



Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 14, 2008

**House Concurrent Resolution 101 -
Introduced**

PAG LIN

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

1 1 HOUSE CONCURRENT RESOLUTION 101
1 2 By McCarthy and Rants
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE
1 4 CONCURRING, That a joint convention of the two houses of the
1 5 2008 session of the Eighty-second General Assembly be held on
1 6 Tuesday, January 15, 2008, at 10:00 a.m.; and
1 7 BE IT FURTHER RESOLVED, That Governor Chester J. Culver be
1 8 invited to deliver his budget message at this joint convention
1 9 of the two houses of the General Assembly, and that the
1 10 Speaker of the House of Representatives and the President of
1 11 the Senate be designated to extend the invitation to him.
1 12 HCR 101
1 13 dt/jg/25



Iowa General Assembly
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January 14, 2008

**House Concurrent Resolution 102 -
Introduced**

PAG LIN

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

1 1 HOUSE CONCURRENT RESOLUTION 102
1 2 By McCarthy and Rants
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
1 4 SENATE CONCURRING, That a joint convention of the two
1 5 houses of the 2008 session of the Eighty-second General
1 6 Assembly be held on Wednesday, January 16, 2008, at
1 7 10:00 a.m.; and
1 8 BE IT FURTHER RESOLVED, That Chief Justice Ternus
1 9 be invited to present her message of the condition of
1 10 the judicial branch at this convention, and recommend
1 11 such matters as the Chief Justice deems expedient,
1 12 pursuant to section 602.1207 of the Code.
1 13 HCR 102
1 14 dt/jg/25



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House File 2001 - Introduced

HOUSE FILE

BY BAILEY, FOEGE, WHITAKER, JACOBY,
OLDSON, BERRY, WENDT, WENTHE,
PALMER, D. OLSON, SMITH, BUKTA,
KRESSIG, WISE, REICHERT, KELLEY,
DANDEKAR, GAYMAN, SCHUELLER,
H. MILLER, REASONER, DAVITT,
GASKILL, ZIRKELBACH, HEDDENS,
WHITEAD, BAUDLER, STAED, THOMAS,
LYKAM, and MURPHY

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to military leaves of absence and reemployment.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5574HH 82
- 4 ec/nh/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 14, 2008

House File 2001 - Introduced continued

PAG LIN

1 1 Section 1. Section 29A.8A, Code 2007, is amended to read
1 2 as follows:
1 3 29A.8A STATE MILITARY SERVICE.
1 4 If federal funding and authorization exist for this
1 5 purpose, the governor may order to state military service the
1 6 military forces of the Iowa army national guard or Iowa air
1 7 national guard as the governor may deem appropriate for the
1 8 purposes of homeland security, homeland defense, or other
1 9 duty. A state employee shall take either a full day's leave
1 10 in accordance with section 29A.28 or eight hours of
1 11 compensatory time on a day in which the state employee
1 12 receives a full day's pay from federal funds for national
1 13 guard duty.
1 14 Sec. 2. Section 29A.28, subsection 1, Code Supplement
1 15 2007, is amended to read as follows:
1 16 1. a. All officers and employees of the state, a
1 17 subdivision thereof, or a municipality, other than employees
1 18 employed temporarily for six months or less, who are members
1 19 of the national guard, organized reserves or any component
1 20 part of the military, naval, or air forces or nurse corps of
1 21 this state or nation, or who are or may be otherwise inducted
1 22 into the military service of this state or of the United
1 23 States, or who are members of the civil air patrol, shall,
1 24 when ordered by proper authority to state active duty, state
1 25 military service, or federal service, or when performing a
1 26 civil air patrol mission pursuant to section 29A.3A, be
1 27 entitled to a leave of absence from such civil employment for
1 28 the period of state active duty, state military service,
1 29 federal service, or civil air patrol duty without loss of
1 30 status or efficiency rating, and without loss of pay during
1 31 the first thirty days of such leave of absence.
1 32 b. Where state active duty, state military service,
1 33 federal service, or civil air patrol duty is for a period of
1 34 less than thirty days, a leave of absence under this section
1 35 shall only be required for those days that the civil employee



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House File 2001 - Introduced continued

2 1 would normally perform services for the state, subdivision of
2 2 the state, or a municipality. The provisions of this section
2 3 shall also apply to a leave of absence by a member of the
2 4 national disaster medical system of the United States when
2 5 activated for federal service with the system. If the workday
2 6 for a civil employee encompasses more than one calendar day,
2 7 the civil employee shall only be required to take a leave of
2 8 absence for one day for that workday if a leave of absence is
2 9 required under this paragraph.

2 10 Sec. 3. Section 29A.43, subsection 1, Code 2007, is
2 11 amended to read as follows:

2 12 1. A person shall not discriminate against any officer or
2 13 enlisted person of the national guard or organized reserves of
2 14 the armed forces of the United States or any member of the
2 15 civil air patrol because of that membership. An employer, or
2 16 agent of an employer, shall not discharge a person from
2 17 employment because of being an officer or enlisted person of
2 18 the military forces of the state or member of the civil air
2 19 patrol, or hinder or prevent the officer or enlisted person or
2 20 member of the civil air patrol from performing any military
2 21 service or civil air patrol duty the person is called upon to
2 22 perform by proper authority. A member of the national guard
2 23 or organized reserves of the armed forces of the United States
2 24 ordered to temporary duty, as defined in section 29A.1,
2 25 subsection 3, 11, or 12, or a member of the civil air patrol
2 26 performing duty pursuant to section 29A.3A, for any purpose is
2 27 entitled to a leave of absence during the period of the duty
2 28 or service, from the member's private employment, ~~other than~~
2 29 unless the employment is of a temporary nature, ~~and upon.~~
2 30 Upon completion of the duty or service the employer shall
2 31 restore the person to the position held prior to the leave of
2 32 absence, or employ the person in a ~~similar~~ position of like
2 33 seniority, status, and pay. However, the person shall give
2 34 evidence to the employer of satisfactory completion of the
2 35 ~~training or~~ duty or service, and that the person is still



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House File 2001 - Introduced continued

3 1 qualified to perform the duties of the position. The period
3 2 of absence shall be construed as an absence with leave, and
3 3 shall in no way affect the employee's rights to vacation, sick
3 4 leave, bonus, or other employment benefits relating to the
3 5 employee's particular employment. ~~A person violating a
3 6 provision of this section is guilty of a simple misdemeanor.~~

3 7 Sec. 4. Section 29A.43, Code 2007, is amended by adding
3 8 the following new subsection:

3 9 NEW SUBSECTION. 3. A person violating a provision of this
3 10 section is guilty of a simple misdemeanor. Violations of this
3 11 section shall be prosecuted by the attorney general or the
3 12 county attorney of the county in which the violation occurs.

3 13 EXPLANATION

3 14 This bill concerns leaves of absences from work for
3 15 purposes of military service.

3 16 Code section 29A.28, concerning leaves of absence for state
3 17 and local government employees, is amended to provide that a
3 18 government employee is only required to take a leave of
3 19 absence for one day for each workday the employee is required
3 20 to take a leave of absence even if the employee's typical
3 21 workday encompasses more than one calendar day.

3 22 Code section 29A.43, concerning leaves of absence for
3 23 employees generally, is amended to provide that a person
3 24 returning from military duty shall, if not restored to the
3 25 position held prior to the leave of absence, be restored to a
3 26 position of like seniority, status, and pay. Current law
3 27 provides that if the person is not restored to the same
3 28 position, the employer is required to restore the person to a
3 29 similar position. The bill also provides that violations of
3 30 Code section 29A.43 shall be prosecuted by the attorney
3 31 general or the county attorney of the county in which the
3 32 violation occurred.

3 33 LSB 5574HH 82

3 34 ec/nh/24



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House File 2002 - Introduced

HOUSE FILE
BY R. OLSON

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

A BILL FOR

- 1 An Act relating to exemptions to state minimum wage requirements.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5121YH 82
- 4 kh/rj/8



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House File 2002 - Introduced continued

PAG LIN

1 1 Section 1. Section 91D.1, subsection 2, Code Supplement
1 2 2007, is amended to read as follows:
1 3 2. a. The exemptions from the minimum wage requirements
1 4 stated in 29 U.S.C. } 213, as amended to January 1, 2007,
1 5 shall apply, except ~~that the exemption in 29 U.S.C. }~~
~~1 6 213(a)(2) shall only apply to an enterprise which is comprised~~
~~1 7 of one or more retail or service establishments whose annual~~
~~1 8 gross volume of sales made or business done is less than sixty~~
~~1 9 percent of the amount stated in 29 U.S.C. } 203(s)(2),~~
~~1 10 exclusive of excise taxes at the retail level that are~~
~~1 11 separately stated as otherwise provided in this subsection.~~
1 12 b. Except as provided in paragraph "c", the minimum wage
1 13 requirements set forth in this section shall not apply to an
1 14 enterprise whose annual gross volume of sales made or business
1 15 done, exclusive of excise taxes at the retail level which are
1 16 separately stated, is less than three hundred thousand
1 17 dollars.
1 18 c. The minimum wage requirements set forth in this section
1 19 shall apply to the following without regard to gross volume of
1 20 sales or business done:
1 21 (1) An enterprise engaged in the business of laundering,
1 22 cleaning, or repairing clothing or fabrics.
1 23 (2) An enterprise engaged in construction or
1 24 reconstruction.
1 25 (3) An enterprise engaged in the operation of a hospital;
1 26 an institution primarily engaged in the care of the sick, the
1 27 aged, or the mentally ill or persons who have symptoms of
1 28 mental illness who reside on the premises of such institution;
1 29 a school for persons with mental or physical disabilities or
1 30 for gifted children; a preschool, elementary or secondary
1 31 school, or an institution of higher education. This
1 32 subparagraph applies regardless of whether any such described
1 33 hospital, institution, or school is public or private or
1 34 operated for profit or not for profit.
1 35 (4) A public agency.



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House File 2002 - Introduced continued

2 1 EXPLANATION
2 2 This bill replaces minimum wage requirement exemptions in
2 3 the Code which are tied to the federal Fair Labor Standards
2 4 Act.
2 5 Currently, the Code adopts by reference exemptions to the
2 6 federal Fair Labor Standards Act which were in place when
2 7 Iowa's minimum wage law was enacted in 1989, but which were
2 8 repealed from the United States Code on November 17, 1989.
2 9 The federal provision allowed a retail or service
2 10 establishment to pay employees engaged in certain services
2 11 less than the federal minimum wage if more than 50 percent of
2 12 the establishment's annual dollar volume of sales of goods or
2 13 services is made in the state in which the establishment is
2 14 located and 75 percent of whose annual dollar volume of sales
2 15 of goods or services is not for resale.
2 16 The bill provides that the state's minimum wage
2 17 requirements do not apply to an enterprise whose annual gross
2 18 volume of sales or business done, exclusive of excise taxes at
2 19 the retail level which are separately stated, is less than
2 20 \$300,000, unless the enterprise is engaged in the business of
2 21 laundering, cleaning, or repairing clothing or fabrics; is
2 22 engaged in construction or reconstruction; is engaged in the
2 23 operation of hospitals, facilities serving the elderly or
2 24 persons with mental or physical illnesses or disabilities, or
2 25 educational institutions; or is a public agency.
2 26 LSB 5121YH 82
2 27 kh/rj/8



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House File 2003 - Introduced

HOUSE FILE
BY HEATON

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

A BILL FOR

- 1 An Act relating to the removal of highway obstructions by highway
- 2 authorities on secondary roads.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5053YH 82
- 5 md/rj/5



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House File 2003 - Introduced continued

PAG LIN

1 1 Section 1. Section 318.5, Code 2007, is amended to read as
1 2 follows:

1 3 318.5 REMOVAL AND COST.

1 4 1. The following shall apply to the removal of
1 5 obstructions on primary roads:

1 6 ~~1.~~ a. An obstruction in a highway right-of-way which
1 7 constitutes an immediate and dangerous hazard shall, without
1 8 notice or liability in damages, be removed by the highway
1 9 authority.

1 10 ~~2.~~ b. An obstruction not constituting an immediate and
1 11 dangerous hazard shall be removed by the highway authority
1 12 without liability after forty-eight-hour notice served in the
1 13 same manner in which an original notice is served, or in
1 14 writing by certified mail, or in any other manner reasonably
1 15 calculated to apprise the person responsible for the
1 16 obstruction that the obstruction will be removed at the
1 17 person's expense. The highway authority shall assess the
1 18 removal cost.

1 19 2. An obstruction on a secondary road shall only be
1 20 removed by the highway authority after a majority of its
1 21 members have voted to approve its removal and after
1 22 forty-eight-hour notice served in the same manner in which
1 23 original notice is served, or in writing by certified mail, or
1 24 in any other manner reasonably calculated to apprise the
1 25 person responsible for the obstruction that the obstruction
1 26 will be removed at the person's expense. The highway
1 27 authority shall assess the removal cost. The highway
1 28 authority shall have no liability in damages for removal of an
1 29 obstruction.

1 30 3. Upon removal of the obstruction, the highway authority
1 31 may immediately send a statement of the cost to the person
1 32 responsible for the obstruction. If within ten days after
1 33 sending the statement the cost is not paid, the highway
1 34 authority may institute legal proceedings to collect the cost
1 35 of removal. The removal costs shall be assessed against the



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House File 2003 - Introduced continued

2 1 following persons, as applicable:

2 2 a. The vehicle owner in the case of an abandoned vehicle.

2 3 b. The abutting property owner in the case of a fence,
2 4 other than a right-of-way line fence, or other temporary
2 5 obstruction placed within the highway right-of-way by the
2 6 owner or tenant of the abutting property.

2 7 c. The owner or person responsible for placement of any
2 8 other obstruction.

2 9 4. All removals shall be without liability on the part of
2 10 any officer ordering or effecting such removal.

2 11 Sec. 2. Section 318.10, Code 2007, is amended to read as
2 12 follows:

2 13 318.10 FENCES.

2 14 1. The following shall apply to the removal of fences on
2 15 primary roads:

2 16 ~~1.~~ a. A fence which constitutes an immediate and
2 17 dangerous hazard shall, without notice or liability in
2 18 damages, be removed by the highway authority. In all other
2 19 cases where a fence is an obstruction in a highway
2 20 right-of-way, notice in writing of not less than thirty days
2 21 shall be given to the owner, occupant, or agent of the land
2 22 enclosed by the fence.

2 23 ~~2.~~ b. The notice shall, with reasonable certainty,
2 24 specify the line to which the fences shall be removed and
2 25 shall be served in the same manner that original notices are
2 26 required to be served, or in writing by certified mail, or in
2 27 any other manner reasonably calculated to apprise the person
2 28 responsible for the fence.

2 29 2. In all cases where a fence is an obstruction on a
2 30 secondary road removal shall be accomplished in the same
2 31 manner as provided in section 318.5, subsection 2.

2 32 3. The department and the county engineer, or the board of
2 33 supervisors if a county engineer is not available, may
2 34 designate the location of a fence within a highway
2 35 right-of-way. A fence that is not properly located within the



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House File 2003 - Introduced continued

3 1 highway right-of-way shall be removed within a time prescribed
3 2 to a designated location. If not so removed, the highway
3 3 authority may remove the fences and recover costs as provided
3 4 in section 318.5.

3 5 Sec. 3. Section 318.11, Code 2007, is amended to read as
3 6 follows:

3 7 318.11 BILLBOARDS AND SIGNS.

3 8 1. ~~No~~ A billboard or advertising sign or device, except a
3 9 sign or device authorized by law or approved by the highway
3 10 authority, shall not be placed or erected upon a highway
3 11 right-of-way.

3 12 2. A billboard or advertising sign, whether on public or
3 13 private property, that obstructs the view of any portion of a
3 14 public highway or of a railway track making the use of the
3 15 traveled portion of the right-of-way dangerous is a public
3 16 nuisance and shall be abated. In addition to abatement of the
3 17 nuisance under section 318.6, a highway authority may use
3 18 procedures in section 318.5, subsection 2, to remove
3 19 billboards and advertising signs which constitute an
3 20 obstruction on secondary roads. The person responsible for
3 21 the erection and maintenance of the billboard or sign may be
3 22 punished as provided in chapter 657.

3 23 EXPLANATION

3 24 Currently, highway authorities are allowed to remove,
3 25 without notice or liability in damages, any obstruction which
3 26 constitutes an immediate and dangerous hazard. Highway
3 27 authorities are also allowed to remove obstructions which are
3 28 not immediate or dangerous hazards after 48-hour notice is
3 29 served, notice is provided in writing by certified mail, or
3 30 notice is provided that is reasonably calculated to apprise
3 31 the person responsible for the obstruction that it will be
3 32 removed at the person's expense.

3 33 This bill changes the procedure for removing highway
3 34 obstructions from secondary roads. The bill requires that an
3 35 obstruction on a secondary road only be removed by the highway



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House File 2003 - Introduced continued

4 1 authority after a majority of its members have voted to
4 2 approve its removal and after the 48-hour notice is served,
4 3 notice is provided. The highway authority is also required to
4 4 assess the removal cost to the person responsible for the
4 5 obstruction. The bill also makes the removal procedure for
4 6 obstructions on secondary roads applicable to fences, signs,
4 7 and billboards which constitute obstructions.
4 8 The bill does not affect removal of obstructions from
4 9 primary roads.
4 10 LSB 5053YH 82
4 11 md/rj/5



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House File 2004 - Introduced

HOUSE FILE
BY SMITH

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to preliminary screening tests for persons under
- 2 legal age for the detection of the presence of alcohol, and
- 3 providing a penalty.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5124HH 82
- 6 jm/nh/14



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House File 2004 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 123.47A REFUSAL TO SUBMIT TO
1 2 TEST == NOTIFICATION == CIVIL FINE.
1 3 1. A peace officer who has reasonable grounds to believe a
1 4 person under legal age has consumed an alcoholic beverage in
1 5 violation of section 123.47 may request that the person under
1 6 legal age provide a sample of the person's breath for a
1 7 preliminary screening test using a device approved by the
1 8 commissioner of public safety.
1 9 2. If the person under legal age is eighteen years of age
1 10 or older and refuses the request, the person shall be issued a
1 11 citation and assessed a civil fine of one hundred dollars.
1 12 3. If the person under legal age is under eighteen years
1 13 of age and refuses the request, the person shall be issued a
1 14 citation and assessed a civil fine of fifty dollars.
1 15 4. A person under legal age who is under eighteen years of
1 16 age shall not be referred to juvenile court based upon a
1 17 refusal of the request.
1 18 5. A peace officer issuing a citation to a person under
1 19 the age of eighteen for refusing a request shall notify the
1 20 person's custodial parent or legal guardian of the refusal,
1 21 unless the officer has reasonable grounds to believe that such
1 22 notification is not in the best interests of the person or
1 23 will endanger that person.
1 24 6. The results of the preliminary screening test may be
1 25 used for the purpose of deciding whether an arrest should be
1 26 made for a violation of section 123.47. However, the results
1 27 shall not be used in any court action except to prove that a
1 28 preliminary screening test was properly requested in a civil
1 29 proceeding pursuant to this section.
1 30 7. The state or a political subdivision of the state may
1 31 issue a citation and bring a civil action for a refusal of a
1 32 request, after giving the person under legal age an
1 33 opportunity to be heard upon ten days' written notice by
1 34 restricted certified mail stating the alleged civil violation
1 35 and the time and place at which the person under legal age may



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House File 2004 - Introduced continued

2 1 appear and be heard.

2 2 8. The civil fine shall be collected by the clerk of the
2 3 district court and shall be distributed as provided in section
2 4 602.8105, subsection 5.

2 5 Sec. 2. Section 602.8105, Code Supplement 2007, is amended
2 6 by adding the following new subsection:

2 7 NEW SUBSECTION. 5. The clerk of the district court shall
2 8 collect a civil fine assessed against a person under legal age
2 9 pursuant to section 123.47A. Any moneys collected from the
2 10 civil fine, if the state issued the citation, shall be
2 11 submitted to the state court administrator and be distributed
2 12 as provided in section 602.8108. If a political subdivision
2 13 of the state issued the citation, any moneys collected shall
2 14 be distributed by the clerk of the district court to the
2 15 political subdivision of the state issuing the citation.

2 16 EXPLANATION

2 17 This bill relates to a person under legal age submitting to
2 18 a preliminary screening test for the detection of the presence
2 19 of alcohol.

2 20 Under the bill, a peace officer who has reasonable grounds
2 21 to believe a person under legal age has consumed an alcoholic
2 22 beverage in violation of Code section 123.47 may request the
2 23 person under legal age provide a sample of the person's breath
2 24 for a preliminary screening test.

2 25 If a person under legal age is 18 years of age or older and
2 26 refuses the request, the person shall be issued a citation and
2 27 assessed a civil fine of \$100.

2 28 If a person under legal age is under 18 years of age and
2 29 refuses the request, the person shall be issued a citation and
2 30 assessed a civil fine of \$50.

2 31 Under the bill, a peace officer issuing a citation to a
2 32 person under the age of 18 for refusing a request shall notify
2 33 the person's custodial parent or legal guardian of a refusal
2 34 unless the officer has reasonable grounds to believe that such
2 35 notification is not in the best interests of the person or



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House File 2004 - Introduced continued

3 1 will endanger that person.

3 2 The clerk of the district court shall collect any civil
3 3 fine assessed pursuant to the bill.

3 4 The bill provides that any moneys collected from the civil
3 5 fine, if the state issued the citation, shall be deposited in
3 6 the general fund of the state. If a political subdivision of
3 7 the state issued the citation, any moneys collected shall be
3 8 distributed by the clerk of the district court to the
3 9 political subdivision of the state issuing the citation.

3 10 LSB 5124HH 82

3 11 jm/nh/14



Iowa General Assembly
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House File 2005 - Introduced

HOUSE FILE
BY LYKAM

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

A BILL FOR

- 1 An Act relating to contest events where an animal is injured,
- 2 tormented, or killed, by providing a penalty for spectators.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5144HH 82
- 5 da/nh/8



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House File 2005 - Introduced continued

PAG LIN

1 1 Section 1. Section 717D.4, Code 2007, is amended to read
1 2 as follows:

1 3 717D.4 ~~PENALTIES~~ PENALTY.

1 4 ~~1. Except as provided in subsection 2, a~~ A person who
1 5 violates a provision of this chapter is guilty of a class "D"
1 6 felony.

~~1 7 2. A person who violates section 717D.2 by acting as a
1 8 spectator of a contest event conducted in this state is guilty
1 9 of an aggravated misdemeanor.~~

1 10 EXPLANATION

1 11 This bill amends Code chapter 717D, which prohibits
1 12 activities associated with a contest event, organized for
1 13 entertainment or profit, where an animal is injured,
1 14 tormented, or killed.

1 15 Code section 717D.2 prohibits a person from conducting an
1 16 activity associated with a contest event, including owning or
1 17 operating an establishment where a contest event occurs;
1 18 promoting a contest event; possessing, transporting,
1 19 transferring, or training an animal engaged in a contest
1 20 event; or possessing a device used to enhance animal fighting.
1 21 In addition, Code section 717D.2 prohibits a person from
1 22 acting as a spectator of a contest event, regardless of
1 23 whether the person paid admission to witness the contest
1 24 event. Code section 717D.4 provides that a person who acts in
1 25 violation of Code section 717D.2 is guilty of a class "D"
1 26 felony. There is one exception, a person who acts as a
1 27 spectator of a contest event is guilty of an aggravated
1 28 misdemeanor. The bill makes a spectator also guilty of a
1 29 class "D" felony.

1 30 An aggravated misdemeanor is punishable by confinement for
1 31 no more than two years and a fine of at least \$500 but not
1 32 more than \$5,000. A class "D" felony is punishable by
1 33 confinement for no more than five years and a fine of at least
1 34 \$750 but not more than \$7,500.

1 35 LSB 5144HH 82



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House File 2005 - Introduced continued

2 1 da/nh/8



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Senate File 2001 - Introduced

SENATE FILE
BY ANGELO

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to a sales tax exemption for the operation of
2 nonprofit private performing arts centers, allowing a sales
3 tax refund for construction of such centers, and including a
4 retroactive applicability date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TL5B 5160SS 82
7 ak/sc/5



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Senate File 2001 - Introduced continued

PAG LIN

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



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Senate File 2001 - Introduced continued

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

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

2 23 EXPLANATION

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

2 33 LSB 5160SS 82

2 34 ak/sc/5



Iowa General Assembly
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January 14, 2008

Senate File 2002 - Introduced

SENATE FILE
BY BEALL

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act waiving employer charges for unemployment claims stemming
- 2 from temporary workers who have replaced active duty military
- 3 employees.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5055XS 82
- 6 ak/rj/14



Iowa General Assembly
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Senate File 2002 - Introduced continued

PAG LIN

1 1 Section 1. Section 96.7, subsection 2, paragraph a,
1 2 subparagraph (2), Code 2007, is amended by adding the
1 3 following new unnumbered paragraph after unnumbered paragraph
1 4 5:

1 5 NEW UNNUMBERED PARAGRAPH. The account of an employer shall
1 6 not be charged with benefits paid to an individual who is laid
1 7 off if the benefits are paid as the result of the return to
1 8 work of a permanent employee who is one of the following:

1 9 (a) A member of the national guard or organized reserves
1 10 of the armed forces of the United States ordered to temporary
1 11 duty, as defined in section 29A.1, subsection 3, 11, or 12,
1 12 for any purpose, who has completed the duty as evidenced in
1 13 accordance with section 29A.43.

1 14 (b) A member of the civil air patrol performing duty
1 15 pursuant to section 29A.3A, who has completed the duty as
1 16 evidenced in accordance with section 29A.43.

1 17 EXPLANATION

1 18 This bill waives employer charges for unemployment claims
1 19 stemming from temporary workers who have replaced active duty
1 20 military employees. The bill prevents the account of an
1 21 employer from being charged if benefits are paid to an
1 22 individual who is laid off as the result of the return to work
1 23 of a permanent employee who is a member of the national guard
1 24 or United States armed forces reserves ordered to temporary
1 25 duty, as defined in Code section 29A.1, subsection 3, 11, or
1 26 12, for any purpose and who has completed the duty, or who is
1 27 a member of the civil air patrol performing duty pursuant to
1 28 Code section 29A.3A and who has completed the duty.

1 29 LSB 5055XS 82

1 30 ak/rj/14



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Senate File 2003 - Introduced

SENATE FILE
BY BEALL

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

A BILL FOR

- 1 An Act providing for historical research on Asian and Pacific
- 2 Islander immigration to Iowa and making an appropriation.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5283SS 82
- 5 ec/rj/8



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Senate File 2003 - Introduced continued

PAG LIN

1 1 Section 1. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER
 1 2 HERITAGE DIVISION == HERITAGE PROJECT. There is appropriated
 1 3 from the general fund of the state to the division on the
 1 4 status of Iowans of Asian and Pacific Islander heritage for
 1 5 the fiscal year beginning July 1, 2008, and ending June 30,
 1 6 2009, the following amount, or so much thereof as is
 1 7 necessary, to be used for the purposes designated:
 1 8 For conducting historical research on Asian and Pacific
 1 9 Islander immigration to Iowa, including salaries, support,
 1 10 maintenance, and miscellaneous purposes:
 1 11 \$ 150,000
 1 12 EXPLANATION
 1 13 This bill appropriates \$150,000 to the division on the
 1 14 status of Iowans of Asian and Pacific Islander heritage for
 1 15 the fiscal year beginning July 1, 2008, to conduct historical
 1 16 research on Asian and Pacific Islander immigration to Iowa.
 1 17 LSB 5283SS 82
 1 18 ec/rj/8



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Senate File 2004 - Introduced

SENATE FILE
BY KIBBIE

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

A BILL FOR

1 An Act relating to advertising renewable fuels by the use of
2 decals affixed to motor fuel pumps.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5570XS 82
5 da/rj/5



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Senate File 2004 - Introduced continued

PAG LIN

1 1 Section 1. Section 159A.2, Code 2007, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 5A. "E=85 gasoline" means the same as
1 4 defined in section 214A.1.

1 5 Sec. 2. Section 159A.6, subsection 2, Code 2007, is
1 6 amended to read as follows:

1 7 2. a. The office shall promote the advantages related to
1 8 the use of renewable fuels as an alternative to nonrenewable
1 9 fuels. Promotions shall be designed to inform the ultimate
1 10 consumer of advantages associated with using renewable fuels,
1 11 and emphasize the benefits to the natural environment. The
1 12 promotion shall inform consumers at the businesses of retail
1 13 dealers of motor vehicle fuels.

1 14 b. The committee shall develop standards for decals
1 15 required pursuant to section 214A.16, which shall be designed
1 16 to promote the advantages of using renewable fuels which are
1 17 E=85 gasoline, biodiesel, or biodiesel blended fuel. The
1 18 standards may be incorporated within a model decal adopted by
1 19 the committee and approved by the office.

1 20 Sec. 3. Section 214A.16, Code 2007, is amended to read as
1 21 follows:

1 22 214A.16 NOTICE OF ~~BLENDING FUEL~~ CERTAIN RENEWABLE FUELS ==
1 23 DECAL.

1 24 If ~~motor fuel containing~~ a renewable fuel which is E=85
1 25 gasoline, biodiesel, or biodiesel blended fuel is sold from a
1 26 motor fuel pump, the pump shall have affixed a decal
1 27 identifying the name of the renewable fuel. The decal may be
1 28 different based on the type of renewable fuel used. The
1 29 design and location of the decal shall be prescribed by rules
1 30 adopted by the department. ~~A~~ The decal identifying a
1 31 renewable fuel shall be consistent with standards adopted
1 32 pursuant to section 159A.6. The department may approve an
1 33 application to place ~~a~~ the decal in a special location on a
1 34 pump or container or use ~~a~~ an alternative decal with special
1 35 lettering or colors, if the decal appears clear and



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Senate File 2004 - Introduced continued

2 1 conspicuous to the consumer. The application shall be made in
2 2 writing pursuant to procedures adopted by the department.

2 3 EXPLANATION

2 4 This bill provides that a retail dealer of motor fuel is no
2 5 longer required to place a renewable fuel decal on a motor
2 6 vehicle pump which dispenses renewable fuel, unless the motor
2 7 fuel is E=85 gasoline, biodiesel, or biodiesel blended fuel.
2 8 A renewable fuel is produced from a biomass and generally
2 9 includes either (1) some form of ethanol blended gasoline or
2 10 (2) biodiesel or some form of biodiesel blended fuel. Code
2 11 section 214A.1 defines "ethanol" as ethyl alcohol. Ethanol
2 12 blended gasoline includes so-called "E=10 gasoline" having a
2 13 mixture of 10 percent ethanol and "E-85 gasoline" which is a
2 14 mixture of between 70 and 85 percent ethanol. Code section
2 15 214A.1 defines "biodiesel" as being derived from vegetable
2 16 oils or animal fats.

2 17 The office of renewable fuels and coproducts and the
2 18 department of agriculture and land stewardship would still be
2 19 responsible for designing decals and the department would
2 20 continue to be responsible for the inspection and enforcement
2 21 of requirements relating to their placement on motor fuel
2 22 pumps.

2 23 LSB 5570XS 82

2 24 da/rj/5



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Senate File 2005 - Introduced

SENATE FILE
BY KIBBIE

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

A BILL FOR

- 1 An Act providing a method for the acquisition of title to
- 2 abandoned vacant lots by cities.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5052XS 82
- 5 md/sc/8



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Senate File 2005 - Introduced continued

PAG LIN

1 1 Section 1. Section 657A.1, subsection 1, Code 2007, is
1 2 amended to read as follows:

1 3 1. "Abandoned" or "abandonment" means one or more of the
1 4 following:

1 5 a. ~~that~~ That a building has remained vacant and has been
1 6 in violation of the housing code of the city in which the
1 7 property is located or the housing code applicable in the
1 8 county in which the property is located if outside the limits
1 9 of a city for a period of six consecutive months.

1 10 b. That a building has been declared by a court to be
1 11 abandoned or in an unsafe condition pursuant to section 657A.2
1 12 or that a building has been declared by a court to be
1 13 abandoned pursuant to section 657A.10A.

1 14 c. That a vacant lot has been declared by a court to be
1 15 abandoned pursuant to section 657A.10B.

1 16 Sec. 2. Section 657A.1, Code 2007, is amended by adding
1 17 the following new subsection:

1 18 NEW SUBSECTION. 8. "Vacant lot" means a lot or parcel of
1 19 property that is located within the limits of a city, that
1 20 contains no buildings or structures, and that is zoned to
1 21 allow for residential or commercial structures. "Vacant lot"
1 22 does not include property zoned for residential or commercial
1 23 use currently in use as farmland.

1 24 Sec. 3. NEW SECTION. 657A.10B PETITION BY CITY FOR TITLE
1 25 TO ABANDONED VACANT LOT.

1 26 1. A city in which an abandoned vacant lot is located may
1 27 petition the court to enter judgment awarding title to the
1 28 vacant lot to the city. The owner of the vacant lot,
1 29 mortgagees of record, lienholders of record, or other known
1 30 persons who hold an interest in the vacant lot shall be named
1 31 as respondents on the petition.

1 32 The petition shall be filed in the district court of the
1 33 county in which the vacant lot is located. Service on the
1 34 owner and any other named respondents shall be by certified
1 35 mail. The city shall also cause a notice to be published in a



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Senate File 2005 - Introduced continued

2 1 newspaper of general circulation in the city where the vacant
2 2 lot is located once each week for three consecutive weeks
2 3 following the filing of the petition. The action shall be in
2 4 equity.
2 5 2. Not sooner than sixty days after the filing of the
2 6 petition, the city may request a hearing on the petition.
2 7 3. In determining whether the vacant lot has been
2 8 abandoned, the court shall consider the following:
2 9 a. Whether any property taxes or special assessments on
2 10 the property were delinquent at the time the petition was
2 11 filed.
2 12 b. Whether any utilities are currently being provided to
2 13 the property.
2 14 c. Whether local authorities have received complaints from
2 15 neighboring landowners regarding the appearance or condition
2 16 of the property.
2 17 d. Whether the condition of the property violates a city
2 18 ordinance and how long the vacant property has been in
2 19 violation of the ordinance.
2 20 e. Whether conditions exist on the property which create
2 21 an unreasonable risk to public health or safety.
2 22 f. The presence of vermin, accumulation of debris and
2 23 garbage, and uncut vegetation.
2 24 g. The effort expended by the petitioning city to maintain
2 25 the vacant lot.
2 26 h. Past and current compliance with orders of local
2 27 government authorities pertaining to the vacant lot.
2 28 i. Any other evidence the court deems relevant.
2 29 4. In lieu of the considerations in subsection 3, if the
2 30 city can establish to the court's satisfaction that all
2 31 parties with an interest in the vacant lot have received
2 32 proper notice and either consented to the entry of an order
2 33 awarding title to the vacant lot to the city or have had an
2 34 opportunity to alleviate those conditions alleged by the city
2 35 and have failed to do so, the court shall enter judgment



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Senate File 2005 - Introduced continued

3 1 against the respondents granting the city title to the vacant
3 2 lot.

3 3 5. If the court determines that the vacant lot has been
3 4 abandoned or that subsection 4 applies, the court shall enter
3 5 judgment awarding title to the city. The title awarded to the
3 6 city shall be free and clear of any claims, liens, or
3 7 encumbrances held by the respondents.

3 8 EXPLANATION

3 9 Currently, Code section 657A.10A allows a court to transfer
3 10 title to a parcel of property containing an abandoned building
3 11 to a petitioning city if the court finds the property to be
3 12 abandoned under the factors listed in Code section
3 13 657A.10A(3). This bill enacts new Code section 657A.10B
3 14 allowing cities to petition the court to acquire title to
3 15 certain abandoned vacant lots. The bill defines vacant lot as
3 16 property that contains no buildings or structures and that is
3 17 zoned to allow for residential or commercial structures.

3 18 The bill provides that a petition for title to an abandoned
3 19 vacant lot is an action in equity and must be filed in the
3 20 district court in which the property is located. The owner of
3 21 the vacant lot and persons who hold an interest in the vacant
3 22 lot will be given notice of the petition and be named as
3 23 respondents. Not sooner than 60 days after the filing of the
3 24 petition, the city may request a hearing on the petition. New
3 25 Code section 657A.10B(3) lists factors that the court is to
3 26 consider when determining whether the vacant lot has been
3 27 abandoned.

3 28 The bill provides that if all parties with an interest in
3 29 the vacant lot have received proper notice and either
3 30 consented to the entry of an order awarding title to the
3 31 vacant lot to the city or did not alleviate the conditions
3 32 alleged by the petitioning city within 60 days after the
3 33 filing of the petition, the court shall grant the city title
3 34 to the vacant lot.

3 35 The bill further provides that if the court determines that



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4 1 the vacant lot has been abandoned, under Code section
4 2 657A.10B(3), the court shall enter judgment awarding title to
4 3 the city, and the title awarded to the city is free and clear
4 4 of any claims, liens, or encumbrances held by the respondents.
4 5 LSB 5052XS 82
4 6 md/sc/8



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Senate File 2006 - Introduced

SENATE FILE
BY PUTNEY

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act requiring bicyclists riding on state or county highways to
- 2 have a license and providing for fees and penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5062SS 82
- 5 md/nh/14



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Senate File 2006 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.236, subsection 10, Code Supplement
1 2 2007, is amended to read as follows:

1 3 10. Regulating the operation of bicycles and requiring the
1 4 registration and licensing of the same, including the
1 5 requirement of a registration fee. However, the regulations
1 6 shall not conflict with the provisions of section 321.234 or
1 7 321.275A.

1 8 Sec. 2. NEW SECTION. 321.275A BICYCLIST'S LICENSES ==
1 9 FEES == PENALTIES.

1 10 1. As used in this section:

1 11 a. "License" means a privilege granted by the department
1 12 to ride or operate a bicycle.

1 13 b. "License agent" means an individual, business, or
1 14 governmental agency authorized to sell a license.

1 15 c. "Person" means a person who meets the requirements for
1 16 residency described in section 321.1A.

1 17 2. a. Except as otherwise provided in paragraph "b", a
1 18 person shall not operate or ride a bicycle on a primary or
1 19 secondary road, including bicycle lanes, without first
1 20 obtaining a license and paying a ten dollar license fee.

1 21 b. A license issued pursuant to this section shall not be
1 22 required:

1 23 (1) To ride or operate a bicycle on a municipal street.

1 24 (2) To ride or operate a bicycle on a designated bicycle
1 25 path.

1 26 (3) To participate in a race or event of more than thirty
1 27 participants where one of the primary activities of the race
1 28 or event is riding or operating a bicycle.

1 29 (4) To ride or operate a bicycle as a participant of a
1 30 parade.

1 31 c. A person who violates this subsection is guilty of a
1 32 simple misdemeanor punishable as a scheduled violation under
1 33 section 805.8A, subsection 4, paragraph "d".

1 34 3. a. A license issued pursuant to this section shall be
1 35 issued by the department or a license agent as specified by



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- 2 1 rule of the department.
- 2 2 b. A license is valid from the date issued for a period of
- 2 3 five years.
- 2 4 c. A license shall contain all of the following:
- 2 5 (1) The licensee's name.
- 2 6 (2) The licensee's date of birth.
- 2 7 (3) The licensee's address.
- 2 8 (4) The licensee's signature.
- 2 9 (5) The date the license was issued.
- 2 10 (6) The license number.
- 2 11 d. Licenses shall be upon such forms as the department
- 2 12 shall adopt. Blank licenses shall be printed by the
- 2 13 department and distributed to license agents.
- 2 14 e. All information on the license shall be in ink.
- 2 15 f. The department may authorize the sale of licenses
- 2 16 through the department's web site.
- 2 17 4. a. The department may designate license agents for the
- 2 18 sale of licenses, but in so doing the interest of the state
- 2 19 shall be fully protected.
- 2 20 b. A license agent shall be responsible for all of the
- 2 21 following:
- 2 22 (1) Collecting all fees for licenses sold by the license
- 2 23 agent.
- 2 24 (2) Recording and remitting to the department all
- 2 25 information contained on each license document.
- 2 26 (3) Maintaining the information and fees collected by the
- 2 27 license agent in a secure location.
- 2 28 c. A license agent shall retain a writing fee of one
- 2 29 dollar from the sale of each license. The remaining fees
- 2 30 shall be remitted to the department.
- 2 31 d. Fees collected by the department under this section
- 2 32 shall be deposited in the road use tax fund.
- 2 33 e. The department shall maintain a database of all
- 2 34 information contained on license documents.
- 2 35 f. The department shall establish, by rule, specific



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3 1 requirements for remittance of funds and license document
3 2 information, and the necessary accounting and reporting
3 3 requirements based on the manner and location of the issuance
3 4 of a license document.
3 5 g. All unused license forms shall be surrendered by the
3 6 license agent to the department upon the department's demand.
3 7 5. When a license has been lost, destroyed, or stolen, the
3 8 department may issue a replacement license if, on examination
3 9 of the evidence, the department is satisfied that the license
3 10 has been lost, destroyed, or stolen. A replacement license
3 11 shall be plainly marked "duplicate". The replacement shall
3 12 serve in lieu of the original license and it shall contain the
3 13 same information as the original. Each replacement license
3 14 shall require a two dollar fee paid to the department. The
3 15 department shall deposit all fees collected from the issuance
3 16 of replacement licenses in the road use tax fund. License
3 17 agents shall not issue replacement licenses.
3 18 6. A person riding or operating a bicycle on a primary or
3 19 secondary road shall show the person's license to any peace
3 20 officer when requested by the peace officer to do so. A
3 21 failure to carry or refusal to show or exhibit the person's
3 22 license is a violation of this subsection. A person who
3 23 violates this subsection is guilty of a simple misdemeanor
3 24 punishable as a scheduled violation under section 805.8A,
3 25 subsection 4, paragraph "d". Upon the conviction of a person
3 26 under this subsection, the person's license shall be revoked
3 27 by the department. Upon revocation of a license the
3 28 department or a license agent shall not grant the person a new
3 29 license for a period of one year. However, a person charged
3 30 with violating this subsection shall not be convicted if the
3 31 person produces in court, prior to the court date indicated on
3 32 the citation, a license issued to the person and valid when
3 33 the person was charged with a violation of this subsection.
3 34 7. When a license is revoked, the date, cause, and tenure
3 35 of such revocation shall be kept on file with the department.



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Senate File 2006 - Introduced continued

4 1 The department shall refuse to issue a new license to any
4 2 person whose privilege for obtaining a license is revoked.
4 3 8. The department may establish, by rule, fees for lists
4 4 of licensees. Notwithstanding section 22.3, the fee for a
4 5 list of licensees may exceed the cost of preparing the list
4 6 and providing the copying service.

4 7 Sec. 3. Section 805.8A, subsection 4, Code 2007, is
4 8 amended to read as follows:

4 9 4. Driver's license and bicyclist's license violations.

4 10 a. For violations under sections 321.174A, 321.180,
4 11 321.180B, 321.193, and 321.194, the scheduled fine is thirty
4 12 dollars.

4 13 b. For a violation of section 321.216, the scheduled fine
4 14 is seventy-five dollars.

4 15 c. For violations under sections 321.174, 321.216B,
4 16 321.216C, 321.219, and 321.220, the scheduled fine is one
4 17 hundred dollars.

4 18 d. For violations under section 321.275A, the scheduled
4 19 fine is ten dollars.

4 20 EXPLANATION

4 21 This bill requires all persons who operate or ride a
4 22 bicycle on a primary or secondary road to have a bicyclist's
4 23 license. A nonresident bicyclist is not required to obtain a
4 24 license. A license is not required to ride on a municipal
4 25 street or designated bicycle path. A license is also not
4 26 required to ride a bicycle while participating in a race or
4 27 event of more than 30 participants where one of the primary
4 28 activities is riding a bicycle. A person who violates the new
4 29 requirement is guilty of a simple misdemeanor and must pay a
4 30 scheduled fine of \$10.

4 31 The bill allows the department of transportation or a
4 32 specified license agent to grant licenses. The bill also
4 33 authorizes the department to sell licenses through the
4 34 department's web site. Each license requires payment of a \$10
4 35 fee and is valid for five years. Every license must contain



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5 1 the licensee's name, date of birth, address, and signature, as
5 2 well as the license number and date the license was issued.
5 3 The bill requires the department to maintain a database of all
5 4 information contained on the license.

5 5 License agents designated by the department are responsible
5 6 for collecting all fees for licenses sold by the license
5 7 agent, recording and remitting to the department all
5 8 information contained on each license document, and
5 9 maintaining the information and fees collected in a secure
5 10 location. The bill requires each license agent to retain \$1
5 11 of the \$10 license fee. The remaining portion of the fee is
5 12 remitted to the department for deposit in the road use tax
5 13 fund.

5 14 Replacement licenses may be issued by the department if the
5 15 department is satisfied that the license has been lost,
5 16 destroyed, or stolen. The replacement license costs \$2 and
5 17 must be labeled as a "duplicate". Fees collected from the
5 18 issuance of replacement licenses must be deposited in the road
5 19 use tax fund. License agents are not permitted to issue
5 20 replacement licenses.

5 21 The bill requires every person riding a bicycle on a
5 22 primary or secondary road to show the person's license to any
5 23 peace officer when requested by the peace officer to do so. A
5 24 failure to carry or a refusal to show the person's license
5 25 constitutes a simple misdemeanor and a \$10 fine is imposed. A
5 26 conviction for failing to carry or refusing to show a license
5 27 also results in the revocation of the license and a suspension
5 28 of the person's privilege to obtain a license for a period of
5 29 one year. A charge of failing to carry or refusal to show a
5 30 license will be dismissed if the person produces in court,
5 31 prior to the court date indicated on the citation, a license
5 32 issued to the person that was valid when the person was
5 33 charged with a violation.

5 34 When a license is revoked, the date, cause, and tenure of
5 35 the revocation must be kept on file with the department. Upon



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Senate File 2006 - Introduced continued

6 1 revocation of a license, the department or a license agent
6 2 shall not grant a new license for a period of one year.
6 3 The bill also authorizes the department to establish fees
6 4 for lists of licensees.
6 5 LSB 5062SS 82
6 6 md/nh/14



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Senate Resolution 101 - Introduced continued

2 1 WHEREAS, this demand will continue to grow as
2 2 family caregivers age, Iowans with developmental
2 3 disabilities live longer, waiting lists for services
2 4 grow, and services expand; and
2 5 WHEREAS, the state's and this nation's long-term
2 6 care delivery system is dependent on a disparate array
2 7 of public and private funding sources, and is not a
2 8 conventional industry, but rather is financed
2 9 primarily through third-party insurers; and
2 10 WHEREAS, disabilities vary considerably across the
2 11 state, causing significant disparities across
2 12 counties, among differing socioeconomic groups, and
2 13 between community and institutional supports; and
2 14 WHEREAS, outside of families, private providers
2 15 that employ direct-support professionals deliver the
2 16 majority of supports and services for individuals with
2 17 developmental disabilities in the community; and
2 18 WHEREAS, direct-support professionals provide a
2 19 wide range of supportive services to individuals with
2 20 mental retardation or other developmental disabilities
2 21 on a day-to-day basis, including habilitation, health
2 22 needs, personal care and hygiene, employment,
2 23 transportation, recreation, and housekeeping and other
2 24 home management-related supports and services so that
2 25 these individuals can live and work in their
2 26 communities; and
2 27 WHEREAS, direct-support professionals generally
2 28 assist Iowans with developmental disabilities in
2 29 leading a self-directed family, community, and social
2 30 life; and



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Senate Resolution 101 - Introduced continued

3 1 WHEREAS, private providers and the individuals for
3 2 whom they provide supports and services are in
3 3 jeopardy as a result of the growing crisis in
3 4 recruiting and retaining a direct=support workforce;
3 5 and
3 6 WHEREAS, providers of supports and services to
3 7 individuals with developmental disabilities typically
3 8 draw from a labor market that competes with other
3 9 entry-level jobs that provide less physically and
3 10 emotionally demanding work, and higher pay and other
3 11 benefits, and therefore these direct=support jobs are
3 12 not currently competitive in today's labor market; and
3 13 WHEREAS, turnover rates of direct=support workers
3 14 range from 40 to 75 percent; and
3 15 WHEREAS, high rates of employee vacancies and
3 16 turnover threaten the ability of providers to achieve
3 17 their core mission, which is the provision of safe and
3 18 high-quality supports to individuals with
3 19 developmental disabilities; and
3 20 WHEREAS, direct=support staff turnover is
3 21 emotionally difficult for the individuals being
3 22 served; and
3 23 WHEREAS, many parents are becoming increasingly
3 24 afraid that no one will be available to take care of
3 25 their children with developmental disabilities who are
3 26 living in the community; and
3 27 WHEREAS, this workforce shortage is the most
3 28 significant barrier to implementing the Olmstead
3 29 decision and undermines the expansion of community
3 30 integration as called for by President Bush's New



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Senate Resolution 101 - Introduced continued

4 1 Freedom Initiative, placing community support
4 2 infrastructure at risk; NOW THEREFORE,
4 3 BE IT RESOLVED BY THE SENATE, That the Senate
4 4 recognizes it is a priority to ensure a stable and
4 5 quality direct-support workforce for individuals with
4 6 developmental disabilities that advances our state's
4 7 commitment to community integration for such
4 8 individuals and to personal security for them and
4 9 their families.
4 10 LSB 5221SS 82
4 11 ak/nh/5



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Senate Study Bill 3001

SENATE FILE
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON RAGAN)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to dental homes for children.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5402XC 82
- 4 pf/nh/5



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Senate Study Bill 3001 continued

PAG LIN

1 1 Section 1. Section 249J.14, subsection 7, Code 2007, is
1 2 amended to read as follows:
1 3 7. DENTAL HOME FOR CHILDREN. ~~By July 1, 2008, every~~ Every
1 4 recipient of medical assistance who is a child twelve years of
1 5 age or younger shall have a designated dental home and shall
1 6 be provided with the dental ~~screenings and preventive care~~
~~1 7 identified in the oral health standards~~ services as defined
1 8 under the early and periodic screening, diagnostic, and
1 9 treatment program.

1 10 EXPLANATION

1 11 This bill relates to the requirement of a dental home for
1 12 children 12 years of age and younger under the medical
1 13 assistance program. The bill removes the date by which every
1 14 child must have a dental home. The bill also replaces the
1 15 requirement that every child have the dental screenings and
1 16 preventive care identified in the oral health standards under
1 17 the early and periodic screening, diagnostic, and treatment
1 18 program, and instead requires that the child be provided with
1 19 the dental services as defined under the early and periodic
1 20 screening, diagnostic, and treatment program.
1 21 LSB 5402XC 82
1 22 pf/nh/5



Iowa General Assembly
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Senate Study Bill 3002

SENATE FILE
BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIRPERSON
RAGAN)

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

A BILL FOR

- 1 An Act allowing appeal of denials of dental insurance coverage
- 2 based on medical necessity.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5401XC 82
- 5 av/rj/14



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Senate Study Bill 3002 continued

PAG LIN

1 1 Section 1. Section 514J.3, Code 2007, is amended to read
1 2 as follows:
1 3 514J.3 EXCLUSIONS.
1 4 This chapter does not apply to a hospital confinement
1 5 indemnity, credit, ~~dental~~, vision, long-term care, disability
1 6 income insurance coverage, coverage issued as a supplement to
1 7 liability insurance, workers' compensation or similar
1 8 insurance, or automobile medical payment insurance.
1 9 EXPLANATION
1 10 This bill amends Code section 514J.3 to allow appeal of a
1 11 denial of dental insurance coverage based on medical
1 12 necessity, pursuant to Code chapter 514J.
1 13 LSB 5401XC 82
1 14 av/nh/14



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Senate Study Bill 3003

SENATE FILE
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON RAGAN)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act to allow physician assistants to form a professional
- 2 corporation.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5577XC 82
- 5 jr/rj/8



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Senate Study Bill 3003 continued

PAG LIN

1 1 Section 1. Section 496C.2, subsection 4, Code Supplement
1 2 2007, is amended to read as follows:
1 3 4. "Profession" means the profession of certified public
1 4 accountancy, architecture, chiropractic, dentistry, physical
1 5 therapy, psychology, professional engineering, land surveying,
1 6 landscape architecture, law, medicine and surgery, optometry,
1 7 osteopathy, osteopathic medicine and surgery, accounting
1 8 practitioner, podiatry, real estate brokerage, speech
1 9 pathology, audiology, veterinary medicine, pharmacy, ~~and~~ the
1 10 practice of nursing, and practice as a physician assistant.

1 11 EXPLANATION

1 12 This bill adds practice as a physician assistant to the
1 13 enumeration of licensed professions that may incorporate under
1 14 the Iowa professional corporation Act, Code chapter 496C.
1 15 With this amendment a physician assistant could incorporate
1 16 for the purpose of engaging in that one specific profession,
1 17 or in two or more specific professions which could lawfully be
1 18 practiced in combination by a licensed individual or a
1 19 partnership of licensed individuals.

1 20 LSB 5577XC 82

1 21 jr/rj/8



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Senate Study Bill 3004

SENATE FILE
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON FRAISE)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the eligibility requirements for the barn
- 2 preservation property tax exemption.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5142XC 82
- 5 md/rj/5



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Senate Study Bill 3004 continued

PAG LIN

1 1 Section 1. Section 427.1, subsection 31, unnumbered
1 2 paragraph 1, Code Supplement 2007, is amended to read as
1 3 follows:
1 4 The increase in assessed value added to a farm structure
1 5 ~~constructed prior to 1937~~ as a result of improvements made to
1 6 the farm structure for purposes of preserving the integrity of
1 7 the internal and external features of the structure as a barn
1 8 is exempt from taxation. To be eligible for the exemption,
1 9 the structure must have been first placed in service as a barn
1 10 ~~prior to 1937~~ fifty or more years before the date the
1 11 exemption application is filed with the assessing authority.
1 12 The exemption shall apply to the assessment year beginning
1 13 after the completion of the improvements to preserve the
1 14 structure as a barn.

1 15 EXPLANATION

1 16 The Iowa barn preservation tax exemption makes any increase
1 17 in assessed value to a barn as a result of improvements made
1 18 for the purposes of preserving the integrity of the internal
1 19 and external features of the structure as a barn exempt from
1 20 taxation. Under the current exemption, only barns put into
1 21 service prior to 1937 are eligible for the exemption.
1 22 This bill removes the requirement that the barn must have
1 23 been put into service prior to 1937 and makes the exemption
1 24 available to barns that are 50 or more years old. To be
1 25 eligible for the exemption, the barn must have been placed
1 26 into service 50 or more years before the date the exemption
1 27 application is filed with the assessing authority.
1 28 LSB 5142XC 82
1 29 md/rj/5