
1 32 b. Eligible for depreciation under 26 U.S.C. }  
1 33 167.  
1 34 c. Owned, leased, or used by a person who is  
1 35 engaged in the production of farm products, including  
1 36 but not limited to crops, energy, livestock, or  
1 37 poultry, equal in value to more than one thousand  
1 38 dollars annually.>  
1 39 #4. Page 1, line 24, by striking the word <<Sec.>  
1 40 and inserting the following: <Sec.>  
1 41 #5. Page 1, lines 32 and 33, by striking the  
1 42 figure and words <321.122, special trucks> and  
1 43 inserting the following: <321.120, 321.121, or  
1 44 321.122>.  
1 45 #6. Page 2, by inserting after line 37 the  
1 46 following:  
1 47 <Sec. \_\_\_\_\_. NEW SECTION. 321.120 BUSINESS TRADE  
1 48 TRUCKS AND FARM TRUCKS.  
1 49 1. The annual registration fee for a business  
1 50 trade truck or farm truck shall be determined pursuant



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Senate Amendment 3525 continued

2 1 to section 321.122, subsection 1, paragraph "a" or  
2 2 "b".  
2 3 2. Upon application for a new registration or a  
2 4 renewal, an owner who registers a 2009 or subsequent  
2 5 model year vehicle as a business trade truck or farm  
2 6 truck may be required to provide proof or certify by  
2 7 signed affidavit that the vehicle meets the definition  
2 8 of a business trade truck or farm truck. The  
2 9 department may adopt rules as necessary to prescribe  
2 10 the documentation required as proof or certification  
2 11 under this subsection.  
2 12 3. If the department determines by audit or other  
2 13 means that a person has registered a vehicle as a  
2 14 business trade truck or farm truck that is not  
2 15 qualified for such registration, the person may be  
2 16 required to pay regular registration fees applicable  
2 17 to the vehicle under section 321.109 or 321.113, in  
2 18 addition to any other penalty or sanction imposed by  
2 19 law.>  
2 20 #7. Page 2, line 43, by inserting after the word  
2 21 <trucks> the following: <, other than business trade  
2 22 trucks and farm trucks,>.  
2 23 #8. Page 3, by inserting after line 17 the  
2 24 following:  
2 25 <\_\_\_. The section of this Act that enacts section  
2 26 321.1, subsections 7A and 95.>  
2 27 #9. Page 3, by inserting after line 19 the  
2 28 following:  
2 29 <\_\_\_. The section of this Act that enacts section  
2 30 321.120.>  
2 31 #10. By renumbering as necessary.  
2 32  
2 33  
2 34  
2 35 EUGENE S. FRAISE  
2 36 HF 932.502 82  
2 37 dea/je/8977



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**Senate File 607 - Introduced**

SENATE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1362)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved

**A BILL FOR**

1 An Act relating to increases in the reimbursement rates or  
2 amounts for certain providers under the purview of the  
3 department of human services or the department of public  
4 health, and providing appropriations.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2944SV 82  
7 pf/gg/14



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Senate File 607 - Introduced continued

PAG LIN

1 1 Section 1. DEPARTMENT OF HUMAN SERVICES == PROVIDER  
 1 2 REIMBURSEMENTS. There is appropriated from the general fund  
 1 3 of the state to the department of human services for the  
 1 4 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 1 5 the following amount, or so much thereof as is necessary, to  
 1 6 be used for the purpose designated:  
 1 7 For funding of increased reimbursement to service providers  
 1 8 in accordance with this section:  
 1 9 ..... \$ 6,630,443  
 1 10 Notwithstanding any provision of 2007 Iowa Acts, House File  
 1 11 909, if enacted, to the contrary, the appropriation made in  
 1 12 this section shall be used to provide reimbursement for the  
 1 13 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 1 14 in an amount that is 1 percent over the reimbursement rate or  
 1 15 amount in effect on June 30, 2007, to the following providers  
 1 16 and for the following services reimbursed by the department of  
 1 17 human services:  
 1 18 Inpatient and outpatient hospital services;  
 1 19 disproportionate share hospitals, indirect medical education  
 1 20 and direct medical education; home health services; physician  
 1 21 services; psychiatric services; family planning services;  
 1 22 early and periodic screening, diagnosis, and treatment;  
 1 23 anesthesia services; dental services; optometric services;  
 1 24 supplies; ambulance services; practitioner services; podiatric  
 1 25 services; chiropractic services; clinic services; community  
 1 26 mental health centers; home and community-based waiver  
 1 27 services; the Iowa plan for behavioral health; health  
 1 28 maintenance organizations; nursing facilities; case management  
 1 29 services; rehabilitative treatment services; adult  
 1 30 rehabilitative option services; and pharmacy dispensing fees.  
 1 31 Sec. 2. DEPARTMENT OF PUBLIC HEALTH == SUBSTANCE ABUSE  
 1 32 PROGRAMS REIMBURSEMENT. There is appropriated from the  
 1 33 general fund of the state to the department of public health  
 1 34 for the fiscal year beginning July 1, 2007, and ending June  
 1 35 30, 2008, the following amount, or so much thereof as is



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Senate File 607 - Introduced continued

2 1 necessary, to be used for the purpose designated:  
 2 2 For funding of increased reimbursement to substance abuse  
 2 3 programs in accordance with this section:  
 2 4 ..... \$ 152,234  
 2 5 The appropriation made in this section shall be used to  
 2 6 provide reimbursement for the fiscal period beginning July 1,  
 2 7 2007, and ending June 30, 2008, in an amount that is 1 percent  
 2 8 over the reimbursement rate or amount that is in effect on  
 2 9 June 30, 2007, to substance abuse programs under the purview  
 2 10 of the department of public health.

2 11 EXPLANATION

2 12 This bill provides that, notwithstanding other provisions  
 2 13 to the contrary in 2007 Iowa Acts, House File 909, relating to  
 2 14 reimbursement of certain providers under the purview of the  
 2 15 department of human services, for the fiscal year beginning  
 2 16 July 1, 2007, and ending June 30, 2008, providers specified in  
 2 17 the bill are to receive reimbursement in an amount that is 1  
 2 18 percent over the reimbursement rate or amount in effect on  
 2 19 June 30, 2007.

2 20 Additionally, the bill provides that for the fiscal period  
 2 21 beginning July 1, 2007, and ending June 30, 2008, substance  
 2 22 abuse programs under the purview of the department of public  
 2 23 health are to receive reimbursement in an amount that is 1  
 2 24 percent over the reimbursement rate or amount in effect on  
 2 25 June 30, 2002.

2 26 The bill also provides corresponding appropriations for the  
 2 27 provider increases.  
 2 28 LSB 2944SV 82  
 2 29 pf:jp/gg/14



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**Senate Resolution 53 - Introduced**

PAG LIN

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

1 1 SENATE RESOLUTION NO.  
1 2 BY DOTZLER, GRONSTAL, KIBBIE, LUNDBY,  
1 3 KETTERING, and KREIMAN  
1 4 A Resolution to recognize and honor Alyce Elmitt,  
1 5 Audrey Gibson, and Jo Ann West for over three decades  
1 6 of dedicated service to the Iowa Senate, the General  
1 7 Assembly, and the people of Iowa.  
1 8 WHEREAS, the lifeblood of any institution is that  
1 9 small cadre of individuals who make service to that  
1 10 institution their life's work; and  
1 11 WHEREAS, to a great degree the members of the  
1 12 Senate and the House of Representatives owe their  
1 13 success to the secretaries, clerks, and staff who  
1 14 bring order to the legislative process and provide  
1 15 service to lawmakers and constituents alike; and  
1 16 WHEREAS, for over three decades Alyce Elmitt,  
1 17 Audrey Gibson, and Jo Ann West have worked quietly,  
1 18 efficiently, and loyally to ensure that the business  
1 19 of the General Assembly, and most particularly the  
1 20 Iowa Senate, was accomplished; NOW THEREFORE,  
1 21 BE IT RESOLVED BY THE SENATE, That the members of  
1 22 the Senate, with deep respect and gratitude, honor  
1 23 Alyce Elmitt, Audrey Gibson, and Jo Ann West for over  
1 24 three decades of dedication and commitment to the Iowa  
1 25 General Assembly and the Iowa Senate; and  
1 26 BE IT FURTHER RESOLVED, That the Secretary of the  
1 27 Senate shall prepare suitable copies of this  
1 28 resolution for presentation to these valued members of  
1 29 the Senate family.  
1 30 LSB 2945SS 82



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Senate Resolution 53 - Introduced continued

2 1 jr:nh/es/88



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**Senate Resolution 54 - Introduced**

PAG LIN

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

1 1                               SENATE RESOLUTION NO.  
1 2                               BY GRONSTAL, KIBBIE, and LUNDBY  
1 3 A Resolution to recognize and honor the Senate's own  
1 4 Cynthia Clingan for over three decades of dedicated  
1 5 public service.  
1 6       WHEREAS, by its very nature the Iowa Senate is an  
1 7 institution that is in a continuous state of change,  
1 8 as both issues and individuals come and go; and  
1 9       WHEREAS, in such a place it is critical that  
1 10 someone serve as an anchor, providing continuity and  
1 11 serving as the institution's memory of process and  
1 12 protocol; and  
1 13       WHEREAS, Cynthia Clingan has served that role in  
1 14 the Iowa Senate for over three decades; and  
1 15       WHEREAS, Ms. Clingan, a graduate of Carleton  
1 16 College, came to the Senate in 1975, first serving as  
1 17 an engrossing and enrolling clerk and a terminal  
1 18 operator; and  
1 19       WHEREAS, in the decades that followed Ms. Clingan  
1 20 has served as the Assistant to the Legal Counsel and  
1 21 Assistant Secretary of the Senate; and  
1 22       WHEREAS, during that time Ms. Clingan has served  
1 23 seven Secretaries of the Senate, reviewed and  
1 24 corrected endless numbers of bills and amendments, and  
1 25 resolved problems large and small; NOW THEREFORE,  
1 26       BE IT RESOLVED BY THE SENATE, That the members of  
1 27 the Senate give honor this day to one of their own,  
1 28 Cynthia Clingan, who has made the work of the Senate  
1 29 her own life's work and in doing so serves a vital  
1 30 role in the legislative process; and



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Senate Resolution 54 - Introduced continued

2 1 BE IT FURTHER RESOLVED, That the Secretary of the  
2 2 Senate shall prepare an original copy of this  
2 3 Resolution for presentation to Ms. Clingan.  
2 4 LSB 2946SS 82  
2 5 jr:rj/je/5



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**Senate Resolution 55 - Introduced**

PAG LIN

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

1 1 SENATE RESOLUTION NO.  
 1 2 BY OLIVE  
 1 3 A Resolution to honor Webster City and Hamilton  
 1 4 County, Iowa, on their sesquicentennial anniversary.  
 1 5 WHEREAS, in 1854, Wilson Brewer moved his family to  
 1 6 a cabin on a creek, west of the Boone River, later  
 1 7 known as Brewers Creek; and  
 1 8 WHEREAS, that site was soon platted as the town of  
 1 9 Newcastle; and  
 1 10 WHEREAS, by Act of the General Assembly, the town  
 1 11 of Newcastle was renamed Webster City and Hamilton  
 1 12 County was formed, effective January 1, 1857, with  
 1 13 Webster City designated the county seat; and  
 1 14 WHEREAS, through the tireless efforts of Walter C.  
 1 15 Willson, Webster City experienced phenomenal growth,  
 1 16 with Mr. Willson constructing 133 buildings, four  
 1 17 hotels, three railroads, and contributing more to the  
 1 18 success of Webster City than any other person; and  
 1 19 WHEREAS, two of Webster City's favorite sons are  
 1 20 Pulitzer Prize winning authors, as MacKinlay Kantor  
 1 21 was born in Webster City in 1904, wrote over 40  
 1 22 novels, and his master work, Andersonville, won the  
 1 23 Pulitzer Prize for Literature in 1956, and as Clark  
 1 24 Mollenhoff graduated from Webster City High School and  
 1 25 Webster City Junior College, and as a Des Moines  
 1 26 Register reporter won the Pulitzer Prize in 1958 for  
 1 27 national reporting; and  
 1 28 WHEREAS, in the 21st century both the community and  
 1 29 the county continue to prosper, with Webster City  
 1 30 being a bustling community home to over 8,000 Iowans,



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Senate Resolution 55 - Introduced continued

2 1 and with Hamilton County having a population of over  
2 2 16,000; and  
2 3       WHEREAS, On June 28, 29, and 30, 2007, Webster City  
2 4 and Hamilton County will celebrate their  
2 5 sesquicentennial anniversary, starting with a  
2 6 sesquicentennial celebration stage play on June 28, a  
2 7 teen dance and a rodeo at the Hamilton County  
2 8 Fairgrounds on June 29, followed by day=long  
2 9 festivities on June 30, featuring an omelet breakfast  
2 10 at Twin Parks, a parade, a noon food fair at West Twin  
2 11 Parks, afternoon activities at East and West Twin  
2 12 Parks and Swimming Pool, an evening street dance on  
2 13 Seneca Street, fireworks from 7B Ranch, and evening  
2 14 races at Hamilton County Raceway; NOW THEREFORE,  
2 15       BE IT RESOLVED BY THE SENATE, That the Senate  
2 16 congratulates the residents of Webster City and  
2 17 Hamilton County on their sesquicentennial anniversary  
2 18 and invites all Iowans to make a trip to Webster City  
2 19 and Hamilton County a part of their summer vacation  
2 20 plans and to take part in the celebrations on June 28,  
2 21 29, and 30, 2007.  
2 22 LSB 2947SS 82  
2 23 jr:rj/es/88



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Senate Study Bill 1361

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

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

A BILL FOR

1 An Act replacing the local option sales and services tax for  
2 school infrastructure purposes by increasing the state sales  
3 and use tax rates and using revenues, providing property tax  
4 relief, providing a penalty and including an effective date.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2942XC 82  
7 mg/je/5



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Senate Study Bill 1361 continued

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1 1 Section 1. Section 8.57, subsection 6, paragraph f, Code  
1 2 2007, is amended to read as follows:

1 3 f. There is appropriated from the rebuild Iowa  
1 4 infrastructure fund to the secure an advanced vision for  
1 5 education fund created in section ~~423E.4~~ 423F.1, for each  
1 6 fiscal year of the fiscal period beginning July 1, ~~2004~~ 2007,  
1 7 and ending June 30, 2014, the amount of the moneys in excess  
1 8 of the first forty-seven million dollars credited to the  
1 9 rebuild Iowa infrastructure fund during the fiscal year, not  
1 10 to exceed ten million dollars.

1 11 Sec. 2. Section 76.4, Code 2007, is amended to read as  
1 12 follows:

1 13 76.4 PERMISSIVE APPLICATION OF FUNDS.

1 14 Whenever the governing authority of such political  
1 15 subdivision shall have on hand funds derived from any other  
1 16 source than taxation which may be appropriated to the payment  
1 17 either of interest or principal, or both principal and  
1 18 interest of such bonds, such funds may be so appropriated and  
1 19 used and the levy for the payment of the bonds correspondingly  
1 20 reduced. This section shall not restrict the authority of a  
1 21 political subdivision to apply sales and services tax receipts  
1 22 collected pursuant to chapter 423B for such purpose.  
1 23 Notwithstanding section ~~423E.1, subsection 3~~ 423F.2, a school  
1 24 district may apply ~~local sales and services~~ tax receipts  
1 25 ~~collected~~ received pursuant to chapter ~~423E~~ 423F for the  
1 26 purposes of this section.

1 27 Sec. 3. Section 257.15, subsection 4, Code 2007, is  
1 28 amended to read as follows:

1 29 4. ALLOCATIONS FOR MAXIMUM ADJUSTED ADDITIONAL PROPERTY  
1 30 TAX LEVY RATE CALCULATION AND ADJUSTED ADDITIONAL PROPERTY TAX  
1 31 LEVY AID. The department of management shall allocate from  
1 32 amounts appropriated pursuant to section 257.16, subsection 1,  
1 33 and from moneys appropriated from the secure an advanced  
1 34 vision for education fund pursuant to section 423F.1,  
1 35 subsection 3, for the purpose of calculating the statewide



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2 1 maximum adjusted additional property tax levy rate and  
2 2 providing adjusted additional property tax levy aid as  
2 3 provided in section 257.4, subsection 1, paragraph "b", an  
2 4 amount ~~not to exceed the following~~ equal to the sum of  
2 5 paragraphs "a" and "b":

2 6 a. From the amount appropriated from the general fund of  
2 7 the state pursuant to section 257.16, subsection 1, equal to  
2 8 the following:

2 9 ~~a.~~ (1) For the budget year beginning July 1, 2006, six  
2 10 million dollars.

2 11 ~~b.~~ (2) For the budget year beginning July 1, 2007, twelve  
2 12 million dollars.

2 13 ~~c.~~ (3) For the budget year beginning July 1, 2008,  
2 14 eighteen million dollars.

2 15 ~~d.~~ (4) For the budget year beginning July 1, 2009, and  
2 16 succeeding budget years, twenty-four million dollars.

2 17 b. From the amount appropriated from the secure an  
2 18 advanced vision for education fund pursuant to section 423F.1,  
2 19 subsection 3.

2 20 Sec. 4. Section 292.1, subsection 8, Code 2007, is amended  
2 21 to read as follows:

2 22 8. "Sales tax capacity per pupil" means the estimated  
2 23 amount of revenues that a school district receives or would  
2 24 receive ~~if a local sales and services tax for school~~

~~2 25 infrastructure is imposed at one percent from the secure an~~  
2 26 ~~advanced vision for education fund pursuant to section 423E.2~~

2 27 423F.1, divided by the school district's basic enrollment for  
2 28 the budget year. For the budget year beginning July 1, 2000,  
2 29 the school district's actual enrollment shall be used in the  
2 30 calculation in place of the school district's basic enrollment  
2 31 for the budget year.

2 32 Sec. 5. Section 292.2, subsection 1, paragraph c, Code  
2 33 2007, is amended to read as follows:

2 34 c. The department of education, in consultation with the  
2 35 department of revenue and the legislative services agency,



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3 1 shall annually calculate the estimated ~~sales and services~~ tax  
3 2 for school infrastructure, ~~if imposed at one percent~~, that is  
3 3 or would be received by each school district in the state  
3 4 pursuant to section ~~423E.3~~ 423F.1. These calculations shall  
3 5 be made on a total tax and on a tax per pupil basis for each  
3 6 school district.

3 7 Sec. 6. Section 292.2, subsection 2, paragraph a,  
3 8 subparagraph (2), Code 2007, is amended to read as follows:

3 9 (2) ~~Local sales and services tax~~ Tax moneys received  
3 10 pursuant to section ~~423E.3~~ 423F.1.

3 11 Sec. 7. Section 292.2, subsection 3, paragraph i, Code  
3 12 2007, is amended by striking the paragraph.

3 13 Sec. 8. Section 292.2, subsection 7, paragraph d, Code  
3 14 2007, is amended to read as follows:

3 15 d. A school district ~~for which a sales and services tax~~  
~~3 16 for school infrastructure has not been imposed pursuant to~~  
~~3 17 section 423E.2 or a school district~~ receiving minimal revenues  
3 18 under section ~~423E.3~~ 423F.1 when the total enrollment of the  
3 19 school district is considered.

3 20 Sec. 9. Section 292.2, subsection 10, Code 2007, is  
3 21 amended to read as follows:

3 22 10. A school district ~~located in whole or in part in a~~  
~~3 23 county which has imposed the maximum rate of sales and~~  
~~3 24 services tax for school infrastructure pursuant to section~~  
~~3 25 423E.2 and has sales and services tax for that receives school~~  
3 26 infrastructure revenue under section 423F.1 of more than the  
3 27 statewide average of sales tax capacity per pupil, as defined  
3 28 in section 292.1, subsection 8, shall not be eligible for  
3 29 financial assistance under the program. For purposes of this  
3 30 subsection, an individual school district's sales tax capacity  
3 31 per pupil is the estimated total ~~sales and services~~ tax for  
3 32 infrastructure revenue under section 423F.1 to be actually  
3 33 received by the school ~~district~~ divided by the school  
3 34 district's enrollment as specified in section 292.1,  
3 35 subsection 8.



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4 1 Sec. 10. Section 423.2, subsection 1, unnumbered paragraph  
4 2 1, Code 2007, is amended to read as follows:

4 3 There is imposed a tax of ~~five~~ six percent upon the sales  
4 4 price of all sales of tangible personal property, consisting  
4 5 of goods, wares, or merchandise, sold at retail in the state  
4 6 to consumers or users except as otherwise provided in this  
4 7 subchapter.

4 8 Sec. 11. Section 423.2, subsections 2, 3, 4, and 5, Code  
4 9 2007, are amended to read as follows:

4 10 2. A tax of ~~five~~ six percent is imposed upon the sales  
4 11 price of the sale or furnishing of gas, electricity, water,  
4 12 heat, pay television service, and communication service,  
4 13 including the sales price from such sales by any municipal  
4 14 corporation or joint water utility furnishing gas,  
4 15 electricity, water, heat, pay television service, and  
4 16 communication service to the public in its proprietary  
4 17 capacity, except as otherwise provided in this subchapter,  
4 18 when sold at retail in the state to consumers or users.

4 19 3. A tax of ~~five~~ six percent is imposed upon the sales  
4 20 price of all sales of tickets or admissions to places of  
4 21 amusement, fairs, and athletic events except those of  
4 22 elementary and secondary educational institutions. A tax of  
4 23 ~~five~~ six percent is imposed on the sales price of an entry fee  
4 24 or like charge imposed solely for the privilege of  
4 25 participating in an activity at a place of amusement, fair, or  
4 26 athletic event unless the sales price of tickets or admissions  
4 27 charges for observing the same activity are taxable under this  
4 28 subchapter. A tax of ~~five~~ six percent is imposed upon that  
4 29 part of private club membership fees or charges paid for the  
4 30 privilege of participating in any athletic sports provided  
4 31 club members.

4 32 4. A tax of ~~five~~ six percent is imposed upon the sales  
4 33 price derived from the operation of all forms of amusement  
4 34 devices and games of skill, games of chance, raffles, and  
4 35 bingo games as defined in chapter 99B, operated or conducted



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5 1 within the state, the tax to be collected from the operator in  
5 2 the same manner as for the collection of taxes upon the sales  
5 3 price of tickets or admission as provided in this section.  
5 4 Nothing in this subsection shall legalize any games of skill  
5 5 or chance or slot-operated devices which are now prohibited by  
5 6 law.

5 7 The tax imposed under this subsection covers the total  
5 8 amount from the operation of games of skill, games of chance,  
5 9 raffles, and bingo games as defined in chapter 99B, and  
5 10 musical devices, weighing machines, shooting galleries,  
5 11 billiard and pool tables, bowling alleys, pinball machines,  
5 12 slot-operated devices selling merchandise not subject to the  
5 13 general sales taxes and on the total amount from devices or  
5 14 systems where prizes are in any manner awarded to patrons and  
5 15 upon the receipts from fees charged for participation in any  
5 16 game or other form of amusement, and generally upon the sales  
5 17 price from any source of amusement operated for profit, not  
5 18 specified in this section, and upon the sales price from which  
5 19 tax is not collected for tickets or admission, but tax shall  
5 20 not be imposed upon any activity exempt from sales tax under  
5 21 section 423.3, subsection 78. Every person receiving any  
5 22 sales price from the sources described in this section is  
5 23 subject to all provisions of this subchapter relating to  
5 24 retail sales tax and other provisions of this chapter as  
5 25 applicable.

5 26 5. There is imposed a tax of ~~five~~ six percent upon the  
5 27 sales price from the furnishing of services as defined in  
5 28 section 423.1.

5 29 Sec. 12. Section 423.2, subsection 7, paragraph a,  
5 30 unnumbered paragraph 1, Code 2007, is amended to read as  
5 31 follows:

5 32 A tax of ~~five~~ six percent is imposed upon the sales price  
5 33 from the sales, furnishing, or service of solid waste  
5 34 collection and disposal service.

5 35 Sec. 13. Section 423.2, subsections 8 and 9, Code 2007,



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6 1 are amended to read as follows:

6 2 8. a. A tax of ~~five~~ six percent is imposed upon the sales  
6 3 price from sales of bundled services contracts. For purposes  
6 4 of this subsection, a "bundled services contract" means an  
6 5 agreement providing for a retailer's performance of services,  
6 6 one or more of which is a taxable service enumerated in this  
6 7 section and one or more of which is not, in return for a  
6 8 consumer's or user's single payment for the performance of the  
6 9 services, with no separate statement to the consumer or user  
6 10 of what portion of that payment is attributable to any one  
6 11 service which is a part of the contract.

6 12 b. For purposes of the administration of the tax on  
6 13 bundled services contracts, the director may enter into  
6 14 agreements of limited duration with individual retailers,  
6 15 groups of retailers, or organizations representing retailers  
6 16 of bundled services contracts. Such an agreement shall impose  
6 17 the tax rate only upon that portion of the sales price from a  
6 18 bundled services contract which is attributable to taxable  
6 19 services provided under the contract.

6 20 9. A tax of ~~five~~ six percent is imposed upon the sales  
6 21 price from any mobile telecommunications service which this  
6 22 state is allowed to tax by the provisions of the federal  
6 23 Mobile Telecommunications Sourcing Act, Pub. L. No. 106=252, 4  
6 24 U.S.C. } 116 et seq. For purposes of this subsection, taxes  
6 25 on mobile telecommunications service, as defined under the  
6 26 federal Mobile Telecommunications Sourcing Act that are deemed  
6 27 to be provided by the customer's home service provider, shall  
6 28 be paid to the taxing jurisdiction whose territorial limits  
6 29 encompass the customer's place of primary use, regardless of  
6 30 where the mobile telecommunications service originates,  
6 31 terminates, or passes through and shall in all other respects  
6 32 be taxed in conformity with the federal Mobile  
6 33 Telecommunications Sourcing Act. All other provisions of the  
6 34 federal Mobile Telecommunications Sourcing Act are adopted by  
6 35 the state of Iowa and incorporated into this subsection by



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7 1 reference. With respect to mobile telecommunications service  
7 2 under the federal Mobile Telecommunications Sourcing Act, the  
7 3 director shall, if requested, enter into agreements consistent  
7 4 with the provisions of the federal Act.

7 5 Sec. 14. Section 423.2, subsection 11, Code 2007, is  
7 6 amended to read as follows:

7 7 11. All revenues arising under the operation of the  
7 8 provisions of this section shall be deposited ~~into the general~~  
~~7 9 fund of the state.~~ as follows:

7 10 a. Five-sixths of such revenues shall be deposited into  
7 11 the general fund of the state.

7 12 b. One-sixth of such revenues shall be deposited into the  
7 13 secure and advanced vision for education fund created in  
7 14 section 423F.1.

7 15 Sec. 15. Section 423.5, unnumbered paragraph 1, Code 2007,  
7 16 is amended to read as follows:

7 17 An excise tax at the rate of ~~five~~ six percent of the  
7 18 purchase price or installed purchase price is imposed on the  
7 19 following:

7 20 Sec. 16. Section 423.36, subsection 8, paragraph a, Code  
7 21 2007, is amended to read as follows:

7 22 a. Except as provided in paragraph "b", purchasers, users,  
7 23 and consumers of tangible personal property or enumerated  
7 24 services taxed pursuant to subchapter II or III of this  
7 25 chapter or ~~chapters~~ chapter 423B and 423E may be authorized,  
7 26 pursuant to rules adopted by the director, to remit tax owed  
7 27 directly to the department instead of the tax being collected  
7 28 and paid by the seller. To qualify for a direct pay tax  
7 29 permit, the purchaser, user, or consumer must accrue a tax  
7 30 liability of more than four thousand dollars in tax under  
7 31 subchapters II and III in a semimonthly period and make  
7 32 deposits and file returns pursuant to section 423.31. This  
7 33 authority shall not be granted or exercised except upon  
7 34 application to the director and then only after issuance by  
7 35 the director of a direct pay tax permit.



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8 1 Sec. 17. Section 423.43, Code 2007, is amended to read as  
8 2 follows:

8 3 423.43 DEPOSIT OF REVENUE == APPROPRIATIONS.

8 4 Except as otherwise provided in this section and section

8 5 328.36, all revenues arising under the operation of the use

8 6 tax under subchapter III shall be credited to the general fund

8 7 of the state.

8 8 Except as otherwise provided in section 312.2, subsection

8 9 14, all five-sixths of the revenues derived from the use tax

8 10 on motor vehicles, trailers, and motor vehicle accessories and

8 11 equipment as collected pursuant to sections 423.26 and 423.27

8 12 shall be deposited and credited to the road use tax fund and

8 13 shall be used exclusively for the construction, maintenance,

8 14 and supervision of public highways-, except as follows:

8 15 1. ~~Notwithstanding any provision of this section which~~

~~8 16 provides that all revenues derived from the use tax on motor~~

~~8 17 vehicles, trailers, and motor vehicle accessories and~~

~~8 18 equipment as collected pursuant to sections 423.26 and 423.27~~

~~8 19 shall be deposited and credited to the road use tax fund,~~

~~8 20 eighty Eighty percent of the revenues shall be deposited and~~

8 21 credited as follows:

8 22 a. Twenty-five percent of all such revenue, up to a

8 23 maximum of four million two hundred fifty thousand dollars per

8 24 quarter, shall be deposited into and credited to the Iowa

8 25 comprehensive petroleum underground storage tank fund created

8 26 in section 455G.3, and the moneys so deposited are a

8 27 continuing appropriation for expenditure under chapter 455G,

8 28 and moneys so appropriated shall not be used for other

8 29 purposes.

8 30 b. Any such revenues remaining shall be credited to the

8 31 road use tax fund.

8 32 2. ~~Notwithstanding any other provision of this section~~

~~8 33 that provides that all revenue derived from the use tax on~~

~~8 34 motor vehicles, trailers, and motor vehicle accessories and~~

~~8 35 equipment as collected pursuant to section 423.26 shall be~~



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~~9 1 deposited and credited to the road use tax fund, twenty Twenty~~  
~~9 2 percent of the revenues collected pursuant to section 423.26~~  
~~9 3 shall be credited and deposited as follows: ~~one-half~~~~  
~~9 4 a. One-half to the road use tax fund ~~and one-half.~~~~  
~~9 5 b. One-half to the primary road fund to be used for the~~  
~~9 6 commercial and industrial highway network.~~  
~~9 7 3. ~~All other revenue arising under the operation of the~~~~  
~~9 8 ~~use tax under subchapter III shall be credited to the general~~~~  
~~9 9 ~~fund of the state.~~~~  
~~9 10 One-sixth of the revenues derived from the use tax on motor~~  
~~9 11 vehicles, trailers, and motor vehicle accessories and~~  
~~9 12 equipment as collected pursuant to sections 423.26 and 423.27~~  
~~9 13 shall be deposited and credited to the TIME=21 fund~~  
~~9 14 established in section 312A.2, if enacted by the Eighty=second~~  
~~9 15 General Assembly, 2007 Session.~~  
~~9 16 Twenty=four million dollars of the revenues derived from~~  
~~9 17 the use tax from sources other than the tax on motor vehicles,~~  
~~9 18 trailers, and motor vehicle accessories and equipment shall be~~  
~~9 19 deposited into the secure an advanced vision for education~~  
~~9 20 fund established in section 423F.1.~~  
9 21 Sec. 18. Section 423E.3, subsections 1 and 4, Code 2007,  
9 22 are amended by striking the subsections.  
9 23 Sec. 19. Section 423E.3, subsection 5, paragraphs a, b,  
9 24 and c, Code 2007, are amended by striking the paragraphs.  
9 25 Sec. 20. Section 423E.3, subsections 6 and 7, Code 2007,  
9 26 are amended by striking the subsections.  
9 27 Sec. 21. Section 423E.4, subsection 1, Code 2007, is  
9 28 amended by striking the subsection.  
9 29 Sec. 22. Section 423E.4, subsection 3, paragraph a, Code  
9 30 2007, is amended to read as follows:  
9 31 a. The director of revenue by August 15 of each fiscal  
9 32 year shall compute the guaranteed school infrastructure amount  
9 33 for each school district, each school district's sales tax  
9 34 capacity per student for each county, the statewide tax  
9 35 revenues per student, and the supplemental school



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10 1 infrastructure amount for the ~~coming~~ fiscal year.

10 2       Sec. 23. Section 423E.4, subsection 3, paragraph b,  
10 3 subparagraph (3), Code 2007, is amended by striking the  
10 4 subparagraph and inserting in lieu thereof the following:

10 5       (3) "Statewide tax revenues per student" means the amount  
10 6 determined by estimating the total revenues that would be  
10 7 generated by a one percent local option sales and services tax  
10 8 for school infrastructure purposes if imposed by all the  
10 9 counties during the entire fiscal year, subtracting sixteen  
10 10 million dollars from this revenue estimate, and dividing this  
10 11 adjusted revenue amount by the sum of the combined actual  
10 12 enrollment for all counties as determined in section 423E.3,  
10 13 subsection 5, paragraph "d", subparagraph (2).

10 14       Sec. 24. Section 423E.4, subsection 6, Code 2007, is  
10 15 amended by striking the subsection.

10 16       Sec. 25. Section 423E.4, subsection 7, Code 2007, is  
10 17 amended to read as follows:

10 18       7. Notwithstanding subsection 2 of this section or any  
10 19 other provision to the contrary, a school district that is  
10 20 located in whole or in part in a county that has not  
10 21 previously imposed the local sales and services tax for school  
10 22 infrastructure, and which votes on and approves the tax at a  
10 23 rate of one percent ~~on or~~ after January 1, 2007, and before  
10 24 July 1, 2008 2007, shall receive an amount equal to its pro  
10 25 rata share of the local sales and services tax receipts as  
10 26 provided in section 423E.3, subsection 5, paragraph "d", for a  
10 27 period corresponding to one-half the duration of the tax  
10 28 authorized by the voters. For the second half of the duration  
10 29 of the tax authorized by the voters, local sales and services  
10 30 tax receipts shall be distributed as otherwise applicable  
10 31 pursuant to subsection 2 of this section.

10 32       Sec. 26. Section 423E.5, Code 2007, is amended to read as  
10 33 follows:

10 34       423E.5 BONDING.

10 35       The board of directors of a school district shall be



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11 1 authorized to issue negotiable, interest-bearing school bonds,  
11 2 without election, and utilize tax receipts derived from the  
11 3 sales and services tax for school infrastructure purposes and  
11 4 the supplemental school infrastructure amount distributed  
11 5 pursuant to section 423E.4, subsection 2, paragraph "b", and  
11 6 revenues received pursuant to section 423F.1, for principal  
11 7 and interest repayment. Proceeds of the bonds issued pursuant  
11 8 to this section shall be utilized solely for school  
11 9 infrastructure needs as school infrastructure is defined in  
11 10 section 423E.1, subsection 3, Code 2007, and section 423F.2.  
11 11 Bonds issued under this section may be sold at public sale as  
11 12 provided in chapter 75, or at private sale, without notice and  
11 13 hearing as provided in section 73A.12. Bonds may bear dates,  
11 14 bear interest at rates not exceeding that permitted by chapter  
11 15 74A, mature in one or more installments, be in registered  
11 16 form, carry registration and conversion privileges, be payable  
11 17 as to principal and interest at times and places, be subject  
11 18 to terms of redemption prior to maturity with or without  
11 19 premium, and be in one or more denominations, all as provided  
11 20 by the resolution of the board of directors authorizing their  
11 21 issuance. The resolution may also prescribe additional  
11 22 provisions, terms, conditions, and covenants which the board  
11 23 of directors deems advisable, including provisions for  
11 24 creating and maintaining reserve funds, the issuance of  
11 25 additional bonds ranking on a parity with such bonds and  
11 26 additional bonds junior and subordinate to such bonds, and  
11 27 that such bonds shall rank on a parity with or be junior and  
11 28 subordinate to any bonds which may be then outstanding. Bonds  
11 29 may be issued to refund outstanding and previously issued  
11 30 bonds under this section. ~~Local option sales and services tax~~  
~~11 31 revenue~~ The bonds are a contract between contractual  
11 32 obligation of the school district and holders, and the  
11 33 resolution issuing the bonds and pledging local option sales  
11 34 and services tax revenues or its share of the revenues  
11 35 distributed pursuant to section 423F.1 to the payment of



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12 1 principal and interest on the bonds is a part of the contract.  
12 2 Bonds issued pursuant to this section shall not constitute  
12 3 indebtedness within the meaning of any constitutional or  
12 4 statutory debt limitation or restriction, and shall not be  
12 5 subject to any other law relating to the authorization,  
12 6 issuance, or sale of bonds.  
12 7 A school district ~~in which a local option sales tax for~~  
~~12 8 school infrastructure purposes has been imposed~~ shall be  
12 9 authorized to enter into a chapter 28E agreement with one or  
12 10 more cities or a county whose boundaries encompass all or a  
12 11 part of the area of the school district. A city or cities  
12 12 entering into a chapter 28E agreement shall be authorized to  
12 13 expend its designated portion of the ~~local option sales and~~  
~~12 14 services tax~~ revenues for any valid purpose permitted in this  
12 15 chapter or authorized by the governing body of the city. A  
12 16 county entering into a chapter 28E agreement with a school  
12 17 district ~~in which a local option sales tax for school~~  
~~12 18 infrastructure purposes has been imposed~~ shall be authorized  
12 19 to expend its designated portion of the ~~local option sales and~~  
~~12 20 services tax~~ revenues to provide property tax relief within  
12 21 the boundaries of the school district located in the county.  
12 22 A school district ~~where a local option sales and services tax~~  
~~12 23 is imposed~~ is also authorized to enter into a chapter 28E  
12 24 agreement with another school district, a community college,  
12 25 or an area education agency which is located partially or  
12 26 entirely in or is contiguous to the county where the ~~tax is~~  
~~12 27 imposed~~ school district is located. The school district or  
12 28 community college shall only expend its designated portion of  
12 29 the ~~local option sales and services tax~~ revenues for  
12 30 infrastructure purposes. The area education agency shall only  
12 31 expend its designated portion of the ~~local option school~~  
~~12 32 infrastructure sales tax~~ revenues for infrastructure and  
12 33 maintenance purposes.  
12 34 The governing body of a city may authorize the issuance of  
12 35 bonds which are payable from its designated portion of the



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13 1 revenues ~~of the local option sales and services tax~~ to be  
13 2 ~~received under this section~~, and not from property tax, by  
13 3 following the authorization procedures set forth for cities in  
13 4 section 384.83. A city may pledge irrevocably any amount  
13 5 derived from its designated portions of the revenues ~~of the~~  
~~13 6 local option sales and services tax~~ to the support or payment  
13 7 of such bonds.

13 8 Sec. 27. NEW SECTION. 423F.1 REPEAL OF LOCAL SALES AND  
13 9 SERVICE TAXES == SECURE AN ADVANCED VISION FOR EDUCATION FUND.

13 10 1. a. After July 1, 2007, all local sales and services  
13 11 tax for school infrastructure purposes imposed under chapter  
13 12 423E are repealed. After July 1, 2007, a county no longer has  
13 13 the authority under chapter 423E or any other provision of law  
13 14 to impose or to extend an existing local sales and services  
13 15 tax for school infrastructure purposes.

13 16 b. The increase in the state sales, services, and use  
13 17 taxes under chapter 423, subchapters II and III, from five  
13 18 percent to six percent shall replace the repeal of the  
13 19 county's local sales and services tax for school  
13 20 infrastructure purposes. However, the distribution of moneys  
13 21 in the secure an advanced vision for education fund and the  
13 22 use of the moneys for infrastructure purposes or property tax  
13 23 relief shall continue to apply as provided in chapter 423F and  
13 24 the formula for the distribution of the moneys in the fund  
13 25 shall be based upon amounts that would have been received if  
13 26 the local sales and services taxes continued in existence.

13 27 c. To the extent that any school district has issued bonds  
13 28 anticipating the proceeds of a local sales and services tax  
13 29 for school infrastructure purposes prior to July 1, 2007, the  
13 30 pledge of such tax receipts for the payment of principal and  
13 31 interest on such bonds shall be replaced by a pledge of its  
13 32 share of the revenues the school district receives under this  
13 33 section.

13 34 2. A secure an advanced vision for education fund is  
13 35 created as a separate and distinct fund in the state treasury



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14 1 under the control of the department of revenue. Moneys in the  
14 2 fund include revenues credited to the fund pursuant to this  
14 3 chapter, appropriations made to the fund, and other moneys  
14 4 deposited into the fund. Subject to subsection 3, any amounts  
14 5 disbursed from the fund shall be utilized for school  
14 6 infrastructure purposes or property tax relief.

14 7 3. a. From the moneys available in a fiscal year in the  
14 8 secure an advanced vision for education fund, there is  
14 9 appropriated to the department of management to provide  
14 10 adjusted additional property tax levy aid pursuant to section  
14 11 257.15, subsection 4, the sum of sixteen million dollars.

14 12 b. The remaining moneys available in a fiscal year in the  
14 13 secure an advanced vision for education fund after the  
14 14 appropriation in paragraph "a", shall be distributed by the  
14 15 department of revenue to each school district in an amount  
14 16 equal to the amount the school district would have received  
14 17 pursuant to the formula in section 423E.4 as if the local  
14 18 sales and services tax for school infrastructure purposes was  
14 19 imposed.

14 20 c. Moneys in a fiscal year that are in excess of that  
14 21 needed to provide each school district with its formula amount  
14 22 shall be distributed to each school district based upon the  
14 23 school district's actual enrollment as determined in section  
14 24 423E.3, subsection 5, paragraph "d", with each school district  
14 25 receiving an equal amount per student.

14 26 4. a. The director of revenue by August 15 of each fiscal  
14 27 year shall send to each school district an estimate of the  
14 28 amount of tax moneys each school district will receive for the  
14 29 year and for each month of the year. At the end of each  
14 30 month, the director may revise the estimates for the year and  
14 31 remaining months.

14 32 b. The director shall remit ninety-five percent of the  
14 33 estimated tax receipts for the school district to the school  
14 34 district on or before August 31 of the fiscal year and on or  
14 35 before the last day of each following month.



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15 1 c. The director shall remit a final payment of the  
15 2 remainder of tax moneys due for the fiscal year before  
15 3 November 10 of the next fiscal year. If an overpayment has  
15 4 resulted during the previous fiscal year, the November payment  
15 5 shall be adjusted to reflect any overpayment.

15 6 Sec. 28. NEW SECTION. 423F.2 USE OF REVENUES.

15 7 1. A school district receiving revenues from the secure an  
15 8 advanced vision for education fund under this chapter shall  
15 9 expend the revenues subject to this section for the following  
15 10 purposes:

15 11 a. Reduction of bond levies under sections 298.18 and  
15 12 298.18A and all other debt levies.

15 13 b. Reduction of the regular and voter-approved physical  
15 14 plant and equipment levy under section 298.2.

15 15 c. Reduction of the public educational and recreational  
15 16 levy under section 300.2.

15 17 d. Reduction of the schoolhouse tax levy under section  
15 18 278.1, subsection 7, Code 1989.

15 19 e. For any authorized infrastructure purpose of the school  
15 20 district as defined in section 423E.1, subsection 3, Code  
15 21 2007.

15 22 f. For the payment of principal and interest on bonds  
15 23 issued under sections 423E.5 and 423F.3.

15 24 2. A revenue purpose statement in existence for the  
15 25 expenditure of local sales and services tax for school  
15 26 infrastructure purposes imposed by a county pursuant to  
15 27 section 423E.2, Code 2007, prior to July 1, 2007, shall remain  
15 28 in effect until amended or extended. The board of directors  
15 29 of a school district may take action to adopt or amend a  
15 30 revenue purpose statement specifying the specific purposes for  
15 31 which the revenues received from the secure an advanced vision  
15 32 for education fund will be expended. If a school district is  
15 33 located in a county which has imposed a local sales and  
15 34 services tax for school infrastructure purposes on July 1,  
15 35 2007, this action shall be taken before expending or



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16 1 anticipating revenues to be received after the unextended term  
16 2 of the tax unless the school district elects to adopt a  
16 3 revenue purpose statement as provided in this section.  
16 4 Approval by the electors of an extended tax shall constitute  
16 5 approval under this section.

16 6     3. The governing body shall institute proceedings to  
16 7 approve a revenue purpose statement by causing a notice of the  
16 8 meeting to discuss approval of a revenue purpose statement to  
16 9 be published at least once in a newspaper of general  
16 10 circulation within the school district at least ten days prior  
16 11 to the meeting. Within thirty days following the meeting, the  
16 12 board of directors shall take action to approve a revenue  
16 13 purpose statement. If at any time before the end of the  
16 14 thirty-day period after the meeting approving a revenue  
16 15 purpose statement a petition is filed with the secretary of  
16 16 the board asking that the question of approving the revenue  
16 17 purpose statement be submitted to the registered voters of the  
16 18 school district, the board shall either by resolution repeal  
16 19 the action approving a revenue purpose statement or direct the  
16 20 county commissioner of elections to call a special election  
16 21 upon the question of approving the revenue purpose statement.  
16 22 The petition must be signed by eligible electors equal to not  
16 23 less than one hundred or thirty percent of the number of  
16 24 voters at the last preceding regular school election,  
16 25 whichever number is greater. A majority of those voting on  
16 26 the question must favor approval of the revenue purpose  
16 27 statement.

16 28     4. The revenues received pursuant to this chapter shall be  
16 29 expended for the purposes specified in the revenue purpose  
16 30 statement. In the event that a board of directors has not  
16 31 approved a revenue purpose statement, the revenues shall be  
16 32 expended in the order listed in subsection 1 except that the  
16 33 payment of bonds for which the revenues have been pledged  
16 34 shall be paid first. Once approved, a revenue purpose  
16 35 statement is effective until amended or repealed by the



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17 1 foregoing procedures. A revenue purpose statement shall not  
17 2 be amended or repealed to reduce the amount of revenue pledged  
17 3 to the payment of principal and interest on bonds as long as  
17 4 any bonds authorized by sections 423E.5 and 423F.3 are  
17 5 outstanding unless funds sufficient to pay principal,  
17 6 interest, and premium, if any, on the outstanding obligations  
17 7 at or prior to maturity have been properly set aside and  
17 8 pledged for that purpose.

17 9 5. A school district with a certified enrollment of fewer  
17 10 than five hundred pupils in the entire district or certified  
17 11 enrollment of fewer than one hundred pupils in high school  
17 12 shall not expend the amount received for new construction  
17 13 without prior application to the department of education and  
17 14 receipt of a certificate of need pursuant to this subsection.  
17 15 A certificate of need is not required for repairing  
17 16 schoolhouses or buildings, equipment, technology, or  
17 17 transportation equipment for transporting students as provided  
17 18 in section 298.3, or for construction necessary for compliance  
17 19 with the federal Americans With Disabilities Act pursuant to  
17 20 42 U.S.C. } 12101-12117. In determining whether a  
17 21 certificate of need shall be issued or denied, the department  
17 22 shall consider all of the following:

17 23 a. Enrollment trends in the grades that will be served at  
17 24 the new construction site.

17 25 b. The infeasibility of remodeling, reconstructing, or  
17 26 repairing existing buildings.

17 27 c. The fire and health safety needs of the school  
17 28 district.

17 29 d. The distance, convenience, cost of transportation, and  
17 30 accessibility of the new construction site to the students to  
17 31 be served at the new construction site.

17 32 e. Availability of alternative, less costly, or more  
17 33 effective means of serving the needs of the students.

17 34 f. The financial condition of the district, including the  
17 35 effect of the decline of the budget guarantee and unspent



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18 1 balance.

18 2 g. Broad and long-term ability of the district to support  
18 3 the facility and the quality of the academic program.

18 4 h. Cooperation with other educational entities including  
18 5 other school districts, area education agencies, postsecondary  
18 6 institutions, and local communities.

18 7 Sec. 29. NEW SECTION. 423F.3 BORROWING AUTHORITY FOR  
18 8 SCHOOL DISTRICTS.

18 9 A school district may anticipate its share of the revenues  
18 10 under section 423F.1 by issuing bonds in the manner provided  
18 11 in section 423E.5. However, to the extent any school district  
18 12 has issued bonds anticipating the proceeds of an extended  
18 13 local sales and services tax for school infrastructure  
18 14 purposes imposed by a county pursuant to chapter 423E prior to  
18 15 July 1, 2007, the pledge of such revenues for the payment of  
18 16 principal and interest on such bonds shall be replaced by a  
18 17 pledge of its share of the revenues under section 423F.1.

18 18 Sec. 30. 2006 Iowa Acts, chapter 1158, section 70, is  
18 19 amended to read as follows:

18 20 SEC. 70. Section 423.2, subsection 8, Code Supplement  
18 21 2005, is amended by striking the subsection and inserting in  
18 22 lieu thereof the following:

18 23 8. a. A tax of ~~five~~ six percent is imposed on the sales  
18 24 price from sales of bundled transactions. For the purposes of  
18 25 this subsection, a "bundled transaction" is the retail sale of  
18 26 two or more distinct and identifiable products, except real  
18 27 property and services to real property, which are sold for one  
18 28 nonitemized price. A "bundled transaction" does not include  
18 29 the sale of any products in which the sales price varies, or  
18 30 is negotiable, based on the selection by the purchaser of the  
18 31 products included in the transaction.

18 32 b. "Distinct and identifiable products" does not include  
18 33 any of the following:

18 34 (1) Packaging or other materials that accompany the retail  
18 35 sale of the products and are incidental or immaterial to the



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19 1 retail sale of the products.

19 2       (2) A product provided free of charge with the required  
19 3 purchase of another product. A product is "provided free of  
19 4 charge" if the sales price of the product purchased does not  
19 5 vary depending on the inclusion of the product which is  
19 6 provided free of charge.

19 7       (3) Items included in the definition of "sales price"  
19 8 pursuant to section 423.1.

19 9       c. "One nonitemized price" does not include a price that  
19 10 is separately identified by product on binding sales or other  
19 11 supporting sales-related documentation made available to the  
19 12 customer in paper or electronic form.

19 13       Sec. 31. Sections 423E.1 and 423E.2, Code 2007, are  
19 14 repealed.

19 15       Sec. 32. CONSTRUCTION CONTRACTORS.

19 16       1. Construction contractors may make application to the  
19 17 department of revenue for a refund of the additional one  
19 18 percent tax paid under chapter 423 by reason of the increase  
19 19 in the sales and use taxes from five to six percent for taxes  
19 20 paid on goods, wares, or merchandise under the following  
19 21 conditions:

19 22       a. The goods, wares, or merchandise are incorporated into  
19 23 an improvement to real estate in fulfillment of a written  
19 24 contract fully executed prior to July 1, 2007. The refund  
19 25 shall not apply to equipment transferred in fulfillment of a  
19 26 mixed construction contract.

19 27       b. The contractor has paid to the department of revenue or  
19 28 to a retailer the full six percent tax.

19 29       c. The claim is filed on forms provided by the department  
19 30 of revenue and is filed within one year of the date the tax is  
19 31 paid.

19 32       2. A contractor who makes an erroneous application for  
19 33 refund shall be liable for payment of the excess refund paid  
19 34 plus interest at the rate in effect under section 421.7. In  
19 35 addition, a contractor who willfully makes a false application



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20 1 for refund is guilty of a simple misdemeanor and is liable for  
20 2 a penalty equal to fifty percent of the excess refund claimed.  
20 3 Excess refunds, penalties, and interest due under this section  
20 4 may be enforced and collected in the same manner as the tax  
20 5 imposed by chapter 423.

20 6 Sec. 33. APPLICABILITY. This section applies in regard to  
20 7 the increase in the state sales and use taxes from five to six  
20 8 percent. The six percent rate applies to all sales of taxable  
20 9 personal property, consisting of goods, wares, or merchandise  
20 10 if delivery occurs on or after July 1, 2007. The six percent  
20 11 use tax rate applies to the use of property when the first  
20 12 taxable use in this state occurs on or after July 1, 2007.  
20 13 The six percent rate applies to the gross receipts from the  
20 14 sale, furnishing, or service of gas, electricity, water, heat,  
20 15 pay television service, and communication service if the date  
20 16 of billing the customer is on or after July 1, 2007. In the  
20 17 case of a service contract entered into prior to July 1, 2007,  
20 18 which contract calls for periodic payments, the six percent  
20 19 rate applies to those payments made or due on or after July 1,  
20 20 2007. This periodic payment applies but is not limited to  
20 21 tickets or admissions, private club membership fees, sources  
20 22 of amusement, equipment rental, dry cleaning, reducing salons,  
20 23 dance schools, and all other services subject to tax, except  
20 24 the aforementioned utility services which are subject to a  
20 25 special transitional rule. Unlike periodic payments under  
20 26 service contracts, installment sales of goods, wares, and  
20 27 merchandise are subject to the full amount of sales or use tax  
20 28 when the sales contract is entered into or the property is  
20 29 first used in Iowa.

20 30 Sec. 34. EFFECTIVE DATE. The section of this Act amending  
20 31 2006 Iowa Acts, chapter 1158, section 70, takes effect January  
20 32 1, 2008.

20 33 EXPLANATION

20 34 This bill increases the state sales and use taxes from 5  
20 35 percent to 6 percent. The increased sales tax revenues are



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21 1 deposited into a new secure an advanced vision for education  
21 2 fund to be distributed to all school districts. However, the  
21 3 first \$16 million annually is appropriated to increase the  
21 4 amount of moneys available for adjusted additional property  
21 5 tax levy aid for school districts. The use tax revenues are  
21 6 deposited in the state general fund except for the use tax  
21 7 from motor vehicles which is to be deposited into the TIME=21  
21 8 fund if created by the general assembly and \$24 million from  
21 9 nonmotor vehicle use tax revenues which are deposited into the  
21 10 secure an advanced vision for education fund. The state sales  
21 11 tax revenues are to replace the local sales and services tax  
21 12 for school infrastructure purposes. All existing local sales  
21 13 and services tax are repealed. A statewide amount per pupil  
21 14 is computed each fiscal year based upon the estimated amount  
21 15 that would have been generated by a 1 percent local sales and  
21 16 services tax, minus the \$16 million to be used for adjusted  
21 17 additional property tax levy aid, divided by combined  
21 18 enrollment of all school districts. Each district will  
21 19 receive an amount equal to the amount that it would have  
21 20 received under the formula if the local sales and services tax  
21 21 for school infrastructure was imposed. Any funds leftover  
21 22 after distribution under the formula are to be distributed to  
21 23 school districts on an equal per pupil basis.  
21 24 Revenues received are to be used according to a revenue  
21 25 purpose statement that was in existence under the replaced  
21 26 tax. Prior to use of any revenues after the replaced tax  
21 27 revenue purpose statement expires, the school district may  
21 28 hold a public meeting on the adoption of a new revenue purpose  
21 29 statement. If a valid petition to hold an election is  
21 30 submitted, then the school district either withdraws the  
21 31 revenue purpose statement or an election is held. A valid  
21 32 petition must have signatures equal to 100 eligible voters or  
21 33 30 percent of the number of voters at the last regular school  
21 34 election, whichever number is greater.  
21 35 The purposes for which the revenues may be used are the



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22 1 reduction of bond levies, regular and voter approved physical  
22 2 plant and equipment levy, public educational and recreational  
22 3 levy, and schoolhouse tax levy, authorized infrastructure  
22 4 purposes as defined in Code section 423E.1, and payment of  
22 5 principal and interest of bonds issued under Code chapter 423E  
22 6 or 423F. If a revenue purpose statement is not approved, the  
22 7 revenues are to be used in the order listed for the above  
22 8 purposes.  
22 9     The bill provides an effective date.  
22 10 LSB 2942XC 82  
22 11 mg:rj/je/5.2



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Senate Study Bill 1362

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON DVORSKY)

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

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

A BILL FOR

1 An Act relating to increases in the reimbursement rates or  
2 amounts for certain providers under the purview of the  
3 department of human services or the department of public  
4 health, and providing appropriations.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2944XC 82  
7 pf/gg/14



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PAG LIN

1 1 Section 1. DEPARTMENT OF HUMAN SERVICES == PROVIDER  
 1 2 REIMBURSEMENTS. There is appropriated from the general fund  
 1 3 of the state to the department of human services for the  
 1 4 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 1 5 the following amount, or so much thereof as is necessary, to  
 1 6 be used for the purpose designated:  
 1 7 For funding of increased reimbursement to service providers  
 1 8 in accordance with this section:  
 1 9 ..... \$ 6,630,443  
 1 10 Notwithstanding any provision of 2007 Iowa Acts, House File  
 1 11 909, if enacted, to the contrary, the appropriation made in  
 1 12 this section shall be used to provide reimbursement for the  
 1 13 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 1 14 in an amount that is 1 percent over the reimbursement rate or  
 1 15 amount in effect on June 30, 2007, to the following providers  
 1 16 and for the following services reimbursed by the department of  
 1 17 human services:  
 1 18 Inpatient and outpatient hospital services;  
 1 19 disproportionate share hospitals, indirect medical education  
 1 20 and direct medical education; home health services; physician  
 1 21 services; psychiatric services; family planning services;  
 1 22 early and periodic screening, diagnosis, and treatment;  
 1 23 anesthesia services; dental services; optometric services;  
 1 24 supplies; ambulance services; practitioner services; podiatric  
 1 25 services; chiropractic services; clinic services; community  
 1 26 mental health centers; home and community-based waiver  
 1 27 services; the Iowa plan for behavioral health; health  
 1 28 maintenance organizations; nursing facilities; case management  
 1 29 services; rehabilitative treatment services; adult  
 1 30 rehabilitative option services; and pharmacy dispensing fees.  
 1 31 Sec. 2. DEPARTMENT OF PUBLIC HEALTH == SUBSTANCE ABUSE  
 1 32 PROGRAMS REIMBURSEMENT. There is appropriated from the  
 1 33 general fund of the state to the department of public health  
 1 34 for the fiscal year beginning July 1, 2007, and ending June  
 1 35 30, 2008, the following amount, or so much thereof as is



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2 1 necessary, to be used for the purpose designated:  
 2 2 For funding of increased reimbursement to substance abuse  
 2 3 programs in accordance with this section:  
 2 4 ..... \$ 152,234  
 2 5 The appropriation made in this section shall be used to  
 2 6 provide reimbursement for the fiscal period beginning July 1,  
 2 7 2007, and ending June 30, 2008, in an amount that is 1 percent  
 2 8 over the reimbursement rate or amount that is in effect on  
 2 9 June 30, 2007, to substance abuse programs under the purview  
 2 10 of the department of public health.

EXPLANATION

2 11  
 2 12  
 2 13 This bill provides that, notwithstanding other provisions  
 2 14 to the contrary in 2007 Iowa Acts, House File 909, relating to  
 2 15 reimbursement of certain providers under the purview of the  
 2 16 department of human services, for the fiscal year beginning  
 2 17 July 1, 2007, and ending June 30, 2008, providers specified in  
 2 18 the bill are to receive reimbursement in an amount that is 1  
 2 19 percent over the reimbursement rate or amount in effect on  
 2 20 June 30, 2007.

2 21 Additionally, the bill provides that for the fiscal period  
 2 22 beginning July 1, 2007, and ending June 30, 2008, substance  
 2 23 abuse programs under the purview of the department of public  
 2 24 health are to receive reimbursement in an amount that is 1  
 2 25 percent over the reimbursement rate or amount in effect on  
 2 26 June 30, 2002.

2 27 The bill also provides corresponding appropriations for the  
 2 28 provider increases.

2 29 LSB 2944XC 82

2 30 pf:jp/gg/14