



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
February 08, 2008**

House Concurrent Resolution 103 - Introduced

PAG LIN

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

1 1 HOUSE CONCURRENT RESOLUTION NO. ____
 1 2 BY SANDS
 1 3 A Concurrent Resolution amending the joint rules of
 1 4 the Senate and the House of Representatives for the
 1 5 Eighty=second General Assembly.
 1 6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE
 1 7 CONCURRING, That the joint rules of the Senate and the House
 1 8 of Representatives for the Eighty=second General Assembly
 1 9 shall be amended by adding the following new rule:
 1 10 Rule 17A
 1 11 Nongovernmental Appropriation
 1 12 For the purposes of this rule, "nongovernmental
 1 13 appropriation" means a line item appropriation or an
 1 14 allocation within an appropriation that is designated for
 1 15 distribution to an entity that is not a unit of state
 1 16 government or a political subdivision of the state, to a
 1 17 quasi-governmental entity, or to a private person, including
 1 18 but not limited to a nonprofit organization organized under
 1 19 section 501(c)(3) of the federal Internal Revenue Code or a
 1 20 religious organization.
 1 21 Any bill, resolution, or amendment considered by the senate
 1 22 or the house of representatives or by a standing committee of
 1 23 either chamber that includes a nongovernmental appropriation
 1 24 shall be accompanied by a nongovernmental appropriation
 1 25 supplemental information form. The secretary of the senate
 1 26 and the chief clerk of the house of representatives shall
 1 27 jointly prescribe the form. The submitted forms shall be
 1 28 distributed in print form to the chamber or committee
 1 29 considering the nongovernmental appropriation and shall also
 1 30 be made available to the public via the general assembly's
 1 31 internet site. The secretary and the chief clerk shall
 1 32 maintain the submitted forms in a searchable database
 1 33 available to the public on the general assembly's internet
 1 34 site.
 1 35 A bill, resolution, or amendment that includes a



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2 1 nongovernmental appropriation that is not accompanied by a
2 2 nongovernmental appropriation supplemental information form
2 3 shall not be considered by either chamber or by a standing
2 4 committee of either chamber. This requirement may be
2 5 suspended with the approval of a majority of the membership of
2 6 the chamber or standing committee considering the
2 7 nongovernmental appropriation.
2 8 The information provided in a nongovernmental appropriation
2 9 supplemental information form shall include but is not limited
2 10 to all of the following: the legal name and address of the
2 11 recipient of the nongovernmental appropriation, the dollar
2 12 amount of the appropriation, the purpose for the use of the
2 13 state moneys involved, the goals and anticipated outcomes of
2 14 the nongovernmental appropriation, the duration of the use,
2 15 and identification of any business, familial, or personal
2 16 relationship between the recipient of the nongovernmental
2 17 appropriation and the sponsor of the bill, resolution, or
2 18 amendment containing the nongovernmental appropriation.
2 19 LSB 5183HH 82
2 20 jp/rj/14



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**House Concurrent Resolution 104 -
Introduced**

PAG LIN

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

1 1 HOUSE CONCURRENT RESOLUTION 104
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, February 19, 2008, at 10:00 a.m.; and
1 7 BE IT FURTHER RESOLVED, That Major General Ron Dardis be
1 8 invited to present his message of the Condition of the Iowa
1 9 National Guard at this convention.
1 10 HCR 104
1 11 dt/jg



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House File 2193 - Introduced

HOUSE FILE
BY VAN FOSSEN

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

A BILL FOR

- 1 An Act providing for the recall of elected officials of political
- 2 subdivisions and providing a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6287YH 82
- 5 sc/rj/24



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House File 2193 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 66A.1 OFFICERS SUBJECT TO
1 2 RECALL.
1 3 1. Any elective public officer of a political subdivision
1 4 in this state is subject to recall from office by the electors
1 5 of the political subdivision from which the officer was
1 6 elected. The eligible electors of a political subdivision may
1 7 petition for the recall of the elective officer by filing a
1 8 petition with the county commissioner of elections demanding
1 9 the recall of the officer.
1 10 2. A public officer who is appointed to an elective office
1 11 is subject to recall in the same manner as provided for an
1 12 officer who is elected to that office.
1 13 3. An officer shall not be recalled for performing a duty
1 14 or obligation of the office to which the officer was elected,
1 15 which duty or obligation is imposed by law, nor for failure to
1 16 perform any act that if performed would subject the officer to
1 17 prosecution.
1 18 4. For purposes of this chapter, "political subdivision"
1 19 means a county, township, school corporation, city, or any
1 20 local board or commission whose officers are elected by the
1 21 people.
1 22 Sec. 2. NEW SECTION. 66A.2 PETITION FOR RECALL ==
1 23 PERSONS QUALIFIED TO PETITION == PENALTY.
1 24 Any eligible elector of a political subdivision of this
1 25 state may sign a petition for recall of an officer elected
1 26 from that political subdivision. However, if the political
1 27 subdivision from which the officer is elected is divided into
1 28 election districts, the eligible elector signing the petition
1 29 must be an eligible elector of that election district from
1 30 which the officer was elected.
1 31 A person signing a name other than that person's own to a
1 32 petition for recall or who knowingly signs the same petition
1 33 for recall more than once or who is not an eligible elector at
1 34 the time of signing a petition for recall is guilty of a
1 35 serious misdemeanor.



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House File 2193 - Introduced continued

2 1 Sec. 3. NEW SECTION. 66A.3 PETITION FOR RECALL ==
2 2 CONTENTS, REQUIREMENTS, LIMITATIONS.
2 3 1. A petition for recall must contain the following:
2 4 a. The signatures of eligible electors of the political
2 5 subdivision or election district affected by the recall equal
2 6 to at least twenty percent of the total votes cast in the last
2 7 preceding election for the office affected by the recall, but
2 8 in no case shall a petition for recall contain fewer than
2 9 fifty signatures. The county commissioner shall determine and
2 10 certify to any interested person the number of signatures
2 11 required on a petition for recall for that office.
2 12 b. The residence address of each person signing the
2 13 petition, and the date the petition was signed by that person.
2 14 c. A statement, in two hundred words or less, detailing
2 15 the reason for recall of the officer.
2 16 2. a. A petition for recall shall be eight and one-half
2 17 by fourteen inches in size and shall be in substantially the
2 18 following form:

2 19 WARNING

2 20 A person signing a name other than the person's own name to
2 21 a petition or who knowingly signs the person's name to this
2 22 petition more than once or who is not an eligible elector at
2 23 the time the signature is affixed to this petition is guilty
2 24 of a serious misdemeanor.

2 25 RECALL PETITION

2 26 We, the undersigned eligible electors of (name of
2 27 applicable political subdivision or election district)
2 28 respectfully petition that an election be held as provided by
2 29 law on the question of whether (officer's name), holding the
2 30 office of _____, should be recalled for the following
2 31 reasons: (Setting out the statement of the reason for recall
2 32 in not more than two hundred words). By affixing the
2 33 signature, each signer certifies the following: I have
2 34 personally signed this petition; I am an eligible elector of
2 35 the state of Iowa and (appropriate political subdivision or



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3 1 election district); and my residence address is correctly
3 2 written after my name to the best of my knowledge and belief.
3 3 b. Numbered lines shall follow the heading. Each numbered
3 4 line shall contain spaces for the signature, signer's
3 5 residence address, and the date of the signature.
3 6 c. Each separate page of a petition for recall shall
3 7 contain the warning in paragraph "a".
3 8 d. When a petition contains more than one page, the pages
3 9 shall be neatly arranged and securely fastened together before
3 10 filing.
3 11 3. a. A petition for recall shall not name more than one
3 12 officer to be recalled.
3 13 b. A person shall not be recalled within the first one
3 14 hundred eighty days after the person takes the oath of office
3 15 or within one hundred eighty days from the date of the
3 16 general, regular city, or school district election, whichever
3 17 is applicable, at which the office is to be filled by the
3 18 registered voters.
3 19 c. A petition for recall shall not be filed against an
3 20 officer for whom a recall election has been held within a
3 21 period of two years during a term of office.
3 22 Sec. 4. NEW SECTION. 66A.4 FILING OF PETITION FOR
3 23 RECALL.
3 24 1. a. The petition for recall shall be filed with the
3 25 county commissioner.
3 26 b. When filing a petition for recall, an affidavit in
3 27 substantially the following form shall be attached to the
3 28 petition:
3 29 I, (name of person filing petition), being duly sworn, say
3 30 that I circulated or assisted in circulating the petition to
3 31 which this affidavit is attached, and I believe the signatures
3 32 affixed to the petition are genuine, and are the signatures of
3 33 the persons whose names they purport to be, and that the
3 34 signers were aware of the contents of the petition before
3 35 signing the petition.



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4 1 _____
 4 2 (Signed)
 4 3 Subscribed and sworn to before me by _____, on the ____day
 4 4 of _____, 20__
 4 5 _____
 4 6 (Name)
 4 7 _____
 4 8 (Official title)
 4 9 2. After a petition for recall has been filed, it shall
 4 10 not be returned to the person who filed the petition, nor
 4 11 shall any signature or other information be added to the
 4 12 petition for recall. If a signature on a petition sheet is
 4 13 crossed out by the petitioner before the sheet is offered for
 4 14 filing, the elimination of the signature does not affect the
 4 15 validity of other signatures on the petition sheet.
 4 16 Sec. 5. NEW SECTION. 66A.5 VERIFICATION OF PETITION.
 4 17 Upon the filing of a petition for recall, the county
 4 18 commissioner shall verify whether the petition has been signed
 4 19 by the required number of eligible electors as specified in
 4 20 section 66A.3. If the petition for recall does not contain
 4 21 the required number of signatures, the county commissioner
 4 22 shall notify the person filing the petition that the petition
 4 23 is not valid.
 4 24 Sec. 6. NEW SECTION. 66A.6 NOTIFICATION TO OFFICER ==
 4 25 STATEMENT OF JUSTIFICATION.
 4 26 Upon the filing of the petition for recall meeting the
 4 27 requirements of this chapter, the county commissioner shall
 4 28 immediately send written notice to the officer named in the
 4 29 petition. The notice shall state that a petition for recall
 4 30 of the officer has been filed, shall include a copy of the
 4 31 statement of the reason for recall as printed on the petition,
 4 32 and shall inform the officer that the officer may have printed
 4 33 on the special election ballot a statement of justification in
 4 34 not more than two hundred words stating why the officer should
 4 35 not be recalled. To be printed on the ballot, the statement



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5 1 of justification must be submitted to the county commissioner
5 2 within ten days of the date the notice is sent to the officer
5 3 named in the petition for recall.

5 4 Sec. 7. NEW SECTION. 66A.7 OBJECTION TO THE PETITION ==
5 5 NOTICE AND HEARING.

5 6 1. Objections to the legal sufficiency of a petition for
5 7 recall may be filed in writing by any person who would have
5 8 the right to vote for a candidate for the office in question.
5 9 The objections must be filed with the county commissioner not
5 10 later than fourteen days after the petition for recall is
5 11 filed.

5 12 2. If objections are filed, notice shall be mailed within
5 13 seventy-two hours by certified mail to the person who filed
5 14 the petition. A hearing on the objections shall be held in
5 15 the manner provided for objections to nomination petitions or
5 16 certificates of nomination filed pursuant to chapter 43, 44,
5 17 45, or 277, whichever is applicable.

5 18 Sec. 8. NEW SECTION. 66A.8 PRESUMPTION OF VALIDITY.

5 19 A petition for recall filed under this chapter, and being
5 20 apparently in conformity with law, shall be regarded as valid,
5 21 unless objection is made in writing, and the petition shall be
5 22 open to public inspection and preserved by the county
5 23 commissioner for not less than six months after the special
5 24 recall election is held.

5 25 Sec. 9. NEW SECTION. 66A.9 RECALL ELECTION.

5 26 If the officer named in the petition for recall submits a
5 27 resignation in writing, it shall be accepted and become
5 28 effective the day it is offered. The vacancy created by the
5 29 resignation shall be filled as provided by law, except that
5 30 the officer named in the petition for recall shall not be
5 31 appointed to fill the vacancy. If the officer named in the
5 32 petition does not resign within five days after the petition
5 33 for recall is filed, a special election on the recall of the
5 34 officer shall be called. The recall election shall be held
5 35 the first Tuesday following sixty days after the date the



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6 1 petition is filed. However, the special election shall not be
6 2 held on the same day as a regularly scheduled election. If
6 3 the first Tuesday following sixty days after the date the
6 4 petition is filed is the same day as a regularly scheduled
6 5 election, the special election shall be held the first Tuesday
6 6 following the regularly scheduled election.

6 7 Sec. 10. NEW SECTION. 66A.10 CONDUCT OF RECALL ELECTION.

6 8 A special election for recall of an officer shall be
6 9 conducted, and the results canvassed and certified, in the
6 10 same manner that a regularly scheduled election to fill that
6 11 office is conducted.

6 12 The ballot submitted at a recall election shall set forth
6 13 the statement contained in the petition for recall stating the
6 14 reason for demanding the recall of the officer and the
6 15 statement of justification submitted by the officer, if
6 16 submitted in a timely manner. The question of whether the
6 17 officer should be recalled shall be placed on the ballot in
6 18 substantially the following form:

6 19 _____. FOR recalling ____ who holds the office of _____.

6 20 _____. AGAINST recalling ____ who holds the office of

6 21 _____.

6 22 Expenses of a recall election shall be paid in the same
6 23 manner as the expenses of a regularly scheduled election to
6 24 fill that office.

6 25 Sec. 11. NEW SECTION. 66A.11 ELECTION RESULTS == FILLING
6 26 OF VACANCY.

6 27 1. The officer named in the petition for recall shall
6 28 continue in office until the officer resigns or the results of
6 29 the recall election are officially declared.

6 30 2. If a majority of those voting on the question vote to
6 31 recall the officer, the office becomes vacant and the vacancy
6 32 shall be filled as provided by chapter 69. However, in no
6 33 event shall the officer recalled be appointed to fill the
6 34 vacancy.

6 35 Sec. 12. IMPLEMENTATION OF ACT. Section 25B.2, subsection



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7 1 3, shall not apply to this Act.

7 2 EXPLANATION

7 3 This bill allows for the recall from office of an elected
7 4 official of a political subdivision by the electors of that
7 5 political subdivision, or election district, if applicable.
7 6 The bill provides that a petition for recall of an officer may
7 7 be filed by the eligible electors of a political subdivision
7 8 or election district equal in number to at least 20 percent of
7 9 the total votes cast for the office in question in the last
7 10 preceding election, but in no case shall the number of
7 11 signatures be less than 50.

7 12 If the petition is filed in a timely manner, is of legal
7 13 sufficiency, is not objected to in writing, and if the officer
7 14 named in the petition does not resign from office, a recall
7 15 election shall be held on the question of whether the officer
7 16 shall be recalled from office. If the officer resigns, or if
7 17 a majority of the total votes cast at the recall election is
7 18 in favor of the recall of the officer, the vacancy in the
7 19 office shall be filled in a manner provided for that office in
7 20 chapter 69 of the Code.

7 21 The bill may include a state mandate as defined in Code
7 22 section 25B.3. The bill makes inapplicable Code section
7 23 25B.2, subsection 3, which would relieve a political
7 24 subdivision from complying with a state mandate if funding for
7 25 the cost of the state mandate is not provided or specified.
7 26 Therefore, political subdivisions are required to comply with
7 27 any state mandate included in the bill.

7 28 LSB 6287YH 82

7 29 sc/rj/24



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House File 2194 - Introduced

HOUSE FILE
BY COMMITTEE ON LABOR

(SUCCESSOR TO HF 2002)

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

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 5121HV 82
- 4 kh/rj/8



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House File 2194 - 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 2195 - Introduced

HOUSE FILE
BY COMMITTEE ON ECONOMIC GROWTH

(SUCCESSOR TO HF 2035)

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to certain county distress criteria under the
- 2 enterprise zone program.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5544HV 82
- 5 tw/rj/8



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House File 2195 - Introduced continued

PAG LIN

1 1 Section 1. Section 15E.194, subsection 1, paragraph c,
1 2 Code Supplement 2007, is amended to read as follows:

1 3 c. The county has experienced a percentage population loss
1 4 that ranks among the top twenty-five counties in the state
1 5 between 1995 and 2000.

1 6 (1) For purposes of this paragraph "c", prison population
1 7 shall be excluded in the population loss calculations.

1 8 (2) If a county not otherwise qualified to participate in
1 9 the enterprise zone program qualifies as a result of excluding
1 10 the county's prison population, a business engaged in the
1 11 production of ethanol or biodiesel in the county,
1 12 notwithstanding its status as an eligible business under
1 13 section 15E.193, shall not be eligible for assistance under
1 14 section 15E.196.

1 15 EXPLANATION

1 16 This bill relates to certain county distress criteria under
1 17 the enterprise zone program.

1 18 Currently, an enterprise zone may be designated by a county
1 19 that meets two of four possible distress criteria. One of the
1 20 criteria is that the county must have experienced a percentage
1 21 population loss between 1995 and 2000 that ranks it among the
1 22 top 25 counties in the state for population loss.

1 23 The bill qualifies the population loss criterion by
1 24 providing that the county's prison population cannot be used
1 25 in calculating the population.

1 26 The bill further provides that ethanol and biodiesel
1 27 businesses in the county are not eligible for enterprise zone
1 28 assistance in the form of tax credits, payments, or refunds if
1 29 the county qualifies for the enterprise zone program only when
1 30 its prison population is excluded from the calculation.

1 31 LSB 5544HV 82

1 32 tw/rj/8



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House File 2196 - Introduced

HOUSE FILE
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 2018)

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

- 1 An Act requiring the department of transportation to study the
- 2 acceptance of electronic payments at its customer service
- 3 sites.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5176HV 82
- 6 md/rj/5



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House File 2196 - Introduced continued

PAG LIN

1 1 Section 1. ELECTRONIC PAYMENTS TO DEPARTMENT OF
1 2 TRANSPORTATION == STUDY. The department of transportation
1 3 shall review the current methods the department employs for
1 4 the collection of fees and other revenues at customer service
1 5 sites operated by the department. In conducting its review,
1 6 the department, in cooperation with the treasurer of state,
1 7 shall consider providing an electronic payment option for all
1 8 of its customers. The department shall report its findings
1 9 and recommendations by December 31, 2008, to the senate and
1 10 house standing committees on transportation regarding the
1 11 advantages and disadvantages of implementing one or more
1 12 electronic payment systems.

1 13 EXPLANATION

1 14 This bill requires the department of transportation to
1 15 review its methods for collection of payments remitted at
1 16 customer service sites operated by the department and, in
1 17 cooperation with the treasurer of state, consider offering
1 18 customers an electronic payment option. The department is
1 19 required to report its findings and recommendations to the
1 20 senate and house committees on transportation by December 31,
1 21 2008.

1 22 LSB 5176HV 82

1 23 md/rj/5



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House File 2197 - Introduced

HOUSE FILE
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2015)

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

- 1 An Act requiring institutions of higher learning and community
- 2 colleges to provide students with specific textbook
- 3 information.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5069HV 82
- 6 ak/nh/24



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House File 2197 - Introduced continued

PAG LIN

1 1 Section 1. Section 260C.5, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 11. Post the list of required and
1 4 suggested textbooks for all courses and the corresponding
1 5 international standard book numbers for such textbooks at
1 6 least fourteen days before the start of each semester or term,
1 7 to the extent possible, at the locations where textbooks are
1 8 sold on campus and on the website for the respective community
1 9 college. For the purposes of this subsection, "textbook"
1 10 means any book used for the study of a subject.

1 11 Sec. 2. Section 262.9, Code Supplement 2007, is amended by
1 12 adding the following new subsection:

1 13 NEW SUBSECTION. 32. Post the list of required and
1 14 suggested textbooks for all courses and the corresponding
1 15 international standard book numbers for such textbooks at
1 16 least fourteen days before the start of each semester or term,
1 17 to the extent possible, at the locations where textbooks are
1 18 sold on campus and on the website for the respective
1 19 institution for higher learning. For the purposes of this
1 20 subsection, "textbook" means any book used for the study of a
1 21 subject.

1 22 EXPLANATION

1 23 This bill requires both the regents' universities and
1 24 community colleges to provide students with the titles and
1 25 international standard book numbers (ISBNs) of the textbooks
1 26 that will be used in courses. The bill requires that the
1 27 universities and community colleges post the list both on
1 28 campus where textbooks are sold and on their Internet sites at
1 29 least 14 days before the start of a semester or term, to the
1 30 extent possible. A textbook is defined as any book used for
1 31 the study of a subject.

1 32 LSB 5069HV 82

1 33 ak/nh/24



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House File 2198 - Introduced

HOUSE FILE
BY WISE and RAECKER

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

A BILL FOR

- 1 An Act relating to statewide core content and performance
- 2 standards and assessments for kindergarten through grade
- 3 twelve.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5828YH 82
- 6 kh/nh/8



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House File 2198 - Introduced continued

PAG LIN

1 1 Section 1. Section 256.7, subsection 21, paragraph b, Code
1 2 Supplement 2007, is amended to read as follows:
1 3 b. A set of core academic indicators ~~in mathematics and~~
1 4 ~~reading in grades four, eight, and eleven, a set of core~~
1 5 ~~academic indicators in science in grades eight and eleven, and~~
1 6 ~~another set of core indicators that includes, but is not~~
1 7 limited to, data from the assessments administered pursuant to
1 8 subsection 29, graduation rate, postsecondary education, and
1 9 successful employment in Iowa. Annually, the department shall
1 10 report state data for each indicator in the condition of
1 11 education report.
1 12 Sec. 2. Section 256.7, subsection 28, Code Supplement
1 13 2007, is amended to read as follows:
1 14 28. a. (1) Adopt a set of by rule, for implementation by
1 15 July 1, 2010, core content and performance standards
1 16 applicable to all students in kindergarten through grade
1 17 twelve in every school district and accredited nonpublic
1 18 school. The board shall consider the recommendations of the
1 19 task force convened by the director in accordance with
1 20 subparagraph (2). The board shall establish criteria to
1 21 ensure that the standards adopted are rigorous and support
1 22 best practices. However, the standards adopted shall not
1 23 exceed in scope or depth the curriculum that can be reasonably
1 24 taught in the instructional time available. Prior to
1 25 adoption, the board shall submit the proposed standards to an
1 26 external, nonprofit educational organization for an
1 27 independent review. The results of the review shall be posted
1 28 on the department's internet web site.
1 29 (2) Recommended core content and performance standards
1 30 shall be developed by a task force convened by the director of
1 31 the department. The task force shall be comprised of
1 32 teachers, school administrators, higher education faculty who
1 33 teach in the subjects for which the standards are being
1 34 adopted, private sector employers, and members of the boards
1 35 of directors of school districts. The task force shall review



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2 1 the national assessment of educational progress standards and
2 2 standards adopted by other states. The director shall provide
2 3 one staff person at a minimum who is qualified by education
2 4 and experience in developing content and performance standards
2 5 to assist the task force. Members of the task force shall be
2 6 allowed their actual and necessary expenses incurred in the
2 7 performance of their duties. All expenses shall be paid from
2 8 appropriations to the department. The task force shall submit
2 9 its recommendations to the state board of education by January
2 10 2, 2009. The task force may be reconvened whenever the
2 11 director of the department determines there is a need to
2 12 review or amend the core content and performance standards.
2 13 b. For purposes of this subsection, "core content
~~2 14 standards" includes~~ The core content standards for
2 15 kindergarten through grade six shall include reading and
2 16 writing, mathematics, and science, while the core content
2 17 standards for grades seven through twelve shall include
2 18 English and language arts, mathematics, science, history and
2 19 social studies, and art. The core content standards shall be
2 20 identical to the core content standards included in Iowa's
2 21 approved 2006 standards and assessment system under Title I of
2 22 the federal Elementary and Secondary Education Act of 1965, 20
2 23 U.S.C. } 6301 et seq., as amended by the federal No Child Left
2 24 Behind Act of 2001, Pub. L. No. 107=110. School districts and
2 25 accredited nonpublic schools shall include, at a minimum, the
2 26 core content and performance standards adopted pursuant to
2 27 this subsection in any set of locally developed content
2 28 standards. ~~School districts and accredited nonpublic schools~~
~~2 29 are strongly encouraged to include the voluntary model core~~
~~2 30 curriculum or set higher expectations in local standards. As~~
~~2 31 changes in federal law or regulation occur, the state board is~~
~~2 32 authorized to amend the core content standards as appropriate.~~
2 33 c. The performance standards are grade-level expectations
2 34 which shall be aligned to the core content standards adopted
2 35 pursuant to this subsection. The performance standards shall



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3 1 specify expectations for students' knowledge and performance
3 2 at the end of a given grade level. The performance standards
3 3 for kindergarten through grade six shall include reading and
3 4 writing, mathematics, and science, and for grades seven
3 5 through twelve shall include English and language arts,
3 6 mathematics, science, history and social studies, and art.
3 7 d. The board shall require each school district to align
3 8 the local curriculum, instructional materials, and classroom
3 9 instruction to the standards adopted and to submit evidence of
3 10 such alignment satisfactory to the department.
3 11 e. A student shall not be denied curriculum and
3 12 instruction consistent with the core content standards which
3 13 offer the student an opportunity to become proficient on the
3 14 performance standards adopted pursuant to this subsection.
3 15 Sec. 3. Section 256.7, Code Supplement 2007, is amended by
3 16 adding the following new subsections:
3 17 NEW SUBSECTION. 29. Adopt grade level assessments for
3 18 each of the core content standard subjects. The board shall
3 19 require school districts to administer the assessments to
3 20 students in grades four, eight, and eleven. Where possible,
3 21 the assessments shall be psychometrically equated to
3 22 proficiency on the national assessment for educational
3 23 progress. The assessment results shall be reported annually
3 24 to the department and the local community in accordance with
3 25 subsection 21.
3 26 NEW SUBSECTION. 30. Adopt assessments which the board
3 27 shall require school districts to administer to students at
3 28 the end of each unit of algebra, advanced algebra, geometry,
3 29 biology, chemistry, physics, and fourth-year English.
3 30 Advanced placement examinations may be substituted for the
3 31 end-of-unit examination. A student's score on an end-of-unit
3 32 examination shall be placed in the student's permanent record.
3 33 Sec. 4. Section 256.9, Code Supplement 2007, is amended by
3 34 adding the following new subsection:
3 35 NEW SUBSECTION. 57. Develop and deliver, in collaboration



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5 1 what all students should know and be able to do at the end of
5 2 a given grade level.

5 3 Recommended core content and performance standards are to
5 4 be developed by a task force convened by the director of the
5 5 department of education and consisting of representatives from
5 6 education and business. The task force shall review national
5 7 standards and standards adopted by other states and submit
5 8 recommended standards to the state board by January 2, 2009.
5 9 Prior to adoption, the board must submit the proposed
5 10 standards to an external organization for an independent
5 11 review, the results of which shall be posted on the
5 12 department's web site.

5 13 Each school district must align the local curriculum,
5 14 instructional materials, and classroom instruction to the
5 15 standards and submit evidence of such alignment satisfactory
5 16 to the department. School districts must administer grade=
5 17 level assessments at a minimum at grades four, eight, and 11.
5 18 Students cannot be denied curriculum and instruction
5 19 consistent with the standards. The results must be submitted
5 20 annually with the core academic indicator data required under
5 21 Code section 256.7, subsection 21.

5 22 The state board must also adopt assessments which the board
5 23 shall require school districts to administer to students at
5 24 the end of each unit of algebra, advanced algebra, geometry,
5 25 biology, chemistry, physics, and fourth-year English. The
5 26 student may substitute an advanced placement examination. The
5 27 results must be placed in the student's permanent record.

5 28 The bill also requires the department to develop and
5 29 deliver, in collaboration with the regents universities and
5 30 area education agencies, subject matter and grade=level
5 31 specific training for teachers and administrators in
5 32 standards-based curriculum development and standards-based
5 33 instruction.

5 34 The bill makes conforming changes by providing that a set
5 35 of core academic indicators required currently must include



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6 1 data from the assessments administered in accordance with the
6 2 bill in a report to the department.
6 3 The bill may include a state mandate as defined in Code
6 4 section 25B.3. The bill requires that the state cost of any
6 5 state mandate included in the bill be paid by a school
6 6 district from state school foundation aid received by the
6 7 school district under Code section 257.16. The specification
6 8 is deemed to constitute state compliance with any state
6 9 mandate funding-related requirements of Code section 25B.2.
6 10 The inclusion of this specification is intended to reinstate
6 11 the requirement of political subdivisions to comply with any
6 12 state mandates included in the bill.
6 13 LSB 5828YH 82
6 14 kh/nh/8



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House File 2199 - Introduced

HOUSE FILE
BY ARNOLD, BAUDLER, and
WHITAKER

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to deer hunting using muzzleloading firearms.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5848YH 82
- 4 jr/nh/8



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House File 2199 - Introduced continued

PAG LIN

1 1 Section 1. Section 481A.38, subsection 1, Code Supplement
1 2 2007, is amended to read as follows:

1 3 1. The commission may upon its own motion and after an
1 4 investigation, alter, limit, or restrict the methods or means
1 5 employed and the instruments or equipment used in taking wild
1 6 mammals, birds subject to section 481A.48, fish, reptiles, and
1 7 amphibians, if the investigation reveals that the action would
1 8 be desirable or beneficial in promoting the interests of
1 9 conservation, or the commission may, after an investigation
1 10 when it is found there is imminent danger of loss of fish
1 11 through natural causes, authorize the taking of fish by means
1 12 found advisable to salvage imperiled fish populations.

1 13 a. The commission shall adopt a rule permitting a crossbow
1 14 to be used only by individuals with disabilities who are
1 15 physically incapable of using a bow and arrow under the
1 16 conditions in which a bow and arrow is permitted. The
1 17 commission shall prepare an application to be used by an
1 18 individual requesting the status. The application shall
1 19 require the individual's physician to sign a statement
1 20 declaring that the individual is not physically able to use a
1 21 bow and arrow.

1 22 b. The commission shall adopt a rule permitting any person
1 23 present in a hunting party using muzzleloading rifles or
1 24 pistols to tag a deer with a tag issued in that person's name
1 25 during the late muzzleloading season.

1 26 EXPLANATION

1 27 This bill would require the natural resources commission to
1 28 adopt a rule allowing any member of a deer hunting party using
1 29 muzzleloading firearms to tag a deer in that person's name,
1 30 regardless of who actually shot the deer during the late
1 31 muzzleloading season.

1 32 LSB 5848YH 82

1 33 jr/nh/8.1



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House File 2200 - Introduced

HOUSE FILE
BY TYMESON

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

A BILL FOR

1 An Act requiring a school employee to report an arrest to the
2 board of educational examiners or the principal and making a
3 penalty applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5136YH 82
6 jm/nh/8



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House File 2200 - Introduced continued

PAG LIN

1 1 Section 1. Section 256.11, subsection 10, paragraph b,
1 2 subparagraph (1), Code Supplement 2007, is amended by adding
1 3 the following new subparagraph subdivision:

1 4 NEW SUBPARAGRAPH SUBDIVISION. (f) In response to
1 5 notification from the board of educational examiners or a
1 6 principal that an arrest of a school employee has been
1 7 reported pursuant to section 280.29.

1 8 Sec. 2. Section 272.2, subsection 14, paragraph a, Code
1 9 Supplement 2007, is amended to read as follows:

1 10 a. The board may deny a license to or revoke the license
1 11 of a person upon the board's finding by a preponderance of
1 12 evidence that either the person has been convicted of a crime
1 13 or that there has been a founded report of child abuse against
1 14 the person. Rules adopted in accordance with this paragraph
1 15 shall provide that in determining whether a person should be
1 16 denied a license or that a practitioner's license should be
1 17 revoked, the board shall consider the nature and seriousness
1 18 of the founded abuse or crime in relation to the position
1 19 sought, the time elapsed since the crime was committed, the
1 20 degree of rehabilitation which has taken place since the
1 21 incidence of founded abuse or the commission of the crime, the
1 22 likelihood that the person will commit the same abuse or crime
1 23 again, and the number of founded abuses committed by or
1 24 criminal convictions of the person involved. In addition, the
1 25 board may revoke the license of a person upon the board's
1 26 finding by a preponderance of the evidence that the person
1 27 failed to report an arrest as provided in section 280.29.

1 28 Sec. 3. NEW SECTION. 280.29 REPORTING == ARREST.

1 29 1. A school employee who has been arrested for a criminal
1 30 offense shall report the arrest to the board of educational
1 31 examiners within seven days of the arrest. A school employee
1 32 who is not licensed or certified by the board of educational
1 33 examiners, or who does not have a statement of professional
1 34 recognition issued by the board of educational examiners,
1 35 shall report the arrest to the principal of the school within



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2 1 seven days of the arrest.
2 2 2. When an arrest is reported pursuant to subsection 1,
2 3 the board of educational examiners or the principal of the
2 4 school who received the report shall notify the department of
2 5 education and the department shall proceed as provided in
2 6 section 256.11, subsection 10, paragraph b, subparagraph (1),
2 7 subparagraph subdivision (f).
2 8 3. The school employee may be subject to disciplinary
2 9 action pursuant to section 272.2, subsection 14, paragraph
2 10 "a".

2 11 EXPLANATION

2 12 This bill requires a school employee to report an arrest to
2 13 the board of educational examiners or the principal.

2 14 Under the bill, a school employee who has been arrested for
2 15 a criminal offense shall report the arrest to the board of
2 16 educational examiners within seven days of the arrest. A
2 17 school employee who is not licensed or certified by the board
2 18 of educational examiners, or who does not have a statement of
2 19 professional recognition issued by the board of educational
2 20 examiners shall report the arrest to the principal within
2 21 seven days of the arrest.

2 22 The bill also provides that the license of a teacher may be
2 23 revoked for failing to report an arrest.

2 24 The bill requires the board of educational examiners or the
2 25 principal who received the report to notify the department of
2 26 education about the arrest. Upon notification of the arrest,
2 27 the bill requires the department of education to send an
2 28 accreditation committee to conduct an on-site visit to the
2 29 school or school district that employs the arrested school
2 30 employee.

2 31 LSB 5136YH 82

2 32 jm/nh/8



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House File 2201 - Introduced

HOUSE FILE
BY PAULSEN

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

A BILL FOR

1 An Act exempting from the individual and corporate income taxes
2 interest and dividends from Iowa municipal securities and
3 including a retroactive applicability date provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5251YH 82
6 mg/sc/8



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House File 2201 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.7, Code Supplement 2007, is amended
1 2 by adding the following new subsection:

1 3 NEW SUBSECTION. 2A. Subtract interest and dividends from
1 4 Iowa municipal securities.

1 5 Sec. 2. Section 422.35, Code Supplement 2007, is amended
1 6 by adding the following new subsection:

1 7 NEW SUBSECTION. 2A. Subtract interest and dividends from
1 8 Iowa municipal securities.

1 9 Sec. 3. RETROACTIVE APPLICABILITY DATE. This Act applies
1 10 retroactively to January 1, 2008, for tax years beginning on
1 11 or after that date.

1 12 EXPLANATION

1 13 This bill exempts from the individual and corporate income
1 14 taxes interest and dividends from Iowa municipal securities.

1 15 The bill applies retroactively to January 1, 2008, for tax
1 16 years beginning on or after that date.

1 17 LSB 5251YH 82

1 18 mg/sc/8



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House File 2202 - Introduced

HOUSE FILE
BY PAULSEN, TYMESON, and
BAUDLER

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the regulation of a commercial social
- 2 networking internet site, and providing a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5076HH 82
- 5 jm/rj/5



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House File 2202 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 716C.1 COMMERCIAL SOCIAL
1 2 NETWORKING INTERNET SITES == PERMISSION.
1 3 1. As used in this section:
1 4 a. "Commercial social networking internet site" means an
1 5 internet site that is operated by a person who derives
1 6 membership fees, advertising, or other revenue sources related
1 7 to the operation of an internet site that facilitates the
1 8 social introduction between two or more persons for the
1 9 purpose of friendship, meeting other persons, or information
1 10 exchanges, and permits the creation of internet pages or
1 11 personal profiles that contain information such as the name or
1 12 nickname of the user, photographs, and other personal
1 13 information about the user, and links to other personal
1 14 internet pages on the commercial social networking internet
1 15 site of friends or associates of the user that may be accessed
1 16 by other users or visitors to the internet site, and provides
1 17 users or visitors mechanisms to communicate with each other,
1 18 such as a message board, chat room, electronic mail, or
1 19 instant messaging.
1 20 b. "Protected computer" means a computer or other
1 21 electronic device used to access the internet that at the time
1 22 of the alleged violation is located within the geographic
1 23 boundaries of this state.
1 24 2. A commercial social networking internet site shall not
1 25 permit a minor using a protected computer to create or
1 26 maintain a personal internet page on a commercial social
1 27 networking internet site unless the parent, guardian, or legal
1 28 custodian has granted the minor permission to create or
1 29 maintain a personal internet page on a commercial social
1 30 networking internet site.
1 31 3. If a parent, guardian, or legal custodian of the minor
1 32 has granted the minor permission to access the commercial
1 33 social networking internet site, the owner of a commercial
1 34 social networking internet site shall provide the parent,
1 35 guardian, or legal custodian access to the minor's personal



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2 1 internet page at all times.

2 2 4. A commercial social networking internet site shall
2 3 adopt and implement procedures to confirm the identities and
2 4 ages of a parent, guardian, or legal custodian who provides
2 5 permission to access the social networking internet site by
2 6 independently validating the accuracy of personal
2 7 identification information submitted at the time of
2 8 registration.

2 9 5. If the minor does not receive permission from a parent,
2 10 guardian, or legal custodian or the personal identification
2 11 information of the parent, guardian, or legal custodian cannot
2 12 be independently confirmed, the minor shall not be permitted
2 13 to create or maintain a personal internet page on the social
2 14 networking internet site.

2 15 6. This section does not apply to an internet service or
2 16 hosting provider by reason of such provider transmitting,
2 17 routing, or providing connections for information sent or
2 18 received from a commercial social networking internet site,
2 19 unless the internet service or hosting provider intentionally
2 20 aids and abets a violation of this section.

2 21 7. A commercial social networking internet site or any
2 22 other entity that violates this section is subject to a five
2 23 hundred dollar civil penalty. Each violation of this section
2 24 constitutes a separate violation.

2 25 8. The attorney general may file an action for violations
2 26 of this section in district court on behalf of the residents
2 27 of this state.

2 28 9. Civil penalties shall be collected by the clerk of the
2 29 district court and distributed as provided in section
2 30 602.8108.

2 31 EXPLANATION

2 32 This bill relates to the regulation of a commercial social
2 33 networking internet site.

2 34 The bill provides that a commercial social networking
2 35 internet site shall not permit a minor under 18 years of age



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3 1 using a computer or other electronic device to create or
3 2 maintain a personal internet page on a commercial social
3 3 networking internet site unless the parent or guardian of the
3 4 minor has granted the minor permission to access the social
3 5 networking internet site. The bill provides that a commercial
3 6 social networking internet site shall adopt and implement
3 7 procedures to independently confirm the identities and ages of
3 8 the parent or guardian.

3 9 Under the bill, if a commercial social networking internet
3 10 site has received permission from the parent or guardian of
3 11 the minor, the internet site shall provide access to the
3 12 parent or guardian to the personal internet page of the minor
3 13 at all times.

3 14 If a minor does not have permission from a parent or
3 15 guardian to access the commercial social networking internet
3 16 site, the bill prohibits a minor from creating or maintaining
3 17 a personal internet page on the commercial social networking
3 18 internet site on and after the effective date of the Act.

3 19 The bill does not apply to an internet service or hosting
3 20 provider by reason of such provider transmitting, routing, or
3 21 providing connections for information sent or received from a
3 22 commercial social networking internet site, unless the
3 23 internet service or hosting provider intentionally aids and
3 24 abets a violation of the bill.

3 25 The bill provides that the attorney general may file an
3 26 action for violations of the bill on behalf of the state in
3 27 district court. A commercial social networking internet site
3 28 or any other entity that violates the bill is subject to a
3 29 \$500 civil penalty. Each violation of the bill constitutes a
3 30 separate violation.

3 31 The bill applies to computer or other electronic devices
3 32 used to access the internet located within the geographic
3 33 boundaries of this state.

3 34 The bill defines "commercial social networking internet
3 35 site" to mean an internet site that is operated by a person



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House File 2202 - Introduced continued

4 1 who derives membership fees, advertising, or other revenue
4 2 sources related to the operation of an internet site that
4 3 facilitates the social introduction between two or more
4 4 persons for the purpose of friendship, meeting other persons,
4 5 or information exchanges, and permits the creation of internet
4 6 pages or personal profiles that contain information such as
4 7 the name or nickname of the user, photographs, and other
4 8 personal information about the user, and links to other
4 9 personal internet pages on the commercial social networking
4 10 internet site of friends or associates of the user that may be
4 11 accessed by other users or visitors to the internet site, and
4 12 provides users or visitors mechanisms to communicate with each
4 13 other, such as a message board, chat room, electronic mail, or
4 14 instant messaging.
4 15 LSB 5076HH 82
4 16 jm/rj/5



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House File 2203 - Introduced

HOUSE FILE
BY ARNOLD

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

A BILL FOR

- 1 An Act allowing certain hunters to wear high-visibility lime
- 2 green apparel.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5850YH 82
- 5 av/nh/14



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House File 2203 - Introduced continued

PAG LIN

1 1 Section 1. Section 481A.122, Code 2007, is amended to read
1 2 as follows:

1 3 481A.122 HUNTERS' ORANGE OR GREEN APPAREL.

1 4 1. A person shall not hunt deer with firearms unless the
1 5 person is at the time wearing one or more of the following
1 6 articles of visible, external apparel: A vest, coat, jacket,
1 7 sweatshirt, sweater, shirt, or coveralls, the color and
1 8 material of which shall be solid blaze orange or solid high=
1 9 visibility lime green.

1 10 2. A person shall not hunt upland game birds, as defined
1 11 by the department, unless the person is at the time wearing
1 12 one or more of the following articles of visible, external
1 13 apparel: A hat, cap, vest, coat, jacket, sweatshirt, sweater,
1 14 shirt, or coveralls, the color and material of which shall be
1 15 at least fifty percent solid blaze orange or solid
1 16 high=visibility lime green.

1 17 EXPLANATION

1 18 This bill allows a person hunting deer with a firearm or a
1 19 person hunting upland game birds the option of wearing
1 20 specified apparel that is blaze orange or high=visibility lime
1 21 green.

1 22 LSB 5850YH 82

1 23 av/nh/14



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House File 2204 - Introduced

HOUSE FILE
BY FOEGE

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

A BILL FOR

- 1 An Act requiring automated external defibrillators in all public
- 2 and nonpublic schools.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5995HH 82
- 5 ak/sc/5



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House File 2204 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 280.16A CARDIAC AUTOMATED
1 2 EXTERNAL DEFIBRILLATORS.
1 3 1. As used in this section, "automated external
1 4 defibrillator" means a portable device used to restore normal
1 5 rhythm to a patient in cardiac arrest by analyzing the
1 6 patient's heart rhythm and determining whether a shock is
1 7 needed to restore a normal heart beat.
1 8 2. The board of directors of each public school district
1 9 and authorities in charge of nonpublic schools shall locate at
1 10 least one automated external defibrillator in every school
1 11 that is accessible at all times for use during school hours,
1 12 after school activities, school-sponsored events, and other
1 13 events held at the school or on school grounds. School
1 14 officials are responsible for the care and maintenance of the
1 15 automated external defibrillator including but not limited to
1 16 periodic service checks and battery replacement.
1 17 3. School districts may use available state appropriations
1 18 or private or other funds for the purchase of automated
1 19 external defibrillators and training of school officials and
1 20 others to use the devices. The department of education shall
1 21 determine training standards.
1 22 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance
1 23 with section 25B.2, subsection 3, the state cost of requiring
1 24 compliance with any state mandate included in this Act shall
1 25 be paid by a school district from state school foundation aid
1 26 received by the school district under section 257.16. This
1 27 specification of the payment of the state cost shall be deemed
1 28 to meet all the state funding-related requirements of section
1 29 25B.2, subsection 3, and no additional state funding shall be
1 30 necessary for the full implementation of this Act by and
1 31 enforcement of this Act against all affected school districts.
1 32 EXPLANATION
1 33 This bill provides for the placement of an automated
1 34 external defibrillator in every public and nonpublic school in
1 35 the state. An automated external defibrillator is a portable



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2 1 device used to restore normal rhythm to a patient in cardiac
2 2 arrest by analyzing the patient's heart rhythm and determining
2 3 whether a shock is needed to restore a normal heart beat.
2 4 The bill requires that the board of directors of each
2 5 public school district and authorities in charge of nonpublic
2 6 schools shall locate at least one automated external
2 7 defibrillator in every school that is accessible at all times
2 8 for use during school hours, after school activities,
2 9 school-sponsored events, and other events held at the school
2 10 or on school grounds. School officials are responsible for
2 11 the care and maintenance of the automated external
2 12 defibrillator.
2 13 School districts may use available state appropriations and
2 14 private and other funds for the purchase of automated external
2 15 defibrillators and the training of school officials and others
2 16 to use the devices. The department of education is required
2 17 to determine the training standards.
2 18 The bill may include a state mandate as defined in Code
2 19 section 25B.2. The bill requires that the state cost of any
2 20 state mandate included in the bill be paid by a school
2 21 district from state school foundation aid received by the
2 22 school district under Code section 257.16. The specification
2 23 is deemed to constitute state compliance with any state
2 24 mandate funding-related requirements of Code section 25B.2.
2 25 The inclusion of this specification is intended to reinstate
2 26 the requirement of political subdivisions to comply with any
2 27 state mandates included in the bill.
2 28 LSB 5995HH 82
2 29 ak/sc/5



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House File 2205 - Introduced

HOUSE FILE
BY DRAKE and STRUYK

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act to require bicyclists to wear reflective clothing when
- 2 riding on certain highways and making a penalty applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5456YH 82
- 5 dea/nh/5



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House File 2205 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.234, Code 2007, is amended by
1 2 adding the following new subsection:

1 3 NEW SUBSECTION. 4A. A person shall not ride a bicycle on
1 4 a highway with a posted speed limit of fifty miles per hour or
1 5 greater unless the person is wearing reflective clothing.

1 6 Sec. 2. Section 805.8A, subsection 9, Code 2007, is
1 7 amended to read as follows:

1 8 9. BICYCLE OR PEDESTRIAN VIOLATIONS. For violations by a
1 9 pedestrian or a bicyclist under section 321.234, subsections
1 10 3, ~~and~~ 4, and 4A, section 321.236, subsection 10, section
1 11 321.257, subsection 2, section 321.275, subsection 8, section
1 12 321.325, 321.326, 321.328, 321.331, 321.332, 321.397, or
1 13 321.434, the scheduled fine is fifteen dollars.

1 14 EXPLANATION

1 15 This bill requires a person to wear reflective clothing
1 16 when riding a bicycle on a highway with a speed limit of 50
1 17 miles per hour or greater. A violation of bicycle safety
1 18 provisions is punishable by a scheduled fine of \$15.

1 19 LSB 5456YH 82

1 20 dea/nh/5



Iowa General Assembly
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House File 2206 - Introduced

HOUSE FILE
BY GASKILL

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

A BILL FOR

- 1 An Act relating to postelection audits of voting systems.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5935HH 82
- 4 sc/nh/24



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House File 2206 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 47.10 ELECTION AUDIT BOARD.

1 2 1. The state commissioner of elections shall appoint a
1 3 three-member election audit board.

1 4 2. The election audit board shall receive reports of the
1 5 postelection audits required in section 50.51 and filed by
1 6 each county commissioner of elections.

1 7 3. The election audit board shall, after each general
1 8 election, conduct a review of no more than five counties
1 9 selected by lot. The board shall review the county
1 10 commissioner's conduct of the general election to determine
1 11 whether the county commissioner's conduct of the election
1 12 conformed to Iowa law. The review shall include a review of
1 13 the procedures followed for absentee voting.

1 14 Sec. 2. Section 50.12, Code 2007, is amended to read as
1 15 follows:

1 16 50.12 RETURN AND PRESERVATION OF BALLOTS.

1 17 Immediately after making the proclamation, and before
1 18 separating, the board members of each precinct in which votes
1 19 have been received by paper ballot shall enclose in an
1 20 envelope or other container all ballots which have been
1 21 counted by them, except those endorsed "Rejected as double",
1 22 "Defective", or "Objected to", and securely seal the envelope.
1 23 The signatures of all board members of the precinct shall be
1 24 placed across the seal or the opening of the container so that
1 25 it cannot be opened without breaking the seal. The precinct
1 26 election officials shall return all the ballots to the
1 27 commissioner, who shall carefully preserve them for six
1 28 months. Ballots from elections for federal offices shall be
1 29 preserved for twenty-two months. The sealed packages
1 30 containing voted ballots shall be opened only for an official
1 31 recount authorized by section 50.48, 50.49, or 50.50, for an
1 32 election contest held pursuant to chapters 57 through 62, for
1 33 a postelection audit required by section 50.51, or to destroy
1 34 the ballots pursuant to section 50.19.

1 35 Sec. 3. Section 50.48, subsection 1, unnumbered paragraph



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House File 2206 - Introduced continued

2 1 1, Code Supplement 2007, is amended to read as follows:

2 2 The county board of canvassers shall order a recount of the
2 3 votes cast for a particular office or nomination in one or
2 4 more specified election precincts in that county if a written
2 5 request ~~therefor~~ for a recount is made not later than five
2 6 ~~o'clock~~ p.m. on the third day following the county board's
2 7 canvass of the election in question or not later than five
2 8 p.m. on the third day following conclusion of a postelection

2 9 audit if the audit necessitates a correction to the official
2 10 canvass resulting in the apparent winner being other than the
2 11 apparent winner declared after the canvass of votes. The

2 12 request shall be filed with the commissioner of that county,
2 13 or with the commissioner responsible for conducting the
2 14 election if section 47.2, subsection 2 is applicable, and
2 15 shall be signed by either of the following:

2 16 Sec. 4. Section 50.49, unnumbered paragraph 1, Code 2007,
2 17 is amended to read as follows:

2 18 A recount for any public measure shall be ordered by the
2 19 board of canvassers if a petition requesting a recount is
2 20 filed with the county commissioner not later than ~~three days~~

~~2 21 after~~ five p.m. on the third day following the completion of
2 22 the canvass of votes for the election at which the question
2 23 appeared on the ballot or not later than five p.m. on the
2 24 third day following conclusion of a postelection audit if the

2 25 audit necessitates a correction to the official canvass

2 26 causing a different result to be declared on the public

2 27 measure. The petition shall be signed by the greater of not

2 28 less than ten eligible electors or a number of eligible

2 29 electors equaling one percent of the total number of votes

2 30 cast upon the public measure. Each petitioner must be a

2 31 person who was entitled to vote on the public measure in

2 32 question or would have been so entitled if registered to vote.

2 33 Sec. 5. NEW SECTION. 50.51 POSTELECTION AUDIT OF VOTING

2 34 SYSTEMS.

2 35 1. After each general election, a postelection audit of



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House File 2206 - Introduced continued

3 1 voting systems shall be conducted as provided in this section.
3 2 However, if a request for recount is filed under section
3 3 50.48, 50.49, or 50.50 prior to or during the postelection
3 4 audit, an audit of the office or measure in question for which
3 5 the recount was requested shall not be conducted or shall be
3 6 terminated, as the case may be.

3 7 2. At the canvass of the primary election, the board of
3 8 supervisors shall set the date, time, and place for the
3 9 postelection audit required by this section.

3 10 3. a. A packet of absentee ballots described in section
3 11 53.23, subsection 5, shall be considered a precinct for
3 12 purposes of a postelection audit and in all cases shall be
3 13 included in the postelection audit. If there is more than one
3 14 packet containing at least five hundred absentee ballots, the
3 15 packet to be audited shall be chosen by lot. If there are no
3 16 packets containing at least five hundred absentee ballots, the
3 17 packet containing the largest number of absentee ballots shall
3 18 be included in the postelection audit.

3 19 The remaining precincts for which a postelection audit
3 20 shall be conducted shall be chosen by lot by the chairperson
3 21 of the board of supervisors, or another supervisor designated
3 22 by the chairperson if the chairperson is unavailable,
3 23 immediately prior to commencement of the postelection audit.
3 24 The selection proceedings shall be open to the public and to
3 25 observers from both political parties. The proceedings shall
3 26 be videotaped, and the videotape shall be considered a report
3 27 of the postelection audit and shall be filed as provided in
3 28 subsection 8.

3 29 b. The number of precincts chosen shall be as follows:

3 30 (1) In counties with fifty thousand or fewer registered
3 31 voters, two precincts or a number equal to five percent of all
3 32 the precincts in the county, whichever is greater.

3 33 (2) In counties with more than fifty thousand registered
3 34 voters but fewer than one hundred thousand registered voters,
3 35 three precincts or a number equal to five percent of all the



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House File 2206 - Introduced continued

4 1 precincts in the county, whichever is greater.

4 2 (3) In counties with one hundred thousand or more
4 3 registered voters, four precincts or a number equal to five
4 4 percent of all precincts in the county, whichever is greater.

4 5 c. The county commissioner of elections shall publish
4 6 notice of the date, time, and place of the postelection audit.
4 7 The commissioner shall also notify, in writing, the county
4 8 chairperson of each political party referred to in section
4 9 49.13 so that they may be present, or have a representative
4 10 present.

4 11 4. The postelection audit shall be conducted for elections
4 12 for the offices of president of the United States or governor,
4 13 United States senator, United States representative, and at
4 14 least a total of two additional partisan offices or public
4 15 measures on the ballot, which shall be chosen by lot at the
4 16 same time, and in the same manner, the precincts are chosen.

4 17 5. For each precinct to be audited, the county
4 18 commissioner of elections shall appoint three to seven members
4 19 of a postelection audit board to conduct the postelection
4 20 audit. The members shall be chosen from the election board
4 21 panel drawn up as provided in section 49.15, except that the
4 22 chairperson of the precinct board of each precinct drawn by
4 23 lot shall be designated the chairperson of the postelection
4 24 audit board for that precinct. The ballots in each precinct
4 25 chosen shall be counted by hand. In precincts where a voting
4 26 machine was used, the ballot images produced from the internal
4 27 audit log shall be the official record used in the
4 28 postelection audit.

4 29 6. a. When all members of the postelection audit board
4 30 have been selected, the board shall undertake and complete the
4 31 required audit as expeditiously as reasonably possible. The
4 32 county commissioner of elections or the commissioner's
4 33 designee shall supervise the handling of ballots or voting
4 34 machine documents to ensure that the ballots and other
4 35 documents are protected from alteration or damage. The board



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5 1 shall open only the sealed ballot containers from the
5 2 precincts specified to be audited. The board shall recount
5 3 only the ballots which were voted and counted for the office
5 4 in question, including any disputed ballots returned as
5 5 required in section 50.5.

5 6 b. The ballots or voting machine documents shall be
5 7 resealed by the postelection audit board before adjournment
5 8 and shall be preserved as required by section 50.12. At the
5 9 conclusion of the audit, the postelection audit board shall
5 10 make and file with the county commissioner of elections a
5 11 written report of its findings, which shall be signed by the
5 12 chairperson and at least one other member of the postelection
5 13 audit board. The postelection audit board shall complete the
5 14 audit and file its report not later than the fourth day
5 15 following the election.

5 16 c. If the postelection audit reveals a difference greater
5 17 than one-half of one percent from the results on the tally
5 18 list, the postelection audit board shall, within two days,
5 19 conduct an additional audit of at least three precincts and
5 20 shall report the results immediately to the county
5 21 commissioner of elections. If the second audit also indicates
5 22 a difference in the vote totals that is greater than one-half
5 23 of one percent from the results on the tally list, the county
5 24 commissioner shall conduct an audit of the remaining precincts
5 25 in the county for those same offices and public measures.
5 26 This audit shall be completed no later than six weeks
5 27 following the general election.

5 28 7. a. If the report from the final postelection audit
5 29 reveals that the abstracts prepared pursuant to the county
5 30 canvassing board's canvass were incorrect as to the number of
5 31 votes cast for any of the offices or public measures audited,
5 32 the county commissioner of elections shall at once so notify
5 33 the county canvassing board. The county canvassing board
5 34 shall reconvene within three days after being so notified, and
5 35 shall correct its previous proceedings.



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House File 2206 - Introduced continued

6 1 b. The county commissioner of elections shall promptly
6 2 notify the state commissioner of any recount of votes for an
6 3 office to which section 50.30 is applicable. If necessary,
6 4 the state canvass required by section 50.38 shall be delayed
6 5 with respect to the office to which the recount pertains. The
6 6 county commissioner of elections shall subsequently inform the
6 7 state commissioner at the earliest possible time whether any
6 8 change in the outcome of the election in that county or
6 9 district resulted from the recount.

6 10 8. All reports pertaining to a postelection audit shall be
6 11 sent to the election audit board created in section 47.10 and
6 12 filed in the office of the state commissioner.

6 13 Sec. 6. Section 53.23, subsection 5, Code Supplement 2007,
6 14 is amended to read as follows:

6 15 5. The special precinct election board shall preserve the
6 16 secrecy of all absentee and provisional ballots. After the
6 17 affidavits on the envelopes have been reviewed and the
6 18 qualifications of the persons casting the ballots have been
6 19 determined, those that have been accepted for counting shall
6 20 be opened. The ballots shall be removed from the affidavit
6 21 envelopes without being unfolded or examined, and then shall
6 22 be thoroughly intermingled, after which they shall be unfolded
6 23 and tabulated. If secrecy folders or envelopes are used with
6 24 provisional paper ballots, the ballots shall be removed from
6 25 the secrecy folders after the ballots have been intermingled.
6 26 Tabulated ballots shall be placed in packets. The packets
6 27 shall contain ballots equal in number to the greater of five
6 28 hundred or five percent of the total number of absentee
6 29 ballots tabulated.

6 30 EXPLANATION

6 31 This bill requires a postelection audit of voting systems
6 32 after each general election. The postelection audit is a hand
6 33 count of the ballots cast in selected precincts. The
6 34 precincts are to be selected publicly by lot by the county
6 35 board of supervisors, and the proceedings are to be



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7 1 videotaped. However, at least one of the precincts to be
7 2 audited shall be a precinct comprised of absentee ballots.
7 3 The bill provides that the number of precincts to be audited
7 4 is as follows:

7 5 (1) In counties with fewer than 50,000 registered voters,
7 6 two precincts or a number equal to 5 percent of all the
7 7 precincts in the county, whichever is greater;

7 8 (2) In counties with 50,000 or more registered voters but
7 9 fewer than 100,000, three precincts or a number equal to 5
7 10 percent of all the precincts in the county, whichever is
7 11 greater; and

7 12 (3) In counties with 100,000 or more registered voters,
7 13 four precincts or a number equal to 5 percent of all precincts
7 14 in the county, whichever is greater.

7 15 The bill provides that the postelection audit is to be
7 16 conducted for elections for the offices of president of the
7 17 United States or governor, United States senator, United
7 18 States representative, and at least two additional partisan
7 19 offices or public measures chosen by lot. The bill provides
7 20 that if the postelection audit reveals a difference greater
7 21 than one-half of 1 percent from the tally list for the
7 22 precinct, the postelection audit board shall conduct an
7 23 additional audit of three precincts in the county. The bill
7 24 provides that this procedure is to be completed before the
7 25 county board of supervisors convenes to canvass the votes from
7 26 the election. If the second audit reveals the same
7 27 difference, then the county commissioner of elections shall
7 28 conduct an audit of the ballots cast for the same offices or
7 29 public measures in the remaining precincts in the county.
7 30 This final audit is to be completed no later than six weeks
7 31 following the general election.

7 32 The bill provides that if a recount is requested, the
7 33 postelection audit shall not be conducted or shall be
7 34 terminated, as the case may be. If a postelection audit
7 35 results in a correction to the official canvass that changes



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8 1 the outcome of an election, a recount may be requested no
8 2 later than the third day following the conclusion of the
8 3 postelection audit.
8 4 The bill creates an election audit board which shall
8 5 receive reports of postelection audits filed by county
8 6 commissioners of elections. The board shall also, after each
8 7 general election, conduct a review in no more than five
8 8 counties of the conduct of the election, including absentee
8 9 voting procedures. The members of the election audit board
8 10 are appointed by the state commissioner of elections.
8 11 LSB 5935HH 82
8 12 sc/nh/24.2



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House File 2207 - Introduced

HOUSE FILE
BY UPMEYER

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

A BILL FOR

1 An Act relating to transfer procedures for and compensation of
2 health care providers outside of the IowaCare provider network
3 and requiring the development and implementation of a plan to
4 transport eligible IowaCare members.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TL5B 5524YH 82
7 pf/nh/14



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House File 2207 - Introduced continued

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1 1 Section 1. NEW SECTION. 249J.24A NONPARTICIPATING
1 2 PROVIDER EXPANSION POPULATION PROVIDER NETWORK == TRANSFER
1 3 PROCEDURE == COMPENSATION FUND.
1 4 1. The department shall establish a procedure to transfer
1 5 an expansion population member who seeks medical care or
1 6 treatment from a nonparticipating provider in the expansion
1 7 population provider network to a participating provider in the
1 8 expansion population provider network, if medically possible.
1 9 If transfer is not medically possible or if the participating
1 10 provider refuses to accept the transfer of the expansion
1 11 population member, the nonparticipating provider shall be
1 12 compensated through the nonparticipating provider expansion
1 13 population provider network compensation fund in accordance
1 14 with subsection 2.
1 15 2. a. A nonparticipating provider expansion population
1 16 provider network compensation fund is created in the state
1 17 treasury under the authority of the department. Moneys
1 18 designated for deposit in the fund that are received from
1 19 sources including but not limited to appropriations from the
1 20 general fund of the state, grants, and contributions shall be
1 21 deposited in the fund.
1 22 b. Moneys in the fund shall be separate from the general
1 23 fund of the state and shall not be considered part of the
1 24 general fund of the state. The moneys deposited in the fund
1 25 are not subject to section 8.33 and shall not be transferred,
1 26 used, obligated, appropriated, or otherwise encumbered, except
1 27 to provide for the purposes specified in this section.
1 28 Notwithstanding section 12C.7, subsection 2, interest or
1 29 earnings on moneys deposited in the fund shall be credited to
1 30 the fund.
1 31 c. Moneys deposited in the fund shall be used only to
1 32 compensate health care providers who are not participants in
1 33 the expansion population provider network pursuant to section
1 34 249J.7, who provide services to expansion population members,
1 35 if no other third party is liable for reimbursement for the



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2 1 services provided.

2 2 d. In order to be compensated through the fund, a health
2 3 care provider shall submit a claim to the department for
2 4 compensation and reimbursement of expenses incurred in
2 5 providing services to an expansion population member. The
2 6 department shall adopt rules relating to the format of and the
2 7 information to be included in the claims submitted. A claim
2 8 shall be submitted to the department within forty-five days of
2 9 provision of the service.

2 10 Sec. 2. PLAN FOR TRANSPORT OF ELIGIBLE IOWACARE MEMBERS.

2 11 The university of Iowa hospitals and clinics, in cooperation
2 12 with the department of human services, shall develop and
2 13 implement no later than October 1, 2008, a plan to provide
2 14 transportation to and from the university of Iowa hospitals
2 15 and clinics for IowaCare members who live beyond the counties
2 16 adjacent to Johnson county. The plan may require the use of
2 17 existing vehicles or utilize volunteer transportation.

2 18 EXPLANATION

2 19 This bill directs the department of human services to
2 20 establish a procedure to transfer an IowaCare member who seeks
2 21 medical care or treatment from a provider who is not
2 22 participating in the IowaCare provider network to an IowaCare
2 23 provider, if medically possible. If transfer is not medically
2 24 possible or if the participating provider refuses to accept
2 25 the transfer of the expansion population member, the
2 26 nonparticipating provider shall be compensated through the
2 27 fund established for such compensation under the bill.

2 28 The bill creates a fund to be used to compensate health
2 29 care providers who are not included in the IowaCare provider
2 30 network and who provide services to expansion population
2 31 members that are not reimbursable by any other third party.
2 32 Moneys to be deposited in the fund are moneys received from
2 33 sources including but not limited to appropriations from the
2 34 general fund of the state, grants, and contributions.

2 35 The bill requires that in order to be compensated through



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3 1 the fund, a health care provider must submit claims to the
3 2 department of human services. The bill directs the department
3 3 to adopt rules relating to the format of and the information
3 4 to be included in the claims submitted. A claim shall be
3 5 submitted to the department within 45 days of provision of the
3 6 service.

3 7 The bill also requires the university of Iowa hospitals and
3 8 clinics, in cooperation with the department of human services,
3 9 to develop and implement a plan, no later than October 1,
3 10 2008, to provide transportation to and from the university of
3 11 Iowa hospitals and clinics for IowaCare members who live
3 12 beyond the counties adjacent to Johnson county. The bill
3 13 directs that the plan may require the use of existing vehicles
3 14 or utilize volunteer transportation.

3 15 LSB 5524YH 82

3 16 pf/nh/14



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House File 2208 - Introduced

HOUSE FILE
BY UPMEYER

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

A BILL FOR

- 1 An Act relating to a state tuition aid subsidy for resident
- 2 community college students and making an appropriation.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5393YH 82
- 5 kh/nh/5



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House File 2208 - Introduced continued

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1 1 Section 1. NEW SECTION. 260C.18D STATE TUITION AID
1 2 SUBSIDY == APPROPRIATION.
1 3 1. a. Notwithstanding section 260C.14, subsection 2, the
1 4 board of directors of each community college shall charge
1 5 residents of the state a tuition rate for the fiscal year
1 6 beginning July 1, 2008, that is fifty percent less than the
1 7 tuition rate the board charged for the fiscal year beginning
1 8 July 1, 2007.
1 9 b. For the fiscal year beginning July 1, 2009, and each
1 10 fiscal year thereafter, action by the board of directors of a
1 11 community college to increase tuition, fees, or charges shall
1 12 be limited to an amount equivalent to the increase in the most
1 13 recent higher education price index issued by the commonfund
1 14 institute.
1 15 2. For the fiscal year beginning July 1, 2008, and each
1 16 fiscal year thereafter, each community college in the state is
1 17 entitled to receive a state tuition aid subsidy. The subsidy
1 18 shall be based upon the amount of revenues received by a
1 19 community college in the fiscal year beginning July 1, 2006,
1 20 from the community college's resident enrollment as reported
1 21 in the college and university enrollment report prepared by
1 22 the university of Iowa for the coordinating council on
1 23 post-high school education, plus an amount adjusted annually
1 24 to reflect the increase in the higher education price index
1 25 issued by the commonfund institute. The subsidy shall be
1 26 distributed based upon each community college's proportional
1 27 share of the total full-time equivalent enrollments for all
1 28 community colleges. For the fiscal year beginning July 1,
1 29 2009, and each fiscal year thereafter, the subsidy shall be
1 30 included in the base funding when calculating state aid for
1 31 community colleges.
1 32 3. There is appropriated from the general fund of the
1 33 state to the department for each fiscal year an amount
1 34 sufficient to pay the state tuition aid subsidy to community
1 35 colleges under this section. In making computations and



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2 1 payments under this section the department shall round amounts
2 2 to the nearest whole dollar.

2 3 EXPLANATION

2 4 This bill reduces community college tuitions for resident
2 5 students by 50 percent of the amount charged in fiscal year
2 6 2007=2008. The bill limits increases in the tuition rate to
2 7 an amount equivalent to the increase in the most recent higher
2 8 education price index issued by the commonfund institute. The
2 9 bill provides for a standing annual appropriation from the
2 10 general fund of the state to the department of education to
2 11 pay the subsidy to community colleges.

2 12 The subsidy shall be based upon the amount of revenues
2 13 received by a community college in the fiscal year beginning
2 14 July 1, 2006, from the community college's resident
2 15 enrollment, plus an amount adjusted annually to reflect the
2 16 increase in the higher education price index issued by the
2 17 commonfund institute. The subsidy is to be distributed based
2 18 upon each community college's proportional share of the
2 19 average full-time equivalent enrollments for all community
2 20 colleges. The subsidy will be included in the base funding
2 21 when calculating state aid in fiscal years beginning on or
2 22 after July 1, 2009.

2 23 LSB 5393YH 82

2 24 kh/nh/5



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House File 2209 - Introduced

HOUSE FILE
BY DRAKE

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

A BILL FOR

- 1 An Act relating to the licensing and regulation of plumbers and
- 2 mechanical professionals.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5279YH 82
- 5 jr/rj/14



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1 1 Section 1. Section 103A.5, Code 2007, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 6. Administer and enforce section
1 4 104C.10A relating to plumbing and mechanical systems work.

1 5 Sec. 2. 2007 Iowa Acts, chapter 198, section 6, subsection
1 6 4, is amended to read as follows:

1 7 4. To the extent practicable, the examination administered
1 8 by the board shall be reasonably related to the area of the

1 9 plumbing and mechanical systems industry in which the
1 10 applicant will practice. An examination shall be evaluated in

1 11 accordance with the rules of the board. After each
1 12 examination, the board shall certify the names of the

1 13 successful applicants to the department in the manner
1 14 prescribed by the department. The department shall then issue

1 15 the proper license and make the required entry in the registry
1 16 book.

1 17 Sec. 3. 2007 Iowa Acts, chapter 198, section 6, is amended
1 18 by adding the following new subsection:

1 19 NEW SUBSECTION. 6. The department, in consultation with
1 20 the board, shall develop, and make available to applicants for
1 21 licensure, a study guide to assist applicants in preparing to
1 22 take the examination.

1 23 Sec. 4. 2007 Iowa Acts, chapter 198, section 9, subsection
1 24 2, is amended to read as follows:

1 25 2. The board shall set the license fees and renewal fees
1 26 for all licenses issued pursuant to this chapter, by rule,

1 27 based upon the costs of sustaining the board and the actual
1 28 costs of licensing. The renewal fee for a licensee who is a

1 29 contractor shall be one percent of the net sales of the
1 30 business.

1 31 Sec. 5. 2007 Iowa Acts, chapter 198, section 11, is
1 32 amended by adding the following new subsection:

1 33 NEW SUBSECTION. 9. Apply to a person who is performing
1 34 work for a family member within the third degree of

1 35 consanguinity, or a residential neighbor of the person.



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2 1 Sec. 6. 2007 Iowa Acts, chapter 198, section 19,
2 2 subsection 1, is amended to read as follows:

2 3 1. An applicant for a master license or renewal of an
2 4 active master license shall provide evidence of a public
2 5 liability insurance policy and surety bond in an amount
2 6 determined sufficient by the board by rule. To the extent
2 7 practicable, the board shall base the insurance and bond
2 8 requirements on the type and amount of work performed by the
2 9 applicant.

2 10 Sec. 7. 2007 Iowa Acts, chapter 198, is amended by adding
2 11 the following new section:

2 12 NEW SECTION. 104C.10A INSPECTIONS.

2 13 All plumbing and mechanical systems work in new
2 14 construction, and all repair work on plumbing and mechanical
2 15 systems costing more than two thousand dollars, shall be
2 16 inspected by the state building code commissioner or an
2 17 independent building inspector appointed by the commissioner.
2 18 The fee for this inspection shall be one percent of the total
2 19 cost of the plumbing and mechanical systems work, with a
2 20 minimum charge of fifty dollars.

2 21 EXPLANATION

2 22 This bill requires the plumbing and mechanical systems
2 23 examining board to test applicants for licensure in the area
2 24 of the plumbing and mechanical systems industry in which the
2 25 applicants will practice and requires the board to develop
2 26 study guides to assist the applicants.

2 27 The bill exempts from the licensing requirements persons
2 28 doing work for family members and residential neighbors.

2 29 The bill sets the license renewal fee for a contractor at 1
2 30 percent of the net sales of the business. The bill requires
2 31 that insurance and surety requirements be based on the type
2 32 and amount of work performed by the applicant.

2 33 The bill requires the state building code commissioner to
2 34 inspect all plumbing and mechanical systems work in new
2 35 construction, and all repair work on plumbing and mechanical



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House File 2209 - Introduced continued

3 1 systems costing more than \$2,000. The fee for this inspection
3 2 shall be 1 percent of the total cost of the plumbing and
3 3 mechanical systems work, with a minimum charge of \$50.
3 4 LSB 5279YH 82
3 5 jr/rj/14



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House File 2210 - Introduced

HOUSE FILE
BY MASCHER

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

A BILL FOR

1 An Act requiring students in kindergarten through grade twelve to
2 participate in physical education for a specified number of
3 minutes per week.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6221HH 82
6 ak/rj/8



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House File 2210 - Introduced continued

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1 1 Section 1. Section 256.11, subsections 2, 3, and 4, Code
1 2 Supplement 2007, are amended to read as follows:

1 3 2. The kindergarten program shall include experiences
1 4 designed to develop healthy emotional and social habits and
1 5 growth in the language arts and communication skills, as well
1 6 as a capacity for the completion of individual tasks, and
1 7 protect and increase physical well-being with attention given
1 8 to experiences relating to the development of life skills and
1 9 human growth and development and physical activity. A
1 10 kindergarten teacher shall be licensed to teach in
1 11 kindergarten. Effective July 1, 2012, students shall
1 12 participate in physical education one hundred minutes per
1 13 week. An accredited nonpublic school must meet the
1 14 requirements of this subsection only if the nonpublic school
1 15 offers a kindergarten program.

1 16 3. The following areas shall be taught in grades one
1 17 through six: English=language arts, social studies,
1 18 mathematics, science, health, age=appropriate and
1 19 research-based human growth and development, physical
1 20 education, traffic safety, music, and visual art. The health
1 21 curriculum shall include the characteristics of communicable
1 22 diseases including acquired immune deficiency syndrome.
1 23 Effective July 1, 2012, students shall participate in physical
1 24 education one hundred minutes per week. The state board as
1 25 part of accreditation standards shall adopt curriculum
1 26 definitions for implementing the elementary program.

1 27 4. The following shall be taught in grades seven and
1 28 eight: English=language arts; social studies; mathematics;
1 29 science; health; age=appropriate and research-based human
1 30 growth and development; family, consumer, career, and
1 31 technology education; physical education; music; and visual
1 32 art. The health curriculum shall include age=appropriate and
1 33 research-based information regarding the characteristics of
1 34 sexually transmitted diseases, including HPV and the
1 35 availability of a vaccine to prevent HPV, and acquired immune



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2 1 deficiency syndrome. Effective July 1, 2012, students shall
2 2 participate in physical education one hundred minutes per
2 3 week. The state board as part of accreditation standards
2 4 shall adopt curriculum definitions for implementing the
2 5 program in grades seven and eight. However, this subsection
2 6 shall not apply to the teaching of family, consumer, career,
2 7 and technology education in nonpublic schools. For purposes
2 8 of this section, "age=appropriate", "HPV", and
2 9 "research-based" mean the same as defined in section 279.50.
2 10 Sec. 2. Section 256.11, subsection 5, paragraph g,
2 11 unnumbered paragraph 1, Code Supplement 2007, is amended to
2 12 read as follows:
2 13 All students physically able shall be required to
2 14 participate in physical education activities during each
2 15 semester they are enrolled in school except as otherwise
2 16 provided in this paragraph. ~~A minimum of one-eighth unit each~~
2 17 ~~semester is required.~~ Effective July 1, 2012, students shall
2 18 participate in physical education one hundred minutes per week
2 19 and two credits of physical education shall be required to
2 20 graduate. A twelfth grade student who meets the requirements
2 21 of this paragraph may be excused from the physical education
2 22 requirement by the principal of the school in which the
2 23 student is enrolled if the parent or guardian of the student
2 24 requests in writing that the student be excused from the
2 25 physical education requirement. A student who wishes to be
2 26 excused from the physical education requirement must be
2 27 seeking to be excused in order to enroll in academic courses
2 28 not otherwise available to the student, or be enrolled or
2 29 participating in one of the following:
2 30 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
2 31 with section 25B.2, subsection 3, the state cost of requiring
2 32 compliance with any state mandate included in this Act shall
2 33 be paid by a school district from state school foundation aid
2 34 received by the school district under section 257.16. This
2 35 specification of the payment of the state cost shall be deemed



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3 1 to meet all the state funding-related requirements of section
3 2 25B.2, subsection 3, and no additional state funding shall be
3 3 necessary for the full implementation of this Act by and
3 4 enforcement of this Act against all affected school districts.

3 5 EXPLANATION

3 6 This bill requires, effective July 1, 2012, that all
3 7 students in kindergarten through grade 12 participate in 100
3 8 minutes of physical education per week. Also effective July
3 9 1, 2012, students in high school must earn two credits of
3 10 physical education in order to graduate.

3 11 The bill may include a state mandate as defined in Code
3 12 section 25B.3. The bill requires that the state cost of any
3 13 state mandate included in the bill be paid by a school
3 14 district from state school foundation aid received by the
3 15 school district under Code section 257.16. The specification
3 16 is deemed to constitute state compliance with any state
3 17 mandate funding-related requirements of Code section 25B.2.
3 18 The inclusion of this specification is intended to reinstate
3 19 the requirement of political subdivisions to comply with any
3 20 state mandates in the bill.

3 21 LSB 6221HH 82

3 22 ak/rj/8



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House Joint Resolution 2003 - Introduced

HOUSE JOINT RESOLUTION
BY VAN FOSSEN

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

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of
2 the State of Iowa to allow the recall, by petition and
3 election, of the Governor, Lieutenant Governor, Secretary of
4 State, Auditor of State, Treasurer of State, Attorney General,
5 and members of the General Assembly.
6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 6415YH 82
8 sc/rj/8



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House Joint Resolution 2003 - Introduced continued

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1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:

1 3 1. Article XI of the Constitution of the State of Iowa is
1 4 amended by adding the following new section:

1 5 RECALL OF ELECTIVE STATE OFFICERS. SEC. 9. The Governor,
1 6 Lieutenant Governor, Secretary of State, Auditor of State,
1 7 Treasurer of State, Attorney General, and members of the
1 8 General Assembly shall be subject to recall from office by the
1 9 eligible electors of the State whenever a petition demanding
1 10 recall is filed with the official with whom nomination papers
1 11 for the office are filed, and such official shall call a
1 12 special election on the recall of the officer in accordance
1 13 with a procedure established in law by the General Assembly.

1 14 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
1 15 to the Constitution of the State of Iowa is referred to the
1 16 General Assembly to be chosen at the next general election for
1 17 members of the General Assembly and the Secretary of State is
1 18 directed to cause the same to be published for three
1 19 consecutive months previous to the date of that election as
1 20 provided by law.

1 21 EXPLANATION

1 22 This joint resolution proposes an amendment to the
1 23 Constitution of the State of Iowa which would allow the recall
1 24 from office of the governor, lieutenant governor, secretary of
1 25 state, auditor of state, treasurer of state, attorney general,
1 26 and members of the general assembly, after petition and
1 27 election by the eligible electors of the state.

1 28 The joint resolution, if adopted, would be referred to the
1 29 next general assembly for adoption a second time before being
1 30 submitted to the electorate for ratification.

1 31 LSB 6415YH 82

1 32 sc/rj/8