



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2008

House Amendment 8250

PAG LIN

1 1 Amend House File 2392, as passed by the House, as
1 2 follows:
1 3 #1. Page 3, by striking lines 19 and 20 and
1 4 inserting the following: <written notice shall
1 5 contain the name of the tenant responsible for
1 6 charges, address of the residential rental>.
1 7 #2. Page 3, line 21, by striking the word
1 8 <occupy~~r~~> and inserting the following: <occupy,>.
1 9 #3. Page 3, by striking lines 22 through 24 and
1 10 inserting the following: <occupancy begins. A change
1 11 in tenant shall require a new written notice to be
1 12 given to the city utility or enterprise within ~~ten~~
1 13 thirty business days of the change in tenant. When
1 14 ~~the~~>.
1 15 HF 2392.S
1 16 sc/rj/cc/26
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Iowa General Assembly
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House Amendment 8251

PAG LIN

1 1 Amend the amendment, H=8150, to House File 2651 as
 1 2 follows:
 1 3 #1. Page 2, by inserting after line 11 the
 1 4 following:
 1 5 <#____. Page 9, lines 24 and 25, by striking the
 1 6 words <vehicle upon payment of the fee provided for>
 1 7 and inserting the following: <vehicle ~~upon payment~~
 1 8 ~~of. The annual registration fee is the fee provided~~
 1 9 ~~for~~>.
 1 10 #____. By striking page 9, line 32, through page
 1 11 10, line 1, and inserting the following: <use"
 1 12 vehicle in accordance with sections 321.58 through
 1 13 321.62. The "limited use" registration>.>
 1 14 #2. By renumbering as necessary.
 1 15
 1 16
 1 17
 1 18 HUSER of Polk
 1 19 HF 2651.501 82
 1 20 dea/rj/20917
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**Iowa General Assembly
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House Amendment 8252

PAG LIN

1 1 Amend House File 2621 as follows:
 1 2 #1. Page 1, by inserting before line 1 the
 1 3 following:
 1 4 <Section 1. Section 6A.22, subsection 2, Code
 1 5 2007, is amended by adding the following new
 1 6 paragraph:
 1 7 NEW PARAGRAPH. d. Notwithstanding paragraphs "a",
 1 8 "b", and "c", "public use", "public purpose", or
 1 9 "public improvement" does not include any project that
 1 10 receives a state appropriation or that receives or is
 1 11 awarded state funds or other funding by means of
 1 12 incentives, as authorized pursuant to chapter 12, 15,
 1 13 15A, 15E, 15F, 15G, or 16.>
 1 14 #2. Page 1, by inserting after line 8 the
 1 15 following:
 1 16 <Sec. ____ . EFFECTIVE DATE. The section of this
 1 17 Act amending section 6A.22, being deemed of immediate
 1 18 importance, takes effect upon enactment.>
 1 19 #3. Title page, line 1, by inserting after the
 1 20 words <relating to> the following: <economic
 1 21 development by affecting eminent domain authority for
 1 22 certain projects and modifying>.
 1 23 #4. Title page, line 2, by inserting after the
 1 24 word <fund> the following: <, and providing an
 1 25 effective date>.
 1 26
 1 27
 1 28
 1 29 KAUFMANN of Cedar
 1 30
 1 31
 1 32
 1 33 TYMESON of Madison
 1 34 HF 2621.301 82
 1 35 sc/rj/11079
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Iowa General Assembly
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House Amendment 8253

PAG LIN

1 1 Amend House File 2523 as follows:
1 2 #1. Page 1, line 12, by inserting after the word
1 3 <association,> the following: <the Iowa nursery and
1 4 landscape association>.
1 5 #2. Page 4, line 34, by striking the words
1 6 <Federation of Iowa insurers> and inserting the
1 7 following: <Iowa insurance institute>.
1 8 #3. Page 5, by inserting after line 2 the
1 9 following:
1 10 <(17) Iowa nursery and landscape association.>
1 11
1 12
1 13
1 14 WHITAKER of Van Buren
1 15 HF 2523.701 82
1 16 av/nh/11365
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Iowa General Assembly
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House Amendment 8254

PAG LIN

1 1 Amend the amendment, H=8150, to House File 2651 as
1 2 follows:
1 3 #1. Page 2, by inserting after line 11 the
1 4 following:
1 5 <#____. Page 10, by inserting after line 31 the
1 6 following:
1 7 <Sec. _____. HEAVY HAULER FEE STUDY. The department
1 8 of transportation, in consultation with
1 9 representatives of the trucking industry in Iowa and
1 10 other interested parties, shall conduct a study of the
1 11 registration and permit fees imposed on owners of
1 12 commercial vehicles used for hauling loads in excess
1 13 of two hundred fifty thousand pounds. In conducting
1 14 the study, the department shall compare Iowa's fees
1 15 with fees imposed on similar vehicles registered in
1 16 states bordering Iowa and identify any areas in which
1 17 the difference in fees creates a competitive
1 18 disadvantage for the owner of a commercial vehicle in
1 19 Iowa who competes for business with owners of
1 20 commercial vehicles registered in a neighboring state.
1 21 The department, in consultation with participants in
1 22 the study, shall consider a waiver process or other
1 23 methods by which Iowa's registration and permit fees
1 24 could be modified as necessary to minimize or
1 25 eliminate any competitive disadvantage identified in
1 26 the study while minimizing the impact on overall
1 27 revenue accruing to the road use tax fund. The
1 28 department shall report its findings and
1 29 recommendations, including a legislative proposal, to
1 30 the general assembly on or before January 1, 2009.>>
1 31 #2. By renumbering as necessary.
1 32
1 33
1 34
1 35 ALONS of Sioux
1 36 HF 2651.502 82
1 37 dea/nh/20927
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Iowa General Assembly
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House Amendment 8255

PAG LIN

1 1 Amend House File 2651 as follows:
1 2 #1. Page 10, by inserting after line 31 the
1 3 following:
1 4 <Sec. _____. HEAVY HAULER FEE STUDY. The department
1 5 of transportation, in consultation with
1 6 representatives of the trucking industry in Iowa and
1 7 other interested parties, shall conduct a study of the
1 8 registration and permit fees imposed on owners of
1 9 commercial vehicles used for hauling loads in excess
1 10 of two hundred fifty thousand pounds. In conducting
1 11 the study, the department shall compare Iowa's fees
1 12 with fees imposed on similar vehicles registered in
1 13 states bordering Iowa and identify any areas in which
1 14 the difference in fees creates a competitive
1 15 disadvantage for the owner of a commercial vehicle in
1 16 Iowa who competes for business with owners of
1 17 commercial vehicles registered in a neighboring state.
1 18 The department, in consultation with participants in
1 19 the study, shall consider a waiver process or other
1 20 methods by which Iowa's registration and permit fees
1 21 could be modified as necessary to minimize or
1 22 eliminate any competitive disadvantage identified in
1 23 the study while minimizing the impact on overall
1 24 revenue accruing to the road use tax fund. The
1 25 department shall report its findings and
1 26 recommendations, including a legislative proposal, to
1 27 the general assembly on or before January 1, 2009.>
1 28 #2. By renumbering as necessary.
1 29
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1 31
1 32 ALONS of Sioux
1 33 HF 2651.503 82
1 34 dea/nh/10719
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House Amendment 8256

PAG LIN

1 1 Amend the amendment, H=8206, to House File 2583 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 1 the
1 4 following:
1 5 <#____. Page 1, line 7, by inserting after the word
1 6 <thirty> the following: <business>.>
1 7 #2. Page 1, by inserting after line 3 the
1 8 following:
1 9 <#____. Page 1, line 16, by inserting after the
1 10 word <fourteen> the following: <business>.>
1 11 #3. By renumbering as necessary.
1 12
1 13
1 14
1 15 HORBACH of Tama
1 16 HF 2583.501 82
1 17 av/rj/11363
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House Amendment 8257

PAG LIN

1 1 Amend House File 2583 as follows:
1 2 #1. Page 1, line 7, by inserting after the word
1 3 <thirty> the following: <business>.
1 4 #2. Page 1, line 16, by inserting after the word
1 5 <fourteen> the following: <business>.
1 6
1 7
1 8
1 9 HORBACH of Tama
1 10 HF 2583.201 82
1 11 av/rj/20911
1 12
1 13
1 14
1 15
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House Amendment 8258

PAG LIN

1 1 Amend the amendment, H=8202, to House File 2570 as
1 2 follows:
1 3 #1. Page 2, by inserting after line 20 the
1 4 following:
1 5 <(23) The director of the department of
1 6 transportation, or the director's designee.>
1 7 #2. By renumbering as necessary.
1 8
1 9
1 10
1 11 D. OLSON of Boone
1 12 HF 2570.502 82
1 13 tw/nh/20924
1 14
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House Amendment 8259

PAG LIN

1 1 Amend House File 2567 as follows:
1 2 #1. Page 1, line 14, by inserting after the figure
1 3 <3.> the following: <This paragraph "w" is not
1 4 applicable to the payment of compensation for an
1 5 injury described in paragraph "u".>
1 6
1 7
1 8
1 9 R. OLSON of Polk
1 10 HF 2567.701 82
1 11 av/rj/20892
1 12
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House Amendment 8260

PAG LIN

1 1 Amend the amendment, H=8096, to House File 2393 as
1 2 follows:
1 3 #1. Page 2, by inserting after line 16 the
1 4 following:
1 5 <5. The minority impact statement shall be used
1 6 for informational purposes.>
1 7
1 8
1 9
1 10 FORD of Polk
1 11 HF 2393.302 82
1 12 ak/nh/20844
1 13
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House Amendment 8261

PAG LIN

1 1 Amend House File 2651 as follows:
 1 2 #1. Page 2, by inserting after line 10 the
 1 3 following:
 1 4 <Sec. _____. Section 321.236, subsection 1,
 1 5 unnumbered paragraph 1, Code Supplement 2007, is
 1 6 amended to read as follows:
 1 7 Regulating the standing or parking of vehicles,
 1 8 except as provided in section 321L.4, subsection 2A.>
 1 9 #2. Page 8, by inserting after line 8 the
 1 10 following:
 1 11 <Sec. _____. Section 321L.4, subsection 1, Code
 1 12 2007, is amended to read as follows:
 1 13 1. A persons with disabilities parking permit
 1 14 shall be displayed in a motor vehicle as a removable
 1 15 windshield placard or on a vehicle as a plate or
 1 16 sticker as provided in section 321L.2 when being used
 1 17 by a person with a disability, either as an operator
 1 18 or passenger. Each removable windshield placard shall
 1 19 be of uniform design and fabricated of durable
 1 20 material, suitable for display from within the
 1 21 passenger compartment of a motor vehicle, and readily
 1 22 transferable from one vehicle to another. The placard
 1 23 shall only be displayed when the motor vehicle is
 1 24 parked in a persons with disabilities parking space or
 1 25 a parking space controlled by a parking meter, except
 1 26 as provided in section 321L.2A.
 1 27 Sec. _____. Section 321L.4, Code 2007, is amended by
 1 28 adding the following new subsection:
 1 29 NEW SUBSECTION. 2A. A person properly displaying
 1 30 a persons with disabilities parking permit may park in
 1 31 a metered parking space controlled by a local
 1 32 authority free of charge.>
 1 33 #3. Title page, line 13, by inserting after the
 1 34 word <spaces> the following: <and metered parking
 1 35 spaces>.
 1 36 #4. Title page, line 13, by striking the word
 1 37 <veterans,> and inserting the following: <persons,>.
 1 38 #5. By renumbering as necessary.
 1 39
 1 40
 1 41
 1 42 VAN FOSSEN of Scott
 1 43 HF 2651.504 82
 1 44 dea/nh/10721
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House Amendment 8262

PAG LIN

1 1 Amend House File 2660 as follows:
1 2 #1. Page 1, line 14, by striking the figure
1 3 <9,437,720> and inserting the following: <9,055,432>.
1 4 #2. Page 1, by inserting after line 15 the
1 5 following:
1 6 <It is the intent of the general assembly that if
1 7 \$382,288 in additional funding becomes available, the
1 8 funds will be appropriated to the department of
1 9 justice.>
1 10 #3. Page 3, line 26, by striking the figure
1 11 <30,894,866> and inserting the following:
1 12 <31,086,010>.
1 13 #4. Page 4, line 7, by striking the figure
1 14 <26,331,092> and inserting the following:
1 15 <26,522,236>.
1 16 #5. Page 5, by striking lines 5 through 9.
1 17
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1 20 HORBACH of Tama
1 21 HF 2660.201 82
1 22 jm/jp/20926
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House Amendment 8263

PAG LIN

1 1 Amend Senate File 2312, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 3, by striking lines 11 and 12 and
 1 4 inserting the following: <260C.17, the voters in ~~any~~
 1 5 ~~a merged area may at the annual school election~~ vote a
 1 6 tax not exceeding twenty and>.
 1 7 #2. Page 3, line 20, by inserting after the word
 1 8 <area.> the following: <In odd-numbered years, a
 1 9 special election for the renewal of the twenty and
 1 10 one-fourth cents per thousand dollars of assessed
 1 11 valuation levy authorized in this section shall be
 1 12 held on the day of the regular school election. In
 1 13 even-numbered years, a special election for renewal of
 1 14 such levy shall be held on the second Tuesday in
 1 15 September.>
 1 16
 1 17
 1 18
 1 19 WENDT of Woodbury
 1 20 SF 2312.206 82
 1 21 sc/nh/11083
 1 22
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Iowa General Assembly
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House Amendment 8264

PAG LIN

1 1 Amend House File 2620 as follows:
1 2 #1. Page 3, by striking lines 11 and 12 and
1 3 inserting the following: <260C.17, the voters in ~~any~~
1 4 a merged area may at the annual school election vote a
1 5 tax not exceeding twenty and>.
1 6 #2. Page 3, line 20, by inserting after the word
1 7 <area.> the following: <In odd-numbered years, a
1 8 special election for the renewal of the twenty and
1 9 one-fourth cents per thousand dollars of assessed
1 10 valuation levy authorized in this section shall be
1 11 held on the day of the regular school election. In
1 12 even-numbered years, a special election for renewal of
1 13 such levy shall be held on the second Tuesday in
1 14 September.>
1 15
1 16
1 17
1 18 WENDT of Woodbury
1 19 HF 2620.504 82
1 20 sc/nh/11084
1 21
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Iowa General Assembly
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House Amendment 8265

PAG LIN

1 1 Amend Senate File 2348, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 6 and 7 and
1 4 inserting the following: <with the care that a person
1 5 in a like position would reasonably believe
1 6 appropriate under similar circumstances. A person who
1 7 so>.
1 8 #2. Page 3, by inserting after line 15 the
1 9 following:
1 10 <Sec. _____. NEW SECTION. 499.41A GREATER VOTING
1 11 REQUIREMENTS.
1 12 An amendment to the articles of incorporation of an
1 13 association that adds, changes, or deletes a greater
1 14 voting or quorum requirement by the members than
1 15 required by this chapter must be adopted by the voting
1 16 or quorum requirements then in effect or proposed to
1 17 be adopted, whichever is greater.>
1 18 #3. By renumbering as necessary.
1 19
1 20
1 21
1 22 DRAKE of Pottawattamie
1 23
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1 25
1 26 MERTZ of Kossuth
1 27 SF 2348.301 82
1 28 da/nh/20933
1 29
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**Iowa General Assembly
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House Amendment 8266

PAG LIN

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1 1 Amend House File 2660 as follows:
1 2 #1. Page 5, line 20, by striking the figure
1 3 <5,050,732> and inserting the following: <5,020,732>.
1 4 #2. Page 7, by inserting after line 31 the
1 5 following:
1 6 <f. For a transitional housing pilot project for
1 7 offenders on parole who are in the early stages of
1 8 recovery from substance abuse:
1 9 ..... $ 30,000
1 10 The department of corrections shall contract with a
1 11 private nonprofit substance abuse treatment provider
1 12 in a city with a population exceeding sixty-five
1 13 thousand but not exceeding seventy thousand to
1 14 implement the pilot project. The department shall
1 15 file a report with the co-chairpersons and ranking
1 16 members of the appropriations subcommittee on the
1 17 justice system and the legislative services agency by
1 18 February 1, 2009, detailing the number of offenders
1 19 served by the pilot project, the recidivism rate, a
1 20 description of the type of services received by the
1 21 offenders, and the number of prison bed days saved by
1 22 the pilot project.>
1 23
1 24
1 25
1 26 HORBACH of Tama
1 27 HF 2660.301 82
1 28 jm/jp/20925
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House Amendment 8267

PAG LIN

1 1 Amend Senate File 2157, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 1 and 2 and
1 4 inserting the following:
1 5 <Section 1. Section 88A.3, Code 2007, is amended
1 6 to read as follows:
1 7 88A.3 RULES.
1 8 The commissioner shall adopt ~~and issue~~ rules for
1 9 the safe installation, repair, maintenance, use,
1 10 operation, and inspection of amusement devices,
1 11 amusement rides, concession booths, and related
1 12 electrical equipment at carnivals and fairs to the
1 13 extent necessary for the protection of the public.
1 14 The rules shall be based ~~upon~~ on generally accepted
1 15 engineering standards and shall be concerned with, but
1 16 not necessarily limited to, engineering force
1 17 stresses, safety devices, and preventive maintenance.
1 18 ~~Whenever such~~ If standards are available in suitable
1 19 form ~~they~~, the standards may be incorporated by
1 20 reference. The rules shall provide for the reporting
1 21 of accidents and injuries incurred from the operation
1 22 of amusement devices or rides, concession booths, or
1 23 related electrical equipment.
1 24 The commissioner may modify or repeal any rule
1 25 adopted under the provisions of this chapter.
1 26 Sec. 2. Section 88A.4, Code 2007, is amended to
1 27 read as follows:
1 28 88A.4 PERMIT AND INSPECTION FEES ~~== NONLIABILITY~~
1 29 AND SPECIAL INSPECTORS.
1 30 Annual inspection fees under this chapter shall be
1 31 as follows:
1 32 1. Permit fees.
1 33 a. One through ten rides, or devices or
1 34 concessions, ~~twenty~~ thirty dollars.
1 35 b. Eleven or more rides, or devices or
1 36 concessions, ~~thirty~~ forty dollars.
1 37 2. Mechanical and electrical inspection fees for
1 38 amusement rides and devices.
1 39 a. For rides which are designed for seventy-five
1 40 pounds or less per passenger unit, ~~sixty~~ seventy-five
1 41 dollars for each inspection.
1 42 b. For rides which are designed for seventy-five
1 43 pounds or more and for which the manufacturer's
1 44 recommended assembly time is less than forty work
1 45 hours, ~~ninety~~ one hundred ten dollars for each
1 46 inspection.
1 47 c. For rides for which the manufacturer's
1 48 recommended assembly time is forty work hours or more,
1 49 ~~one hundred twenty~~ two hundred fifty dollars for each
1 50 inspection.



Iowa General Assembly
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House Amendment 8267 continued

2 1 3. Electrical inspection of concession booths, and
2 2 amusement devices fees, ~~thirty=~~forty dollars
2 3 each.
2 4 ~~4. Special inspectors authorization fee,
2 5 twenty=~~five dollars each. The special inspectors
2 6 authorization shall allow a person to perform
2 7 inspections only on rides, devices, and concession
2 8 booths of an operator who makes the request for the
2 9 special inspectors authorization. The failure of a
2 10 special inspector to inform the commissioner of
2 11 violations shall not subject the commissioner to
2 12 liability for any damages incurred.
2 13 Sec. 3. EFFECTIVE DATE. The portion of the
2 14 section of this Act amending section 88A.4,
2 15 subsections 1 through 3, takes effect January 1,
2 16 2009.>
2 17 #2. Title page, line 1, by striking the words
2 18 <inspections conducted by> and inserting the
2 19 following: <inspection fees and>.
2 20 #3. Title page, line 3, by inserting after the
2 21 word <development> the following: <and providing an
2 22 effective date>.
2 23
2 24
2 25
2 26 HUSER of Polk
2 27 SF 2157.301 82
2 28 ak/rj/5636



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House Amendment 8268

PAG LIN

1 1 Amend Senate File 2108, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 7, by inserting after the word
1 4 <individuals> the following: <and corporations>.
1 5 #2. Page 1, line 8, by inserting after the word
1 6 <parks,> the following: <trails, fish and wildlife
1 7 habitat, natural areas,>.
1 8 #3. Page 1, line 9, by inserting after the word
1 9 <uses> the following: <and benefits>.
1 10
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1 13 COMMITTEE ON NATURAL RESOURCES
1 14 BELL of Jasper, Chairperson
1 15 SF 2108.702 82
1 16 jr/rj/10729
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House Amendment 8269

PAG LIN

1 1 Amend the amendment, H=8241, to House File 2651, as
1 2 follows:
1 3 #1. Page 2, by striking lines 5 through 10 and
1 4 inserting the following:
1 5 <3. If part or all of the proposed district lies
1 6 within two miles of the boundaries of a city, the
1 7 board shall send a copy of the petition to each such
1 8 city before scheduling the public hearing on the
1 9 petition. A city that receives a copy of the petition
1 10 may require that any road or street improvements and
1 11 associated drainage improvements constructed within
1 12 the district after establishment of the district be
1 13 constructed in compliance with requirements for such
1 14 improvements then in effect within the city. The city
1 15 shall notify the board of the city's response to the
1 16 petition within thirty days of receiving the petition.
1 17 If the city wants requirements for road or street
1 18 improvements and associated drainage improvements then
1 19 in effect within the city to apply within the
1 20 district, the requirements shall be included in the
1 21 resolution of the board establishing the district and
1 22 shall be incorporated into the plans and
1 23 specifications for the improvements prepared by the
1 24 district engineer or county engineer. The plans and
1 25 specifications shall be subject to approval by the
1 26 board and by the city council of each affected city,
1 27 which approval must occur before commencement of
1 28 construction.
1 29 Sec. _____. NEW SECTION. 357I.3 LIMITATION ON AREA
1 30 AND PROPERTY COMPRISING DISTRICT.
1 31 1. A district is limited to property within a
1 32 residential subdivision that was in existence prior to
1 33 January 1, 2007, and that has received county road
1 34 services pursuant to an agreement between the county
1 35 and residents of the subdivision prior to July 1,
1 36 2008.
1 37 2. Subject to the limitations in subsection 1, a
1 38 district may include all or parts of the
1 39 unincorporated areas of one township and any
1 40 unincorporated areas of adjoining townships or parts
1 41 of adjoining townships.>
1 42 #2. Page 3, line 40, by inserting after the word
1 43 <district> the following: <, and on any road outside
1 44 the district that provides a direct route between the
1 45 subdivision comprising the district and the nearest
1 46 paved street or highway,>.
1 47 #3. By striking page 4, line 34, through page 5,
1 48 line 22, and inserting the following: <incorporated
1 49 by the city.>>
1 50 #4. By renumbering as necessary.



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House Amendment 8269 continued

2 1
2 2
2 3
2 4 HUSER of Polk
2 5 HF 2651.505 82
2 6 dea/nh/10722



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House Amendment 8270

PAG LIN

1 1 Amend House File 2651 as follows:
1 2 #1. Page 1, by inserting after line 4 the
1 3 following:
1 4 <Sec. _____. Section 321.34, Code Supplement 2007,
1 5 is amended by adding the following new subsection:
1 6 NEW SUBSECTION. 7A. COLLEGIATE PLATES == PRIVATE
1 7 FOUR=YEAR COLLEGES AND UNIVERSITIES.
1 8 a. Upon application by a private four=year college
1 9 or university located in this state and payment of the
1 10 initial set=up costs for establishing the collegiate
1 11 plate, the department, in consultation with the
1 12 college or university, may design a special collegiate
1 13 registration plate displaying the colors associated
1 14 with the college or university.
1 15 b. Upon application and payment of the proper
1 16 fees, the director may issue to the owner of a motor
1 17 vehicle, trailer, or travel trailer registered in this
1 18 state, collegiate registration plates created pursuant
1 19 to this subsection. The fee for the issuance of
1 20 collegiate registration plates is twenty=five dollars,
1 21 which fee is in addition to the regular annual
1 22 registration fee for the vehicle. An applicant may
1 23 obtain a personalized collegiate registration plate
1 24 upon payment of the additional fee for a personalized
1 25 plate as provided in subsection 5 in addition to the
1 26 collegiate plate fee and the regular registration fee.
1 27 The county treasurer shall validate collegiate
1 28 registration plates issued under this subsection in
1 29 the same manner as regular registration plates, upon
1 30 payment of five dollars in addition to the regular
1 31 annual registration fee. Upon receipt of the
1 32 collegiate registration plates, the applicant shall
1 33 surrender the regular registration plates to the
1 34 county treasurer.
1 35 c. A personalized collegiate registration plate
1 36 shall not be issued if its combination of alphanumeric
1 37 characters are identical to those contained on a
1 38 current personalized registration plate issued under
1 39 subsection 5. However, the owner of a motor vehicle
1 40 who has a personalized registration plate issued for
1 41 the motor vehicle may, after proper application and
1 42 payment of fees, be issued a collegiate registration
1 43 plate containing the same alphanumeric characters as
1 44 those on the personalized plate. Upon receipt of the
1 45 collegiate registration plates, the owner shall
1 46 surrender the personalized registration plates to the
1 47 county treasurer.>
1 48 #2. Page 1, by inserting after line 19 the
1 49 following:
1 50 <Sec. _____. Section 321.166, subsection 5, Code



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House Amendment 8270 continued

2 1 2007, is amended to read as follows:
2 2 5. There shall be a marked contrast between the
2 3 color of the registration plates and the data which is
2 4 required to be displayed on the registration plates.
2 5 When a new series of registration plates is issued to
2 6 replace a current series, the new registration plates
2 7 shall be of a distinctively different color from the
2 8 series which is replaced, except for collegiate
2 9 registration plates issued under section 321.34,
2 10 subsection 7 or 7A.>
2 11 #3. Title page, line 7, by inserting after the
2 12 word <repairs,> the following: <providing for new
2 13 collegiate motor vehicle registration plates and
2 14 providing fees,>.
2 15 #4. By renumbering as necessary.
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2 19 HUSER of Polk
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2 22
2 23 RAECKER of Polk
2 24 HF 2651.301 82
2 25 dea/nh/20941



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House Amendment 8271

PAG LIN

1 1 Amend the amendment, H=8055, to Senate File 348, as
1 2 passed by the Senate, as follows:
1 3 #1. By striking page 5, line 49, through page 6,
1 4 line 14, and inserting the following:
1 5 <#____. Page 1, lines 3 and 4, by striking the
1 6 words <on an excursion gambling boat> and inserting
1 7 the following: ~~<on an excursion at a gambling boat~~
1 8 facility>.
1 9 #____. Page 1, line 12, by striking the words <on
1 10 an excursion gambling boat> and inserting the
1 11 following: ~~<on an excursion at a gambling boat~~
1 12 facility>.
1 13 #____. Page 1, line 27, by striking the words <on
1 14 an excursion gambling boat are> and inserting the
1 15 following: ~~<an excursion at a gambling boat are~~
1 16 facility>.
1 17 #____. Page 1, line 32, by striking the words <on
1 18 an excursion gambling boats boat> and inserting the
1 19 following: ~~<on excursion at a gambling boats~~
1 20 facility>.
1 21 #____. Page 2, lines 16 and 17, by striking the
1 22 words ~~<on an excursion gambling boat or at a racetrack~~
~~1 23 enclosure>~~ and inserting the following: ~~<on an~~
~~1 24 excursion at a gambling boat facility~~ or at a
1 25 racetrack enclosure>.
1 26 #____. Page 2, line 20, by inserting after the word
1 27 <games> the following: <at a gambling facility or
1 28 racetrack enclosure, as applicable,>.
1 29 #____. Page 2, line 29, by inserting after the word
1 30 <games> the following: <at a gambling facility or
1 31 racetrack enclosure>.
1 32 #____. Page 2, line 33, by inserting after the word
1 33 <games> the following: <at a gambling facility or
1 34 racetrack enclosure, as applicable,>.
1 35 #____. Page 3, by striking lines 1 and 2 and
1 36 inserting the following: <at a gambling boats
1 37 facility or which defeated a proposal to conduct
~~1 38 gambling games at a licensed pari-mutuel racetrack~~
1 39 enclosure>.
1 40 #____. Page 3, lines 4 and 5, by striking the words
1 41 ~~<on an excursion gambling boat or at a licensed~~
~~1 42 pari-mutuel racetrack>~~ and inserting the following:
1 43 ~~<on an excursion at a gambling boat facility~~ or at a
1 44 ~~licensed pari-mutuel racetrack enclosure>~~.
1 45 #____. Page 3, line 8, by inserting after the word
1 46 <games> the following: <at a gambling facility or
1 47 racetrack enclosure>.>
1 48 #2. Page 6, by inserting after line 18 the
1 49 following:
1 50 <#____. Page 3, line 11, by inserting after the



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House Amendment 8271 continued

2 1 word <games> the following: <as provided in that
2 2 proposition>.
2 3 #___. Page 3, by inserting after line 13 the
2 4 following:
2 5 <f. For purposes of this subsection, "gambling
2 6 facility" includes an excursion gambling boat and a
2 7 gambling structure, and a vote on a proposition to
2 8 approve or disapprove gambling games on an excursion
2 9 gambling boat shall be deemed to be a vote on a
2 10 proposition to approve or disapprove gambling games at
2 11 a gambling facility.>>
2 12 #3. By renumbering as necessary.
2 13
2 14
2 15
2 16 RANTS of Woodbury
2 17 SF 348.204 82
2 18 ec/nh/11277



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House Amendment 8272

PAG LIN

1 1 Amend House File 2660 as follows:

1 2 #1. Page 19, by inserting after line 1 the
 1 3 following:

1 4 <Sec. _____. Section 123.46, Code 2007, is amended
 1 5 by adding the following new subsection:

1 6 NEW SUBSECTION. 3A. If a person under the age of
 1 7 eighteen commits a violation of this section, the
 1 8 matter shall be disposed of in the manner provided in
 1 9 chapter 232.

1 10 Sec. _____. Section 123.46, subsection 4, Code 2007,
 1 11 is amended to read as follows:

1 12 4. a. A peace officer shall make a reasonable
 1 13 effort to identify a person under the age of eighteen
 1 14 who violates this section and, ~~if the person is not~~
~~1 15 referred to juvenile court, the law enforcement agency~~
~~1 16 of which the peace officer is an employee shall make a~~
~~1 17 reasonable attempt to notify the person's custodial~~
 1 18 parent, ~~or~~ legal guardian, or custodian of the
 1 19 violation, ~~whether or not the person is taken into~~
~~1 20 custody, unless the officer has reasonable grounds to~~
~~1 21 believe that notification is not in the best interests~~
~~1 22 of the person or will endanger that person pursuant to~~
 1 23 section 232.19, subsection 2.

1 24 b. The peace officer shall also make a reasonable
 1 25 effort to identify the elementary or secondary school
 1 26 which the person attends if the person is enrolled in
 1 27 elementary or secondary school and to notify the
 1 28 superintendent or the superintendent's designee of the
 1 29 school which the person attends, or the authorities in
 1 30 charge of the nonpublic school which the person
 1 31 attends, of the violation. ~~If the person is taken~~
~~1 32 into custody, the~~ The peace officer shall notify a
 1 33 juvenile court officer who shall make a reasonable
 1 34 effort to identify the elementary or secondary school
 1 35 the person attends, if any, and to notify the
 1 36 superintendent of the school district or the
 1 37 superintendent's designee, or the authorities in
 1 38 charge of the nonpublic school, of the violation. A
 1 39 reasonable attempt to notify the person includes, but
 1 40 is not limited to, a telephone call or notice by
 1 41 first-class mail.

1 42 Sec. _____. Section 123.47, subsection 3, paragraph
 1 43 c, Code 2007, is amended to read as follows:

1 44 c. If ~~the~~ a person who ~~under the age of eighteen~~
 1 45 commits a violation of this section ~~is under the age~~
~~1 46 of eighteen~~, the matter shall be disposed of in the
 1 47 manner provided in chapter 232.

1 48 Sec. _____. Section 123.47B, Code 2007, is amended
 1 49 to read as follows:

1 50 123.47B PARENTAL AND SCHOOL NOTIFICATION ==



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House Amendment 8272 continued

2 1 PERSONS UNDER EIGHTEEN YEARS OF AGE.

2 2 1. A peace officer shall make a reasonable effort
2 3 to identify a person under the age of eighteen
2 4 discovered to be in possession of alcoholic liquor,
2 5 wine, or beer in violation of section 123.47 and ~~if~~
~~2 6 the person is not referred to juvenile court, the law~~
~~2 7 enforcement agency of which the peace officer is an~~
~~2 8 employee shall make a reasonable attempt to notify the~~
2 9 person's custodial parent, ~~or~~ legal guardian, or
2 10 custodian of such possession, ~~whether or not the~~
~~2 11 person is arrested or a citation is issued pursuant to~~
~~2 12 section 805.16, unless the officer has reasonable~~
~~2 13 grounds to believe that such notification is not in~~
~~2 14 the best interests of the person or will endanger that~~
~~2 15 person pursuant to section 232.19, subsection 2.~~

2 16 2. The peace officer shall also make a reasonable
2 17 effort to identify the elementary or secondary school
2 18 which the person attends if the person is enrolled in
2 19 elementary or secondary school and to notify the
2 20 superintendent or the superintendent's designee of the
2 21 school which the person attends, or the authorities in
2 22 charge of the nonpublic school which the person
2 23 attends, of the possession. ~~If the person is taken~~
~~2 24 into custody, the~~ The peace officer shall notify a
2 25 juvenile court officer who shall make a reasonable
2 26 effort to identify the elementary or secondary school
2 27 the person attends, if any, and to notify the
2 28 superintendent of the school district or the
2 29 superintendent's designee, or the authorities in
2 30 charge of the nonpublic school, of the taking into
2 31 custody. A reasonable attempt to notify the person
2 32 includes but is not limited to a telephone call or
2 33 notice by first-class mail.

2 34 Sec. _____. Section 232.8, subsection 1, paragraph
2 35 b, Code 2007, is amended to read as follows:

2 36 b. ~~Violations~~ Except for violations by a child of
2 37 section 321.284 or 321.284A, violations by a child of
2 38 provisions of chapter 321, 321G, 321I, 453A, 461A,
2 39 461B, 462A, 481A, 481B, 483A, 484A, or 484B, which
2 40 would be simple misdemeanors if committed by an adult,
2 41 and violations by a child of county or municipal
2 42 curfew or traffic ordinances, are excluded from the
2 43 jurisdiction of the juvenile court and shall be
2 44 prosecuted as simple misdemeanors as provided by law.
2 45 A child convicted of a violation excluded from the
2 46 jurisdiction of the juvenile court under this
2 47 paragraph shall be sentenced pursuant to section
2 48 805.8, where applicable, and pursuant to section
2 49 903.1, subsection 3, for all other violations.

2 50 Sec. _____. Section 321.284, Code 2007, is amended



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House Amendment 8272 continued

3 1 to read as follows:

3 2 321.284 OPEN CONTAINERS IN MOTOR VEHICLES ==
3 3 DRIVERS.

3 4 1. A driver of a motor vehicle upon a public
3 5 street or highway shall not possess in the passenger
3 6 area of the motor vehicle an open or unsealed bottle,
3 7 can, jar, or other receptacle containing an alcoholic
3 8 beverage. "Passenger area" means the area designed to
3 9 seat the driver and passengers while the motor vehicle
3 10 is in operation and any area that is readily
3 11 accessible to the driver or a passenger while in their
3 12 seating positions, including the glove compartment.
3 13 An open or unsealed receptacle containing an alcoholic
3 14 beverage may be transported in the trunk of the motor
3 15 vehicle. An unsealed receptacle containing an
3 16 alcoholic beverage may be transported behind the last
3 17 upright seat of the motor vehicle if the motor vehicle
3 18 does not have a trunk. A person convicted of a
3 19 violation of this section is guilty of a simple
3 20 misdemeanor punishable as a scheduled violation under
3 21 section 805.8A, subsection 14, paragraph "e".

3 22 2. If a person under the age of eighteen commits a
3 23 violation of this section, the matter shall be
3 24 disposed of in the manner provided in chapter 232.

3 25 Sec. _____. Section 321.284A, Code 2007, is amended
3 26 by adding the following new subsection:

3 27 NEW SUBSECTION. 5. If a person under the age of
3 28 eighteen commits a violation of this section, the
3 29 matter shall be disposed of in the manner provided in
3 30 chapter 232.

3 31 Sec. _____. Section 805.8A, subsection 14, paragraph
3 32 e, Code 2007, is amended to read as follows:

3 33 e. OPEN CONTAINER VIOLATIONS. For violations
3 34 under sections 321.284 and 321.284A, the scheduled
3 35 fine is one hundred dollars. This paragraph shall not
3 36 apply to a person under the age of eighteen who
3 37 commits a violation under section 321.284 or 321.284A.

3 38 Sec. _____. Section 805.8C, subsection 7, Code
3 39 Supplement 2007, is amended to read as follows:

3 40 7. ALCOHOLIC BEVERAGE VIOLATIONS BY PERSONS UNDER
3 41 LEGAL AGE. For first offense violations of section
3 42 123.47, subsection 3, the scheduled fine is two
3 43 hundred dollars. This subsection shall not apply to a
3 44 person under the age of eighteen who commits a
3 45 violation of section 123.47.

3 46 Sec. _____. Section 805.16, subsection 1, Code 2007,
3 47 is amended to read as follows:

3 48 1. Except as provided in this subsection and in
3 49 subsection 2 of this section, a peace officer shall
3 50 issue a police citation or uniform citation and



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House Amendment 8272 continued

4 1 complaint, in lieu of making a warrantless arrest, to
4 2 a person under eighteen years of age accused of
4 3 committing a simple misdemeanor under chapter 321,
4 4 321G, 321I, 461A, 461B, 462A, 481A, 481B, 483A, 484A,
4 5 484B, or a local ordinance not subject to the
4 6 jurisdiction of the juvenile court, and shall not
4 7 detain or confine the person in a facility regulated
4 8 under chapter 356 or 356A. This subsection shall not
4 9 apply to a person under the age of eighteen for
4 10 violations of section 123.46, 123.47, 321.284, or
4 11 321.284A.>
4 12 #2. Title page, line 2, by inserting after the
4 13 word <system> the following: <and providing for
4 14 penalties>.
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4 18 ALONS of Sioux
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4 22 BAUDLER of Adair
4 23 HF 2660.501 82
4 24 jm/jp/11391



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House Amendment 8273

PAG LIN

1 1 Amend House File 2610 as follows:
1 2 #1. Page 15, by inserting before line 15 the
1 3 following:
1 4 <DIVISION
1 5 DEPARTMENT OF HUMAN SERVICES
1 6 Sec. ____ . NEW SECTION. 217.24 IDENTITY THEFT
1 7 PREVENTION == DEPARTMENT EMPLOYEES.
1 8 1. a. An employee, as defined in section 91A.2,
1 9 of the department and including volunteers as
1 10 described in section 217.44, who accepts applications
1 11 for state services on behalf of the department shall
1 12 certify under oath or affirmation by signing the form
1 13 described in subsection 2, under penalty of perjury
1 14 under subsection 3, that the employee has examined the
1 15 Iowa driver's license or Iowa nonoperator's
1 16 identification card of each applicant, who has applied
1 17 for state services through the department and whose
1 18 application the employee has accepted on behalf of the
1 19 department, for facial validity in order to verify the
1 20 applicant's identity.
1 21 b. The employee shall make a photocopy of the
1 22 applicant's driver's license or nonoperator's
1 23 identification card. The department shall retain the
1 24 photocopy of the applicant's driver's license or
1 25 nonoperator's identification card and the certified
1 26 form for one year after the applicant's application is
1 27 received or, if the application receives services, for
1 28 the entire period that the applicant receives state
1 29 services and for one year after the last date the
1 30 applicant receives state services through the
1 31 department.
1 32 c. Failure by an employee to fulfill the
1 33 requirements pursuant to paragraphs "a" and "b" shall
1 34 subject the department to a civil penalty not to
1 35 exceed one thousand two hundred fifty dollars for a
1 36 first violation as determined by the administrator of
1 37 the investigations division of the department of
1 38 inspections and appeals. A second violation by a
1 39 departmental employee within six years of the first
1 40 violation shall result in a civil penalty not to
1 41 exceed one thousand eight hundred seventy-five dollars
1 42 as determined by the administrator of the
1 43 investigations division of the department of
1 44 inspections and appeals. A third or subsequent
1 45 violation by a departmental employee within six years
1 46 of the first violation shall result in a civil penalty
1 47 not to exceed three thousand one hundred twenty-five
1 48 dollars as determined by the administrator of the
1 49 investigations division of the department of
1 50 inspections and appeals.



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House Amendment 8273 continued

2 1 2. The investigations division of department of
2 2 inspections and appeals shall prescribe and provide a
2 3 form that the departmental employee shall sign for
2 4 each applicant who applies for state services through
2 5 the department of human services. The form shall
2 6 include a statement that the employee has personally
2 7 certified under oath or affirmation that the employee
2 8 has examined the applicant's Iowa driver's license or
2 9 Iowa nonoperator's identification card and determined
2 10 that the license or card was facially valid to the
2 11 best of the employee's knowledge, information, and
2 12 belief, under penalty of perjury under subsection 3.
2 13 For informational purposes for the employee, the form
2 14 shall include color examples of the back and front of
2 15 an Iowa driver's license and an Iowa nonoperator's
2 16 identification card.

2 17 3. a. A person who certifies under oath or
2 18 affirmation a false statement under subsection 1
2 19 commits a class "D" felony.

2 20 b. A person who procures or offers any inducement
2 21 to another to certify under oath or affirmation the
2 22 requirements of subsection 1 with the intent that the
2 23 other will conceal material facts commits a class "D"
2 24 felony.

2 25 4. This section shall not infringe upon the
2 26 authority of the civil rights commission pursuant to
2 27 chapter 216.

2 28 5. The director of human services shall prescribe
2 29 rules and procedures consistent with this section and
2 30 sections 10A.903 and 10A.904.

2 31 6. This section shall be enforced pursuant to
2 32 section 10A.903.>

2 33 #2. Title page, line 1, by inserting after the
2 34 word <to> the following: <identity determination and
2 35 protection and>.

2 36 #3. Title page, line 3, by inserting after the
2 37 word <individuals,> the following: <requiring
2 38 department of human services' employees to verify the
2 39 identities of applicants who apply for state
2 40 services,>.

2 41 #4. By renumbering as necessary.

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2 45 HORBACH of Tama

2 46 HF 2610.507 82

2 47 ak/rj/20936



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House Amendment 8274

PAG LIN

1 1 Amend House File 2650 as follows:
1 2 #1. Page 7, by striking line 18 and inserting the
1 3 following:
1 4 <7. FUTURE REPEAL. This section is repealed>.
1 5 #2. Page 7, by inserting after line 19 the
1 6 following:
1 7 <Sec. ____ . NEW SECTION. 514C.24 COVERAGE FOR
1 8 PROSTHETIC DEVICES.
1 9 1. Notwithstanding the uniformity of treatment
1 10 requirements of section 514C.6, a policy or contract
1 11 providing for third-party payment or prepayment of
1 12 health or medical expenses shall provide coverage
1 13 benefits for prosthetic devices when prescribed by a
1 14 physician licensed under chapter 148, 150, or 150A.
1 15 Such coverage benefits for prosthetic devices shall
1 16 provide coverage for prosthetic devices that, at a
1 17 minimum, equals the coverage and payment for
1 18 prosthetic devices provided under federal laws for
1 19 health insurance for the aged and disabled pursuant to
1 20 42 U.S.C. } 1395k, 1395l, and 1395m, and 42 C.F.R. }
1 21 414.202, 414.210, 414.228, and 410.100, as applicable.
1 22 2. a. This section applies to the following
1 23 classes of third-party payment provider contracts or
1 24 policies delivered, issued for delivery, continued, or
1 25 renewed in this state on or after July 1, 2008:
1 26 (1) Individual or group accident and sickness
1 27 insurance providing coverage on an expense-incurred
1 28 basis.
1 29 (2) An individual or group hospital or medical
1 30 service contract issued pursuant to chapter 509, 514,
1 31 or 514A.
1 32 (3) An individual or group health maintenance
1 33 organization contract regulated under chapter 514B.
1 34 (4) A plan established pursuant to chapter 509A
1 35 for public employees.
1 36 (5) An organized delivery system licensed by the
1 37 director of public health.
1 38 b. This section shall not apply to accident only,
1 39 specified disease, short-term hospital or medical,
1 40 hospital confinement indemnity, credit, dental,
1 41 vision, Medicare supplement, long-term care, basic
1 42 hospital and medical-surgical expense coverage as
1 43 defined by the commissioner, disability income
1 44 insurance coverage, coverage issued as a supplement to
1 45 liability insurance, workers' compensation or similar
1 46 insurance, or automobile medical payment insurance.>
1 47 #3. Title page, line 1, by inserting after the
1 48 word <Act> the following: <relating to health
1 49 insurance mandates by>.
1 50 #4. Title page, by striking line 2 and inserting



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House Amendment 8274 continued

2 1 the following: <, requiring health insurance coverage
2 2 for certain prosthetic devices, and providing an
2 3 effective date.>
2 4 #5. By renumbering as necessary.
2 5
2 6
2 7
2 8 VAN FOSSEN of Scott
2 9 HF 2650.201 82
2 10 av:nh/rj/11362



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House Amendment 8275

PAG LIN

1 1 Amend House File 2583 as follows:
1 2 #1. Page 1, by inserting after line 13 the
1 3 following:
1 4 <2. If a written request is made pursuant to
1 5 subsection 1 by a claimant's representative, the
1 6 claimant's representative shall provide the following
1 7 to the insurer:
1 8 a. A written financial statement showing the
1 9 claimant's representative has adequate resources to
1 10 bring a lawsuit.
1 11 b. A copy of the professional liability insurance
1 12 policy of the claimant's representative that discloses
1 13 the policy limits of the policy.>
1 14 #2. Page 1, by striking line 14 and inserting the
1 15 following:
1 16 <3. Information provided to a claimant, a
1 17 claimant's>.
1 18 #3. Page 1, line 15, by inserting after the word
1 19 <representative> the following: <, or insurer>.
1 20
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1 22
1 23 HOFFMAN of Crawford
1 24 HF 2583.502 82
1 25 jm/nh/20942
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House Amendment 8276

PAG LIN

1 1 Amend House File 2549 as follows:
1 2 #1. Page 1, line 27, by inserting after the word
1 3 <officers.> the following: <A decrease in
1 4 compensation paid to supervisors shall be adopted by
1 5 the board of supervisors no less than thirty days
1 6 before the county budget is certified under section
1 7 24.17.>
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1 11 KAUFMANN of Cedar
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1 15 D. TAYLOR of LINN
1 16 HF 2549.502 82
1 17 md/sc/20916
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Iowa General Assembly
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House Amendment 8277

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 7, line 5, by inserting after the word
1 3 <university.> the following: <A participating person
1 4 required to complete a level three evaluation shall
1 5 not be issued a certificate unless the person makes
1 6 modifications to the proposed site or the proposed
1 7 construction to an extent that the person would have
1 8 been issued a certificate after completing a level two
1 9 evaluation.>
1 10 #2. By renumbering as necessary.
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1 14 MAY of Dickinson
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1 18 KUHN of Floyd
1 19 HF 2652.504 82
1 20 da/nh/20944
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Iowa General Assembly
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House Amendment 8278

PAG LIN

1 1 Amend House File 2583 as follows:
1 2 #1. Page 1, line 9, by inserting after the word
1 3 <coverage.> the following: <The written request by
1 4 the claimant or claimant's representative shall
1 5 contain a statement, in good faith, as to the facts
1 6 giving rise to the claim.>
1 7 #2. Page 1, line 9, by striking the word
1 8 <statement> and inserting the following: <written
1 9 statement by the insurer>.
1 10 #3. Page 1, line 14, by striking the words
1 11 <claimant or a> and inserting the following:
1 12 <claimant,>.
1 13 #4. Page 1, line 15, by inserting after the word
1 14 <representative> the following: <, or insurer>.
1 15
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1 18 PAULSEN of Linn
1 19 HF 2583.503 82
1 20 jm/nh/20943
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House Amendment 8279

PAG LIN

1 1 Amend House File 2523 as follows:
1 2 #1. Page 4, by inserting after line 11 the
1 3 following:
1 4 <Sec. _____. Section 483A.1A, subsection 7,
1 5 paragraph e, Code 2007, is amended by striking the
1 6 paragraph.>
1 7 #2. By renumbering as necessary.
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1 11 BAUDLER of Adair
1 12 HF 2523.501 82
1 13 da/sc/11400
1 14
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Amendment 8280

PAG LIN

1 1 Amend House File 2393 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 2.56, subsection 1, Code 2007,
1 5 is amended to read as follows:
1 6 1. Prior to debate on the floor of a chamber of
1 7 the general assembly, a correctional impact statement
1 8 shall be attached to any bill, joint resolution, or
1 9 amendment which proposes a change in the law which
1 10 creates a public offense, significantly changes an
1 11 existing public offense or the penalty for an existing
1 12 offense, or changes existing sentencing, parole, or
1 13 probation procedures. The statement shall include
1 14 information concerning the estimated number of
1 15 criminal cases per year that the legislation will
1 16 impact, the fiscal impact of confining persons
1 17 pursuant to the legislation, the impact of the
1 18 legislation on minorities, the impact of the
1 19 legislation upon existing correctional institutions,
1 20 community-based correctional facilities and services,
1 21 and jails, the likelihood that the legislation may
1 22 create a need for additional prison capacity, and
1 23 other relevant matters. The statement shall be
1 24 factual and shall, if possible, provide a reasonable
1 25 estimate of both the immediate effect and the
1 26 long-range impact upon prison capacity.
1 27 Sec. 2. Section 2.56, Code 2007, is amended by
1 28 adding the following new subsection:
1 29 NEW SUBSECTION. 4A. The legislative services
1 30 agency in cooperation with the division of criminal
1 31 and juvenile justice planning of the department of
1 32 human rights shall develop a protocol for analyzing
1 33 the impact of the legislation on minorities.
1 34 Sec. 3. NEW SECTION. 8.11 GRANT APPLICATIONS ==
1 35 MINORITY IMPACT STATEMENTS.
1 36 1. Each application for a grant from a state
1 37 agency shall include a minority impact statement that
1 38 contains the following information:
1 39 a. Any disproportionate or unique impact of
1 40 proposed policies or programs on minority persons in
1 41 this state.
1 42 b. A rationale for the existence of programs or
1 43 policies having an impact on minority persons in this
1 44 state.
1 45 c. Evidence of consultation of representatives of
1 46 minority persons in cases where a policy or program
1 47 has an identifiable impact on minority persons in this
1 48 state.
1 49 2. For the purposes of this section, the following
1 50 definitions shall apply:



Iowa General Assembly
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House Amendment 8280 continued

2 1 a. "Disability" means the same as provided in
2 2 section 15.102, subsection 5, paragraph "b",
2 3 subparagraph (1).
2 4 b. "Minority persons" includes individuals who are
2 5 women, persons with a disability, Blacks, Latinos,
2 6 Asians or Pacific Islanders, American Indians, and
2 7 Alaskan Native Americans.
2 8 c. "State agency" means a department, board,
2 9 bureau, commission, or other agency or authority of
2 10 the state of Iowa.
2 11 3. The office of grants enterprise management
2 12 shall create and distribute a minority impact
2 13 statement form for state agencies and ensure its
2 14 inclusion with applications for grants.
2 15 4. The directives of this section shall be carried
2 16 out to the extent consistent with federal law.
2 17 5. The minority impact statement shall be used for
2 18 informational purposes.
2 19 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This
2 20 Act takes effect July 1, 2008, and shall apply to
2 21 grants for which applications are due beginning
2 22 January 1, 2009.>
2 23 #2. Title page, by striking lines 1 through 4 and
2 24 inserting the following: <An Act providing
2 25 requirements for minority impact statements in
2 26 relation to state grant applications and correctional
2 27 impact statements for legislation, and providing
2 28 effective and applicability dates.>
2 29 #3. By renumbering as necessary.
2 30
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2 33 FORD of Polk
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2 37 SMITH of Marshall
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2 41 SWAIM of Davis
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2 45 ABDUL-SAMAD of Polk
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2 49 TOMENGA of Polk
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**Iowa General Assembly
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House Amendment 8280 continued

- 3 1
- 3 2
- 3 3 HEATON of Henry
- 3 4 HF 2393.501 82
- 3 5 ak/nh/11231



Iowa General Assembly
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House Amendment 8281

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 2, line 3, by inserting after the word
1 3 <constructed> the following: <or an existing swine
1 4 operation as proposed to be expanded>.
1 5 #2. Page 5, line 18, by inserting after the figure
1 6 <266.42.> the following: <The effort shall apply to
1 7 the construction of a structure associated with a new
1 8 operation or the construction of a structure
1 9 associated with an existing swine operation.>
1 10 #3. Page 7, line 13, by inserting after the figure
1 11 <266.48.> the following: <The applicant shall obtain
1 12 the certificate as part of the application for the
1 13 construction of a structure associated with a new
1 14 confinement feeding operation, or for the construction
1 15 of a structure associated with an existing confinement
1 16 feeding operation that keeps swine.>
1 17 #4. Page 7, line 15, by inserting after the word
1 18 <certificate> the following: <as part of the
1 19 application to construct a confinement feeding
1 20 operation that does not keep swine,>.
1 21 #5. Page 8, line 8, by striking the word
1 22 <structure> the following: <not associated with
1 23 keeping swine,>.
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1 27 KUHN of Floyd
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1 31 WHITEAD of Woodbury
1 32 HF 2652.503 82
1 33 da/rj/11175
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House Amendment 8282

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 5, line 16, by striking the words <If
1 3 funding is available,>.
1 4 #2. Page 8, by striking lines 1 through 4.
1 5 #3. Page 8, by striking lines 12 through 18.
1 6 #4. By renumbering as necessary.
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1 10 KUHN of Floyd
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1 14 SMITH of Marshall
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1 18 MAY of Dickinson
1 19 HF 2652.201 82
1 20 da/rj/20871
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House Amendment 8283

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 2, by inserting after line 25 the
1 3 following:
1 4 <___. Applied research projects conducted on the
1 5 site of a livestock operation shall be financed on a
1 6 cost=share basis with the university contributing not
1 7 more than fifty percent of the actual cost of
1 8 conducting the research. The university may accept
1 9 contributions from persons interested in financing the
1 10 research projects.>
1 11 #2. Page 3, by inserting after line 15 the
1 12 following:
1 13 <___. Applied research projects conducted on the
1 14 site of a livestock operation shall be financed on a
1 15 cost=share basis with the university contributing not
1 16 more than fifty percent of the actual cost of
1 17 conducting the research. The university may accept
1 18 contributions from persons interested in financing the
1 19 research projects.>
1 20 #3. By renumbering as necessary.
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1 24 KUHN of Floyd
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1 28 FREVERT of Palo Alto
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1 32 JOCHUM of Dubuque
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1 35
1 36 SMITH of Marshall
1 37 HF 2652.301 82
1 38 da/rj/11171
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Iowa General Assembly
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House Amendment 8284

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 7, lines 13 and 14, by striking the words
1 3 <The department shall not obtain, maintain, or
1 4 consider the results of an evaluation.> and inserting
1 5 the following: <The application must contain the
1 6 final results of the level of the evaluation that the
1 7 applicant was last required to complete. The
1 8 application must include that part of the report
1 9 resulting from any such evaluation including the
1 10 location of a proposed confinement feeding operation
1 11 building, the configuration of the confinement feeding
1 12 operation building and surrounding landscape, and
1 13 other odor mitigation measures to produce the best
1 14 possible reduction of odors from the confinement
1 15 feeding operation.>
1 16 #2. By renumbering as necessary.
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1 20 WHITAKER of Van Buren
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1 24 KUHN of Floyd
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1 28 WHITEAD of Woodbury
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1 32 SMITH of Marshall
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1 36 GASKILL of Wapello
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1 40 MAY of Dickinson
1 41 HF 2652.701 82
1 42 da/rj/20873
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Amendment 8285

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 2, by inserting after line 25 the
1 3 following:
1 4 <____. A livestock producer who is classified as a
1 5 habitual violator pursuant to section 459.604 or a
1 6 chronic violator pursuant to section 657.11 shall not
1 7 participate in an applied on-site research project
1 8 under this section unless the livestock producer
1 9 contributes one hundred percent of the total costs of
1 10 conducting the project.>
1 11 #2. Page 3, line 15, by inserting after the figure
1 12 <266.43.> the following: <A livestock producer who is
1 13 classified as a habitual violator pursuant to section
1 14 459.604 or a chronic violator pursuant to section
1 15 657.11 shall not participate in a basic or applied
1 16 research project under this section unless the
1 17 livestock producer contributes one hundred percent of
1 18 the total costs of conducting the project.>
1 19 #3. Page 3, line 27, by inserting after the figure
1 20 <266.43.> the following: <A livestock producer who is
1 21 classified as a habitual violator pursuant to section
1 22 459.604 or a chronic violator pursuant to section
1 23 657.11 shall not participate in a basic research
1 24 project under this section unless the livestock
1 25 producer contributes one hundred percent of the total
1 26 costs of conducting the project.>
1 27 #4. By renumbering as necessary.
1 28
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1 31 WHITAKER of Van Buren
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1 35 KUHN of Floyd
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1 39 JOCHUM of Dubuque
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1 43 SMITH of Marshall
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1 47 D. OLSON of Boone
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Amendment 8285 continued

2 1 WESSEL-KROESCHELL of Story
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2 3
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2 5 SWAIM of Davis
2 6 HF 2652.302 82
2 7 da/nh/20931



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 24, 2008

House Amendment 8286

PAG LIN

1 1 Amend House File 2652 as follows:
1 2 #1. Page 7, by inserting after line 8 the
1 3 following:
1 4 <Sec. _____. NEW SECTION. 266.49 UNIVERSITY OF
1 5 IOWA STUDY == HEALTH EFFECTS.
1 6 1. The university of Iowa college of public health
1 7 shall conduct research regarding the possible
1 8 short-term and long-term effects on human health from
1 9 the exposure to odor from livestock operations. The
1 10 research shall include but is not limited to the
1 11 effect of livestock odor on respiratory diseases,
1 12 cardiovascular events, and neuropsychiatric
1 13 conditions. The research shall include effects on
1 14 subgroups of especially susceptible individuals, such
1 15 as the elderly, children, and those with preexisting
1 16 impairments.
1 17 2. a. The university of Iowa college of public
1 18 health shall submit an interim report to the general
1 19 assembly by January 15 of each year through January
1 20 15, 2012. An interim report shall include data
1 21 collected from the research and any recommendations
1 22 deemed necessary by the college to protect the public
1 23 health of individuals exposed to air emissions from
1 24 livestock operations.
1 25 b. The university of Iowa college of public health
1 26 shall submit a final report to the general assembly by
1 27 January 30, 2013. The report shall include a summary
1 28 of efforts, the university's findings and conclusions,
1 29 and recommendations necessary to protect the health of
1 30 the public from the long-term effects of exposure to
1 31 odor from livestock operations.>
1 32 #2. By renumbering as necessary.
1 33
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1 36 KUHN of Floyd
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1 40 MASCHER of Johnson
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1 44 LENSING of Johnson
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1 48 FOEGE of Linn
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Iowa General Assembly
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House Amendment 8286 continued

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2 2 PETERSEN of Polk
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2 6 FREVERT of Palo Alto
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2 10 WHITEAD of Woodbury
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2 14 HUNTER of Polk
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2 18 WESSEL-KROESCHELL of Story
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2 22 JOCHUM of Dubuque
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2 26 SMITH of Marshall
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2 30 R. OLSON of Polk
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2 34 GASKILL of Wapello
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2 38 D. OLSON of Boone
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2 42 SWAIM of Davis
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2 46 BUKTA of Clinton
2 47 HF 2652.702 82
2 48 da/rj/20880



Iowa General Assembly
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House Resolution 130 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
1 2 BY BERRY
1 3 A Resolution recognizing the visit of five distinguished
1 4 women leaders from Nigeria.
1 5 WHEREAS, Iowa has long been a leader in promoting
1 6 the goals of international education and
1 7 cross-cultural learning, and is home to several
1 8 organizations that actively pursue such opportunities
1 9 to share knowledge and understanding; and
1 10 WHEREAS, Iowa also has a rich history of pioneering
1 11 women leaders and was active in the national women's
1 12 suffrage movement and other movements to bring about
1 13 social change; and
1 14 WHEREAS, five women leaders from Nigeria have
1 15 traveled to Iowa as part of a two-year project of the
1 16 United States Department of State called Women in
1 17 Northern Nigeria that organizes cultural exchanges in
1 18 an attempt to answer the question posed by First Lady
1 19 Laura Bush in 2006, "How do we nurture the development
1 20 of the next generation of women leaders in Africa and
1 21 worldwide?"; and
1 22 WHEREAS, in 2007, four women political leaders from
1 23 Iowa traveled to Nigeria, a democracy since 1999, to
1 24 learn about the issues facing Nigerian women as they
1 25 struggle for equality in education, the economy,
1 26 politics, health care delivery, and the social life of
1 27 that country; and
1 28 WHEREAS, Iowans have much to learn about the
1 29 complexity of the global society of which we are a
1 30 part and have much to teach about good governance and



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House Resolution 130 - Introduced continued

2 1 the involvement of women in education and civic life;
2 2 NOW THEREFORE,
2 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 4 That the House of Representatives welcomes the
2 5 Nigerian women to Iowa and expects that Iowa and
2 6 Nigeria will both benefit from the Women in Northern
2 7 Nigeria cultural exchange in terms of shared
2 8 experiences and ideas between the two nations and that
2 9 their visit can serve as a catalyst for the
2 10 advancement of women who aspire to leadership
2 11 positions in government, business, and other sectors
2 12 of life in Nigeria.
2 13 LSB 6613HH 82
2 14 tw/rj/5



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Senate Amendment 5188

PAG LIN

1 1 Amend Senate File 2332 as follows:
1 2 #1. Page 3, by inserting before line 24 the
1 3 following:
1 4 <____. STRIKE OR LOCKOUT. If a plant closing or
1 5 mass layoff constitutes a strike or constitutes a
1 6 lockout not intended to evade the requirements of this
1 7 chapter, notice is not required to be given by the
1 8 employer. This chapter does not require an employer
1 9 to serve written notice when permanently replacing an
1 10 employee who is deemed to be an economic striker under
1 11 the federal National Labor Relations Act. This Act
1 12 shall not be deemed to validate or invalidate any
1 13 judicial or administrative ruling relating to the
1 14 hiring of permanent replacements for economic strikers
1 15 under the federal National Labor Relations Act.>
1 16 #2. By renumbering as necessary.
1 17
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1 19
1 20 DICK L. DEARDEN
1 21 SF 2332.301 82
1 22 ak/rj/20922
1 23
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Iowa General Assembly
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Senate Amendment 5189

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 18, by inserting after line 3 the
 1 4 following:
 1 5 <Sec. _____. Section 279.59, Code 2007, is amended
 1 6 to read as follows:
 1 7 279.59 ~~ACCESS BY~~ PROFESSIONAL EDUCATION
 1 8 ASSOCIATIONS.
 1 9 1. The board of directors of a school district
 1 10 shall provide not=for=profit, professional education
 1 11 associations that offer membership to teachers or
 1 12 administrators equal access to teacher or
 1 13 administrator mailboxes for distribution of
 1 14 professional literature.
 1 15 2. Notwithstanding section 20.9, a school district
 1 16 may, upon a teacher's or administrator's written
 1 17 request, deduct from the salary or wages of the
 1 18 teacher or administrator an amount specified by the
 1 19 teacher or administrator for payment of dues or
 1 20 membership fees for the teacher's or administrator's
 1 21 membership in a not=for=profit, professional education
 1 22 association. If a written request is granted, all
 1 23 other written requests for salary or wage deductions
 1 24 for payment of dues or membership fees for membership
 1 25 in the same not=for=profit, professional education
 1 26 association shall also be granted. The teacher or
 1 27 administrator may withdraw the request for the
 1 28 deduction at any time by giving the school district
 1 29 thirty days' written notice.
 1 30 3. For purposes of this section, unless the
 1 31 context otherwise requires, "professional education
 1 32 association" means an association in which the
 1 33 majority of members are practitioners licensed in
 1 34 accordance with chapter 272.>
 1 35 #2. Title page, line 1, by inserting after the
 1 36 word <bargaining> the following: <, payment of
 1 37 professional dues,>.
 1 38 #3. By renumbering as necessary.
 1 39
 1 40
 1 41
 1 42 NANCY J. BOETTGER
 1 43 HF 2645.221 82
 1 44 ec/rj/11303
 1 45
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Iowa General Assembly
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Senate Amendment 5190

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 1 through 2.
1 4 #2. By striking page 2, line 8, through page 4,
1 5 line 19.
1 6 #3. By striking page 12, line 10, through page 13,
1 7 line 35, and inserting the following:
1 8 <Sec. _____. Section 20.19, Code 2007, is amended by
1 9 adding the following new unnumbered paragraph:
1 10 NEW UNNUMBERED PARAGRAPH. Parties who by agreement
1 11 are utilizing a cooperative alternative bargaining
1 12 process shall, at the outset of such process, agree
1 13 upon a method and schedule for the completion of
1 14 impasse procedures should they fail to reach a
1 15 collective bargaining agreement through the use of
1 16 such alternative process.>
1 17 #4. Page 18, by striking lines 4 through 17.
1 18 #5. By striking page 18, line 19, through page 30,
1 19 line 10.
1 20 #6. Title page, lines 1 and 2, by striking the
1 21 words <and teacher discipline>.
1 22 #7. By renumbering as necessary.
1 23
1 24
1 25
1 26 BRAD ZAUN
1 27 HF 2645.239 82
1 28 ec/rj/20918
1 29
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Senate Amendment 5191

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking page 18, line 21, through page 21,
1 4 line 2.
1 5 #2. Page 27, line 5, by inserting after the word
1 6 <final> the following: <subject to appeal to district
1 7 court pursuant to section 279.18>.
1 8 #3. Page 30, by striking line 10.
1 9 #4. By renumbering as necessary.
1 10
1 11
1 12
1 13 PAT WARD
1 14 STEVE KETTERING
1 15 HF 2645.509 82
1 16 ec/rj/11312
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Senate Amendment 5192

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 2, line 14, by striking the words <but
1 4 not limited to>.
1 5 #2. Page 2, by striking lines 17 through 19 and
1 6 inserting the following:
1 7 <b. ~~hours~~, Hours.>
1 8 #3. Page 3, by striking lines 22 through 23 and
1 9 inserting the following:
1 10 <w. Other matters mutually agreed upon.>
1 11
1 12
1 13
1 14 LARRY NOBLE
1 15 HF 2645.223 82
1 16 ec/rj/11313
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Iowa General Assembly
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Senate Amendment 5193

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 1 and 2.
1 4 #2. By striking page 18, line 19, through page 30,
1 5 line 10.
1 6 #3. Title page, lines 1 and 2, by striking the
1 7 words <and teacher discipline>.
1 8 #4. By renumbering as necessary.
1 9
1 10
1 11
1 12 DAVE MULDER
1 13 HF 2645.736 82
1 14 ec/rj/11326
1 15
1 16
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Iowa General Assembly
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Senate Amendment 5194

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 4, by inserting after line 19 the
1 4 following:
1 5 <c. School curriculum.>
1 6 #2. By renumbering as necessary.
1 7
1 8
1 9
1 10 DAVID L. HARTSUCH
1 11 HF 2645.316 82
1 12 ec/rj/20921
1 13
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Iowa General Assembly
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Senate Amendment 5195

PAG LIN

1 1 Amend the amendment, H=8164, to House File 2645 as
1 2 follows:
1 3 #1. Page 1, line 15, by striking the words <but
1 4 not limited to>.
1 5 #2. Page 1, by striking line 48.
1 6 #3. Page 2, by striking lines 10 through 11 and
1 7 inserting the following:
1 8 <w. Other matters mutually agreed upon.>
1 9 #4. By renumbering as necessary.
1 10
1 11
1 12
1 13 MARK ZIEMAN
1 14 HF 2645.213 82
1 15 ec/rj/20800
1 16
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Iowa General Assembly
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Senate Amendment 5196

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 16, by inserting after line 30 the
1 4 following:
1 5 <Sec. _____. Section 20.22, subsection 9, Code 2007,
1 6 is amended by adding the following new paragraph:
1 7 NEW PARAGRAPH. e. Comparison of wages of the
1 8 involved public employees with those of similar
1 9 private sector employees doing comparable work, giving
1 10 consideration to factors peculiar to the area and the
1 11 classifications involved, and providing that the
1 12 maximum wages awarded public sector employees shall be
1 13 no more than five percent greater than comparable
1 14 private sector employees unless the public employees
1 15 are in a merit pay program.>
1 16 #2. By renumbering as necessary.
1 17
1 18
1 19
1 20 RON WIECK
1 21 HF 2645.730 82
1 22 ec/rj/11306
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Iowa General Assembly
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Senate Amendment 5197

PAG LIN

1 1 Amend House File 2645 as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by inserting after line 8 the
1 4 following:
1 5 <Sec. _____. Section 20.3, subsection 1, Code 2007,
1 6 is amended to read as follows:
1 7 1. "Arbitration" means the procedure whereby the
1 8 parties involved in an impasse submit their
1 9 differences to a third party for a ~~final and binding~~
1 10 decision or as provided in this chapter.>
1 11 #2. Page 10, line 9, by striking the word
1 12 <binding> and inserting the following: <binding>.
1 13 #3. Page 10, line 14, by striking the word
1 14 <binding> and inserting the following: <binding>.
1 15 #4. Page 15, lines 3 and 4, by striking the words
1 16 <, which shall be binding> and inserting the
1 17 following: <, ~~which shall be binding~~>.
1 18 #5. Page 17, line 18, by inserting after the word
1 19 <parties> the following: <subject to the provisions
1 20 of section 20.22A>.
1 21 #6. Page 17, line 21, by inserting after the word
1 22 and figure <subsection 6> the following: <, and
1 23 section 20.22A>.
1 24 #7. Page 17, by inserting after line 24 the
1 25 following:
1 26 <Sec. _____. NEW SECTION. 20.22A STATE EMPLOYEE
1 27 NEGOTIATIONS.
1 28 1. The items of a collective bargaining agreement
1 29 reached pursuant to this chapter between a public
1 30 employer and an employee organization representing
1 31 state employees which require economic adjustments
1 32 shall not take effect and the agreement is not final
1 33 and binding until moneys have been appropriated to
1 34 fund the economic adjustments by the general assembly,
1 35 specifically to fund the economic adjustments of the
1 36 collective bargaining agreement at issue. Items of a
1 37 collective bargaining agreement concerning an employee
1 38 organization representing state employees that are not
1 39 economic adjustments are not subject to approval by
1 40 the general assembly and are final and binding upon
1 41 their determination subject to the provisions of
1 42 section 20.17, subsection 6.
1 43 2. Within ten days following the determination of
1 44 a collective bargaining agreement on all negotiated
1 45 items by agreement of the parties or by an arbitration
1 46 decision, the governor, or the governor's designee,
1 47 shall inform the general assembly the amount of the
1 48 appropriation necessary to fund the economic
1 49 adjustments requires to fund the collective bargaining
1 50 agreement.



**Iowa General Assembly
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Senate Amendment 5197 continued

2 1 3. The general assembly shall appropriate funds in
2 2 any amount up to and including the amount indicated by
2 3 the governor, or the governor's designee, under
2 4 subsection 2. If less than the entire amount
2 5 indicated by the governor, or the governor's designee,
2 6 is appropriated by the general assembly, the
2 7 collective bargaining agreement shall be administered
2 8 on the basis of the amounts appropriated by and any
2 9 directions of the general assembly.

2 10 4. The general assembly shall make an
2 11 appropriation as provided by this section prior to the
2 12 date the collective bargaining agreement is to become
2 13 effective.

2 14 5. The items of a collective bargaining agreement
2 15 that require economic adjustments subject to the
2 16 provisions of this section shall become final and
2 17 binding upon an appropriation of funds by the general
2 18 assembly, subject to the provisions of section 20.17,
2 19 subsection 6.>

2 20 #8. By renumbering as necessary.

2 21

2 22

2 23

2 24 RON WIECK

2 25 HF 2645.220 82

2 26 ec/rj/11299



Iowa General Assembly
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Senate Amendment 5198

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 27, by striking lines 16 through 32.
1 4 #2. Page 28, by striking lines 15 and 16.
1 5 #3. By renumbering as necessary.
1 6
1 7
1 8
1 9 PAUL McKINLEY
1 10 HF 2645.746 82
1 11 ec/rj/11329
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Senate Amendment 5199

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 3, by striking lines 20 and 21.
1 4 #2. Page 4, by striking lines 11 through 16 and
1 5 inserting the following:
1 6 <a. All retirement systems.>
1 7 #3. Page 18, by striking lines 4 through 17.
1 8 #4. By striking page 28, line 17, through page 29,
1 9 line 5.
1 10 #5. By renumbering as necessary.
1 11
1 12
1 13
1 14 MARK ZIEMAN
1 15 HF 2645.742 82
1 16 ec/rj/11328
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Senate Amendment 5200

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by inserting after line 34 the
1 4 following:
1 5 <Sec. _____. Section 20.6, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 6. By January 1, 2009, and each
1 8 two years thereafter, submit a report to the general
1 9 assembly providing a comparison of public sector and
1 10 private sector salaries and benefits.>
1 11 #2. By renumbering as necessary.
1 12
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1 14
1 15 PAUL McKINLEY
1 16 HF 2645.729 82
1 17 ec/rj/11302
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**Iowa General Assembly
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Senate Amendment 5201

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 29, by inserting after line 35 the
 1 4 following:
 1 5 <Sec. _____. Section 284.6, subsection 8, Code
 1 6 Supplement 2007, is amended to read as follows:
 1 7 8. For each year in which a school district
 1 8 receives funds allocated for distribution to school
 1 9 districts for professional development pursuant to
 1 10 section 284.13, subsection 1, paragraph "d", the
 1 11 school district shall create quality professional
 1 12 development opportunities. The goal for the use of
 1 13 the funds is to provide one additional contract day or
 1 14 the equivalent thereof for professional development
 1 15 and use of the funds is limited to providing
 1 16 professional development to teachers, including
 1 17 additional salaries for time beyond the normal
 1 18 negotiated agreement; pay for substitute teachers,
 1 19 professional development materials, speakers, and
 1 20 professional development content; and costs associated
 1 21 with implementing the individual professional
 1 22 development plans. The use of the funds shall be
 1 23 balanced between school district, attendance center,
 1 24 and individual professional development plans, making
 1 25 every reasonable effort to provide equal access to all
 1 26 teachers. A school district shall submit a monthly
 1 27 report to the department describing the professional
 1 28 development activities and opportunities provided by
 1 29 the school district in the prior month.>
 1 30 #2. By renumbering as necessary.
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 1 34 PAUL McKINLEY
 1 35 HF 2645.236 82
 1 36 ec/rj/20904
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**Iowa General Assembly
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Senate Amendment 5202

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 1, by inserting after line 26 the
 1 4 following:
 1 5 <Sec. _____. Section 20.6, subsection 2, Code 2007,
 1 6 is amended to read as follows:
 1 7 2. Collect, for public employers other than the
 1 8 state and its boards, commissions, departments, and
 1 9 agencies, data and conduct studies relating to wages,
 1 10 hours, benefits and other terms and conditions of
 1 11 public employment, including such information filed
 1 12 with the board pursuant to section 20.29, and make the
 1 13 same available to any interested person or
 1 14 organization.>
 1 15 #2. Page 18, by inserting after line 3 the
 1 16 following:
 1 17 <Sec. _____. Section 20.29, Code 2007, is amended by
 1 18 adding the following new unnumbered paragraph:
 1 19 NEW UNNUMBERED PARAGRAPH. Within ninety days of
 1 20 the completion of a collective bargaining agreement
 1 21 entered into pursuant to this chapter, the public
 1 22 employer shall file two copies of the agreement with
 1 23 the board. In addition, within the same time period,
 1 24 the public employer and the applicable certified
 1 25 employee organization shall file with the board,
 1 26 either jointly or separately, a report on a form
 1 27 prescribed by the board which shall include the number
 1 28 of employees covered by the agreement, the estimated
 1 29 cost of implementing each wage, benefit, and other
 1 30 provision of the agreement having an economic impact
 1 31 and the estimated percentage increase in cost for each
 1 32 item compared to the prior agreement, the estimated
 1 33 total cost of implementing the agreement for the
 1 34 entire term of the agreement, and any other
 1 35 information relating to the agreement as requested by
 1 36 the board. The board shall ensure that the report is
 1 37 submitted in an electronic format and is made
 1 38 available to the public on the board's internet site.>
 1 39 #3. By renumbering as necessary.
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 1 42
 1 43 PAUL McKINLEY
 1 44 HF 2645.510 82
 1 45 ec/rj/11297

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Iowa General Assembly
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Senate Amendment 5203

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 2, by striking lines 17 through 19 and
1 4 inserting the following:
1 5 <b. ~~hours~~, Hours.>
1 6 #2. Page 4, by inserting after line 19 the
1 7 following:
1 8 <c. The establishment of work shifts and schedules
1 9 and procedures and criteria for assigning work shifts
1 10 and schedules.>
1 11 #3. By renumbering as necessary.
1 12
1 13
1 14
1 15 BRAD ZAUN
1 16 HF 2645.230 82
1 17 ec/rj/20897

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**Iowa General Assembly
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Senate Amendment 5204

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 21, by inserting after line 2 the
 1 4 following:
 1 5 <Sec. _____. Section 279.8, Code 2007, is amended to
 1 6 read as follows:
 1 7 279.8 GENERAL RULES == BONDS OF EMPLOYEES.
 1 8 1. The board shall make rules for its own
 1 9 government and that of the directors, officers,
 1 10 employees, teachers and pupils, and for the care of
 1 11 the schoolhouse, grounds, and property of the school
 1 12 corporation, and shall aid in the enforcement of the
 1 13 rules, and require the performance of duties imposed
 1 14 by law and the rules.
 1 15 a. The board shall include in its rules provisions
 1 16 regulating the loading and unloading of pupils from a
 1 17 school bus stopped on the highway during a period of
 1 18 reduced highway visibility caused by fog, snow or
 1 19 other weather conditions.
 1 20 b. The board shall have the authority to include
 1 21 in its rules provisions allowing school corporation
 1 22 employees to use school credit cards to pay for the
 1 23 actual and necessary expenses incurred in the
 1 24 performance of work-related duties.
 1 25 c. The board shall include in its rules a
 1 26 provision which permits a student's parent or guardian
 1 27 to select from the instructional staff for the grade
 1 28 level at the attendance center of the student's
 1 29 enrollment the teacher who shall provide instruction
 1 30 to the student for the school year.
 1 31 2. Employees of a school corporation maintaining a
 1 32 high school who have the custody of funds belonging to
 1 33 the corporation or funds derived from extracurricular
 1 34 activities and other sources in the conduct of their
 1 35 duties, shall be required to furnish suitable bond
 1 36 indemnifying the corporation or any activity group
 1 37 connected with the school against loss, and employees
 1 38 who have the custody of property belonging to the
 1 39 corporation or any activity group connected with the
 1 40 school may be required to furnish such bond. Said
 1 41 bond or bonds may be in such form and penalty as the
 1 42 board may approve and the premiums on same shall be
 1 43 paid from the general fund of the corporation.>
 1 44 #2. By renumbering as necessary.
 1 45
 1 46
 1 47
 1 48 BRAD ZAUN
 1 49 HF 2645.235 82
 1 50 ec/rj/20900



Iowa General Assembly
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Senate Amendment 5205

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 18, by inserting after line 20 the
1 4 following:
1 5 <Sec. _____. Section 256.7, subsection 21, paragraph
1 6 c, Code Supplement 2007, is amended to read as
1 7 follows:
1 8 c. A requirement that all school districts and
1 9 accredited nonpublic schools annually report to the
1 10 department and the local community the district-wide
1 11 progress made in attaining student achievement goals
1 12 on the academic and other core indicators and the
1 13 district-wide progress made in attaining locally
1 14 established student learning goals. The school
1 15 districts and accredited nonpublic schools shall
1 16 demonstrate the use of multiple assessment measures in
1 17 determining student achievement levels. The school
1 18 districts and accredited nonpublic schools shall also
1 19 report the number of students who graduate, utilizing
1 20 the definition of graduation rate specified by the
1 21 national governors association; the number of students
1 22 who drop out of school; the number of students
1 23 pursuing a high school equivalency diploma pursuant to
1 24 chapter 259A; the number of students who were enrolled
1 25 in the district within the past five years and who
1 26 received a high school equivalency diploma; the
1 27 percentage of students who receive a high school
1 28 diploma and who were not proficient in reading,
1 29 mathematics, and science in grade eleven; the number
1 30 of students in the prior year who were enrolled as
1 31 high school juniors who are within four units of
1 32 meeting the district's graduation requirements; the
1 33 number of students who are tested and the percentage
1 34 of students who are so tested annually; the building
1 35 of attendance summary, by classroom, for the Iowa
1 36 tests of basic skills and the Iowa tests of
1 37 educational development within thirty days of receipt
1 38 of the summary; and the percentage of students who
1 39 graduated during the prior school year and who
1 40 completed a core curriculum. The board shall develop
1 41 and adopt uniform definitions consistent with the
1 42 federal No Child Left Behind Act of 2001, Pub. L. No.
1 43 107-110 and any federal regulations adopted pursuant
1 44 to the federal Act. The school districts and
1 45 accredited nonpublic schools may report on other
1 46 locally determined factors influencing student
1 47 achievement. The school districts and accredited
1 48 nonpublic schools shall also report to the local
1 49 community their results by individual attendance
1 50 center.>



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Senate Amendment 5205 continued

2 1 #2. By renumbering as necessary.
2 2
2 3
2 4
2 5 PAUL McKINLEY
2 6 HF 2645.744 82
2 7 ec/rj/20902



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Senate Amendment 5206

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 16, by inserting after line 30 the
1 4 following:
1 5 <Sec. _____. Section 20.22, subsection 9, paragraph
1 6 d, Code 2007, is amended by striking the paragraph and
1 7 inserting in lieu thereof the following:
1 8 d. Whether any proposed increase in wages to
1 9 public employees is justified based upon an increase
1 10 in productivity and performance of the employees and
1 11 based upon the ability of the public employer to pay
1 12 the award using existing resources without any
1 13 increase in taxes.>
1 14 #2. By renumbering as necessary.
1 15
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1 17
1 18 PAUL McKINLEY
1 19 HF 2645.234 82
1 20 ec/rj/11332
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**Iowa General Assembly
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Senate Amendment 5207

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 1, by inserting after line 26 the
 1 4 following:
 1 5 <Sec. _____. Section 20.6, subsection 2, Code 2007,
 1 6 is amended to read as follows:
 1 7 2. Collect, for public employers other than the
 1 8 state and its boards, commissions, departments, and
 1 9 agencies, data and conduct studies relating to wages,
 1 10 hours, benefits and other terms and conditions of
 1 11 public employment, including such information filed
 1 12 with the board pursuant to section 20.29, and make the
 1 13 same available to any interested person or
 1 14 organization.>
 1 15 #2. Page 18, by inserting after line 3 the
 1 16 following:
 1 17 <Sec. _____. Section 20.29, Code 2007, is amended by
 1 18 adding the following new unnumbered paragraph:
 1 19 NEW UNNUMBERED PARAGRAPH. Within ninety days of
 1 20 the completion of a collective bargaining agreement
 1 21 entered into pursuant to this chapter, the public
 1 22 employer shall file two copies of the agreement with
 1 23 the board. In addition, within the same time period,
 1 24 the public employer and the applicable certified
 1 25 employee organization shall file with the board,
 1 26 either jointly or separately, a report on a form
 1 27 prescribed by the board which shall include the number
 1 28 of employees covered by the agreement, the estimated
 1 29 cost of implementing each wage, benefit, and other
 1 30 provision of the agreement having an economic impact
 1 31 and the estimated percentage increase in cost for each
 1 32 item compared to the prior agreement, the estimated
 1 33 total cost of implementing the agreement for the
 1 34 entire term of the agreement, and any other
 1 35 information relating to the agreement as requested by
 1 36 the board.>
 1 37 #3. By renumbering as necessary.
 1 38
 1 39
 1 40
 1 41 DAVID JOHNSON
 1 42 HF 2645.241 82
 1 43 ec/rj/11347

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Iowa General Assembly
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Senate Amendment 5208

PAG LIN

1 1 Amend Senate File 2332 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 86C.1 TITLE.
1 5 This chapter shall be known as the "Iowa Worker
1 6 Adjustment and Retraining Notification Act".
1 7 Sec. 2. NEW SECTION. 86C.2 DEFINITIONS.
1 8 For the purposes of this chapter:
1 9 1. "Aggrieved employee" means an employee who has
1 10 worked for the employer ordering the plant closing or
1 11 mass layoff and who, as a result of the failure by the
1 12 employer to comply with section 86C.3, did not receive
1 13 timely notice either directly or through the
1 14 employee's representative.
1 15 2. "Department" means the department of workforce
1 16 development.
1 17 3. "Employee" means a worker who may reasonably
1 18 expect to experience an employment loss as a
1 19 consequence of a proposed plant closing or mass layoff
1 20 by an employer.
1 21 4. "Employer" means a person who employs
1 22 twenty=five or more employees, excluding part=time
1 23 employees.
1 24 5. "Employment loss" means an employment
1 25 termination, other than a discharge for cause,
1 26 voluntary separation, or retirement; a layoff
1 27 exceeding six months; or a reduction in hours of more
1 28 than fifty percent of work of individual employees
1 29 during each month of a six=month period.
1 30 6. "Mass layoff" means a reduction in employment
1 31 force that is not the result of a plant closing and
1 32 results in an employment loss at a single site of
1 33 employment during any thirty=day period of twenty=five
1 34 or more employees, other than part=time employees.
1 35 7. "Part=time employee" means an employee who is
1 36 employed for an average of fewer than twenty hours per
1 37 week or an employee, including a full=time employee,
1 38 who has been employed for fewer than six of the twelve
1 39 months preceding the date on which notice is required.
1 40 8. "Plant closing" means the permanent or
1 41 temporary shutdown of a single site of employment of
1 42 one or more facilities or operating units that will
1 43 result in an employment loss for twenty=five or more
1 44 employees, other than part=time employees.
1 45 9. "Representative" means an exclusive
1 46 representative of employees within the meaning of
1 47 section 9(a) of the federal National Labor Relations
1 48 Act, 29 U.S.C. } 151 et seq., and the federal Railway
1 49 Labor Act, 45 U.S.C. } 151 et seq.
1 50 10. "Single site of employment" refers to a single



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2 1 location or a group of contiguous locations, such as a
2 2 group of structures that form a campus or business
2 3 park or separate facilities across the street from
2 4 each other.

2 5 Sec. 3. NEW SECTION. 86C.3 NOTICE ==
2 6 REQUIREMENTS.

2 7 1. a. An employer who plans a plant closing or a
2 8 mass layoff shall not order such action until the end
2 9 of a thirty-day period which begins after the employer
2 10 serves written notice of such action to the affected
2 11 employees or their representatives and to the
2 12 department. However, if an applicable collective
2 13 bargaining agreement designates a different notice
2 14 period, the notice period in the collective bargaining
2 15 agreement shall govern.

2 16 b. An employer who has previously announced and
2 17 carried out a short-term mass layoff of six months or
2 18 less which is extended beyond six months due to
2 19 business circumstances not reasonably foreseeable at
2 20 the time of the initial mass layoff is required to
2 21 give notice when it becomes reasonably foreseeable
2 22 that the extension is required. A mass layoff
2 23 extending beyond six months from the date the mass
2 24 layoff commenced for any other reason shall be treated
2 25 as an employment loss from the date of commencement of
2 26 the mass layoff.

2 27 c. In the case of the sale of part or all of a
2 28 business, the seller is responsible for providing
2 29 notice of any plant closing or mass layoff which will
2 30 take place up to and on the effective date of the
2 31 sale. The buyer is responsible for providing notice
2 32 of any plant closing or mass layoff that will take
2 33 place thereafter.

2 34 2. a. Notice from the employer to the affected
2 35 employees or their representatives and to the
2 36 department shall be in written form and shall contain
2 37 the following:

2 38 (1) The name and address of the employment site
2 39 where the plant closing or mass layoff will occur, and
2 40 the name and telephone number of a company official to
2 41 contact for further information.

2 42 (2) A statement as to whether the planned action
2 43 is expected to be permanent or temporary and, if the
2 44 entire plant is to be closed, a statement to that
2 45 effect.

2 46 (3) The expected date of the first employment loss
2 47 and the anticipated schedule for employment losses.

2 48 (4) The job titles of positions to be affected and
2 49 the names of the employees currently holding the
2 50 affected jobs.



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3 1 b. The notice may include additional information
3 2 useful to the employees, such as information about
3 3 available dislocated worker assistance, and, if the
3 4 planned action is expected to be temporary, the
3 5 estimated duration, if known.
3 6 3. Any reasonable method of delivery to the
3 7 affected employees or their representatives, and the
3 8 department which is designed to ensure receipt of
3 9 notice of at least thirty days before the planned
3 10 action is acceptable. In the case of notification
3 11 directly to affected employees, insertion of notice
3 12 into pay envelopes is a viable option.
3 13 Sec. 4. NEW SECTION. 86C.4 NOTICE == EXEMPTIONS,
3 14 SPECIAL CIRCUMSTANCES.
3 15 1. STRIKE OR LOCKOUT. If a plant closing or mass
3 16 layoff constitutes a strike or constitutes a lockout
3 17 not intended to evade the requirements of this
3 18 chapter, notice is not required to be given by the
3 19 employer. This chapter does not require an employer
3 20 to serve written notice when permanently replacing an
3 21 employee who is deemed to be an economic striker under
3 22 the federal National Labor Relations Act. This Act
3 23 shall not be deemed to validate or invalidate any
3 24 judicial or administrative ruling relating to the
3 25 hiring of permanent replacements for economic strikers
3 26 under the federal National Labor Relations Act.
3 27 2. ROLLING LAYOFFS.
3 28 a. When affected employees will not be terminated
3 29 on the same date, the date of the first individual
3 30 employment loss within the thirty-day notice period
3 31 triggers the notice requirement. An employee's last
3 32 day of employment is considered the date of that
3 33 employee's layoff. The first and subsequent groups of
3 34 terminated employees are entitled to a full thirty
3 35 days' notice.
3 36 b. An employer shall give notice if the number of
3 37 employment losses of two or more actions in any
3 38 ninety-day period triggers the notice requirements in
3 39 section 86C.3 for a plant closing or a mass layoff.
3 40 An employer is not required to give notice if the
3 41 number of employment losses from one action in a
3 42 thirty-day period does not meet the requirements of
3 43 section 86C.3. All employment losses in any
3 44 ninety-day period shall be aggregated to trigger the
3 45 notice requirement unless the employer demonstrates to
3 46 the department that the employment losses during the
3 47 ninety-day period are the result of separate and
3 48 distinct actions and causes.
3 49 3. EXTENDED NOTICE. Additional notice is required
3 50 if the date or schedule of dates of a planned plant



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Senate Amendment 5208 continued

4 1 closing or mass layoff is extended beyond the date or
4 2 the ending date of any period announced in the
4 3 original notice.

4 4 a. If the postponement is for less than thirty
4 5 days, the additional notice shall be given as soon as
4 6 possible to the affected employees or their
4 7 representatives and the department and shall include
4 8 reference to the earlier notice, the date to which the
4 9 planned action is postponed, and the reasons for the
4 10 postponement. The notice shall be given in a manner
4 11 which will provide the information to all affected
4 12 employees.

4 13 b. If the postponement is for more than thirty
4 14 days, the additional notice shall be treated as new
4 15 notice subject to the provisions of section 86C.3.

4 16 4. FALTERING COMPANY. An exception to the
4 17 thirty-day notice applies to plant closings but not to
4 18 mass layoffs if the requirements of this subsection
4 19 are met and the exception shall be narrowly construed.

4 20 a. An employer must have been actively seeking
4 21 capital or business at the time that the thirty-day
4 22 notice would have been required by seeking financing
4 23 or refinancing through the arrangement of loans or the
4 24 issuance of stocks, bonds, or other methods of
4 25 internally generated financing, or by seeking
4 26 additional money, credit, or business through any
4 27 other commercially reasonable method. The employer
4 28 must identify specific actions taken to obtain capital
4 29 or business.

4 30 b. The employer must, at the time notice is
4 31 actually given, provide a statement of explanation for
4 32 reducing the notice period in addition to the other
4 33 notice requirements in section 86C.3.

4 34 c. There must have been a realistic opportunity to
4 35 obtain the financing or business sought.

4 36 d. The financing or business sought must have been
4 37 sufficient, if obtained, to have enabled the employer
4 38 to avoid or postpone the shutdown. The employer must
4 39 be able to objectively demonstrate that the amount of
4 40 capital or the volume of new business sought would
4 41 have enabled the company to keep the facility,
4 42 operating unit, or site open for a reasonable period
4 43 of time.

4 44 e. The employer reasonably and in good faith must
4 45 have believed that giving the required notice would
4 46 have precluded the employer from obtaining the needed
4 47 capital or business. The employer must be able to
4 48 objectively demonstrate that the employer reasonably
4 49 thought that a potential customer or source of
4 50 financing would have been unwilling to provide the new



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5 1 business or capital if notice had been given. This
5 2 condition may be satisfied if the employer can show
5 3 that the financing or business source would not choose
5 4 to do business with a troubled company or with a
5 5 company whose workforce would be looking for other
5 6 jobs.

5 7 5. UNFORESEEABLE BUSINESS CIRCUMSTANCE. An
5 8 exception to the thirty-day notice applies to plant
5 9 closings and to mass layoffs if the requirements of
5 10 this subsection are met.

5 11 a. Business circumstances occurred that were not
5 12 reasonably foreseeable at the time that the thirty-day
5 13 notice would have been required.

5 14 b. The employer must, at the time notice is
5 15 actually given, provide a statement of explanation for
5 16 reducing the notice period in addition to the other
5 17 notice requirements in section 86C.3.

5 18 c. An important indicator of a reasonably
5 19 unforeseeable business circumstance is that the
5 20 circumstance is caused by some sudden, dramatic, and
5 21 unexpected action or condition outside the employer's
5 22 control.

5 23 d. The employer must exercise commercially
5 24 reasonable business judgment as would a similarly
5 25 situated employer in predicting the demands of the
5 26 employer's particular market. The employer is not
5 27 required to accurately predict general economic
5 28 conditions that also may affect demand for products or
5 29 services.

5 30 6. NATURAL DISASTER. An exception to the
5 31 thirty-day notice applies to plant closings and to
5 32 mass layoffs if the requirements of this subsection
5 33 are met.

5 34 a. A natural disaster occurred at the time notice
5 35 would have been required.

5 36 b. The employer must, at the time notice is
5 37 actually given, provide a statement of explanation for
5 38 reducing the notice period in addition to the other
5 39 requirements to notice in section 86C.3.

5 40 c. Floods, earthquakes, droughts, storms,
5 41 tornadoes, and similar effects of nature are natural
5 42 disasters under this subsection.

5 43 d. An employer must be able to demonstrate that
5 44 the plant closing or mass layoff is a direct result of
5 45 the natural disaster.

5 46 e. If a plant closing or mass layoff occurs as an
5 47 indirect result of a natural disaster, this exception
5 48 does not apply but the unforeseeable business
5 49 circumstance exception may be applicable.

5 50 Sec. 5. NEW SECTION. 86C.5 ENFORCEMENT AND



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Senate Amendment 5208 continued

6 1 PENALTIES.
6 2 1. The department shall adopt rules pursuant to
6 3 and consistent with chapter 17A regarding
6 4 investigations to determine whether an employer has
6 5 violated any provisions of this chapter. A
6 6 determination by the department that a violation has
6 7 occurred shall be considered final agency action under
6 8 chapter 17A.
6 9 2. An employer who violates the provisions of
6 10 section 86C.3 with respect to the department shall be
6 11 subject to a civil penalty of not more than one
6 12 hundred dollars for each day of the violation. Any
6 13 penalties collected by the department shall be
6 14 forwarded to the treasurer of state and deposited in
6 15 the general fund of the state.
6 16 3. The penalties provided for in this section
6 17 shall be the exclusive remedies for any violation of
6 18 this chapter. Under this chapter, a court shall not
6 19 have authority to enjoin a plant closing or mass
6 20 layoff.>
6 21 #2. Title page, line 2, by striking the words
6 22 <remedies and>.
6 23
6 24
6 25
6 26 DICK L. DEARDEN
6 27 SF 2332.701 82
6 28 ak/rj/11237



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Senate Amendment 5209

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 7, by inserting after line 14 the
 1 4 following:
 1 5 <Sec. _____. Section 20.14, subsection 2, paragraph
 1 6 b, Code 2007, is amended to read as follows:
 1 7 b. The petition is accompanied by written evidence
 1 8 that ~~thirty~~ fifty=one percent of such public employees
 1 9 are members of the employee organization or have
 1 10 authorized it to represent them for the purposes of
 1 11 collective bargaining.
 1 12 Sec. _____. Section 20.14, subsection 5, paragraph
 1 13 a, Code 2007, is amended to read as follows:
 1 14 a. It finds that less than ~~thirty~~ fifty=one
 1 15 percent of the public employees in the unit
 1 16 appropriate for collective bargaining support the
 1 17 petition for decertification or for certification.>
 1 18 #2. By renumbering as necessary.
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 1 20
 1 21
 1 22 PAUL McKINLEY
 1 23 HF 2645.317 82
 1 24 ec/rj/20928
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Senate Amendment 5210

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by inserting after line 8 the
1 4 following:
1 5 <Sec. _____. Section 20.3, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 1A. "Bargaining unit" means only
1 8 those employees in a particular class of employees who
1 9 voluntarily agree to be represented by an employee
1 10 organization.>
1 11 #2. Page 1, line 12, by inserting after the word
1 12 <employees> the following: <voluntarily>.
1 13 #3. By renumbering as necessary.
1 14
1 15
1 16
1 17 DAVID L. HARTSUCH
1 18 HF 2645.511 82
1 19 ec/rj/11349
1 20
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Senate Amendment 5211

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 18, by inserting after line 3 the
1 4 following:
1 5 <Sec. _____. Section 24.3, Code 2007, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 5. The amounts proposed to be
1 8 expended pursuant to collective bargaining agreements
1 9 negotiated pursuant to chapter 20 and a comparison of
1 10 such amounts so proposed to be expended with the
1 11 amounts expended for like purposes for the two
1 12 preceding years.
1 13 Sec. _____. Section 331.434, subsection 1, Code
1 14 Supplement 2007, is amended to read as follows:
1 15 1. The budget shall show the amount required for
1 16 each class of proposed expenditures, a comparison of
1 17 the amounts proposed to be expended with the amounts
1 18 expended for like purposes for the two preceding
1 19 years, the amounts proposed to be expended pursuant to
1 20 collective bargaining agreements negotiated pursuant
1 21 to chapter 20 and a comparison of such amounts so
1 22 proposed to be expended with the amounts expended for
1 23 like purposes for the two preceding years, the
1 24 revenues from sources other than property taxation,
1 25 and the amount to be raised by property taxation, in
1 26 the detail and form prescribed by the director of the
1 27 department of management. For each county that has
1 28 established an urban renewal area, the budget shall
1 29 include estimated and actual tax increment financing
1 30 revenues and all estimated and actual expenditures of
1 31 the revenues, proceeds from debt and all estimated and
1 32 actual expenditures of the debt proceeds, and
1 33 identification of any entity receiving a direct
1 34 payment of taxes funded by tax increment financing
1 35 revenues and shall include the total amount of loans,
1 36 advances, indebtedness, or bonds outstanding at the
1 37 close of the most recently ended fiscal year, which
1 38 qualify for payment from the special fund created in
1 39 section 403.19, including interest negotiated on such
1 40 loans, advances, indebtedness, or bonds. For purposes
1 41 of this subsection, "indebtedness" includes written
1 42 agreements whereby the county agrees to suspend,
1 43 abate, exempt, rebate, refund, or reimburse property
1 44 taxes, provide a grant for property taxes paid, or
1 45 make a direct payment of taxes, with moneys in the
1 46 special fund. The amount of loans, advances,
1 47 indebtedness, or bonds shall be listed in the
1 48 aggregate for each county reporting. The county
1 49 finance committee, in consultation with the department
1 50 of management and the legislative services agency,



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Senate Amendment 5211 continued

2 1 shall determine reporting criteria and shall prepare a
2 2 form for reports filed with the department pursuant to
2 3 this section. The department shall make the
2 4 information available by electronic means.
2 5 Sec. _____. Section 384.16, subsection 1, unnumbered
2 6 paragraph 2, Code Supplement 2007, is amended to read
2 7 as follows:
2 8 A budget must show comparisons between the
2 9 estimated expenditures in each program in the
2 10 following year, the latest estimated expenditures in
2 11 each program in the current year, and the actual
2 12 expenditures in each program from the annual report as
2 13 provided in section 384.22, or as corrected by a
2 14 subsequent audit report. In addition, the budget
2 15 shall show the amounts proposed to be expended
2 16 pursuant to collective bargaining agreements
2 17 negotiated pursuant to chapter 20 and a comparison of
2 18 such amounts so proposed to be expended with the
2 19 amounts expended for like purposes for the two
2 20 preceding years. Wherever practicable, as provided in
2 21 rules of the committee, a budget must show comparisons
2 22 between the levels of service provided by each program
2 23 as estimated for the following year, and actual levels
2 24 of service provided by each program during the two
2 25 preceding years. For each city that has established
2 26 an urban renewal area, the budget shall include
2 27 estimated and actual tax increment financing revenues
2 28 and all estimated and actual expenditures of the
2 29 revenues, proceeds from debt and all estimated and
2 30 actual expenditures of the debt proceeds, and
2 31 identification of any entity receiving a direct
2 32 payment of taxes funded by tax increment financing
2 33 revenues and shall include the total amount of loans,
2 34 advances, indebtedness, or bonds outstanding at the
2 35 close of the most recently ended fiscal year, which
2 36 qualify for payment from the special fund created in
2 37 section 403.19, including interest negotiated on such
2 38 loans, advances, indebtedness, or bonds. For purposes
2 39 of this subsection, "indebtedness" includes written
2 40 agreements whereby the city agrees to suspend, abate,
2 41 exempt, rebate, refund, or reimburse property taxes,
2 42 provide a grant for property taxes paid, or make a
2 43 direct payment of taxes, with moneys in the special
2 44 fund. The amount of loans, advances, indebtedness, or
2 45 bonds shall be listed in the aggregate for each city
2 46 reporting. The city finance committee, in
2 47 consultation with the department of management and the
2 48 legislative services agency, shall determine reporting
2 49 criteria and shall prepare a form for reports filed
2 50 with the department pursuant to this section. The



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3 1 department shall make the information available by
3 2 electronic means.>
3 3 #2. Page 18, by inserting after line 17 the
3 4 following:
3 5 <Sec. _____. Section 445.5, subsection 1, paragraph
3 6 i, Code 2007, is amended to read as follows:
3 7 i. The total amount of taxes levied by each taxing
3 8 authority in the previous fiscal year and the current
3 9 fiscal year and the difference between the two
3 10 amounts, expressed as a percentage increase or
3 11 decrease and a description of those items in a
3 12 collective bargaining agreement negotiated pursuant to
3 13 chapter 20 that significantly accounted for the
3 14 increase or decrease.>
3 15 #3. By renumbering as necessary.
3 16
3 17
3 18
3 19 BRAD ZAUN
3 20 HF 2645.747 82
3 21 ec/rj/20929



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Senate Amendment 5212

PAG LIN

1 1 Amend Senate File 2400 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <DIVISION I
1 5 ADMINISTRATION AND REGULATION APPROPRIATIONS>
1 6 #2. Page 14, by striking lines 10 through 17.
1 7 #3. Page 18, line 11, by inserting after the word
1 8 <this> the following: <division of this>.
1 9 #4. Page 18, line 17, by inserting after the word
1 10 <this> the following: <division of this>.
1 11 #5. Page 18, by inserting after line 20 the
1 12 following:
1 13 <DIVISION II
1 14 STATE BUDGET DATABASE WEB SITE
1 15 Sec. _____. NEW SECTION. 23.1 INTENT == FINDINGS.
1 16 The general assembly finds that taxpayers should be
1 17 able to easily access the details on how the state is
1 18 spending their tax dollars and the performance results
1 19 are achieved for those expenditures. Therefore, it is
1 20 the intent of the general assembly to direct the
1 21 legislative services agency to create and maintain a
1 22 searchable budget database web site detailing where
1 23 tax dollars are expended, for what purpose tax dollars
1 24 are expended, and what results are achieved for all
1 25 taxpayer investments in state government.
1 26 Sec. _____. NEW SECTION. 23.2 SHORT TITLE.
1 27 This chapter shall be known as and may be cited as
1 28 the "Taxpayer Transparency Act".
1 29 Sec. _____. NEW SECTION. 23.3 DEFINITIONS.
1 30 As used in this chapter:
1 31 1. "Agency" means a state department, office,
1 32 board, commission, bureau, division, institution, or
1 33 public institution of higher education. "Agency"
1 34 includes individual state agencies and programs, as
1 35 well as those programs and activities that are
1 36 administered by or involve more than one agency.
1 37 "Agency" includes all elective offices in the
1 38 executive branch of government and the general
1 39 assembly.
1 40 2. "Director" means the director of the
1 41 legislative services agency.
1 42 3. "Entity" or "recipients" means any of the
1 43 following:
1 44 a. A corporation.
1 45 b. An association.
1 46 c. An employee union.
1 47 d. A limited liability company.
1 48 e. A limited liability partnership.
1 49 f. Any other legal business entity, including
1 50 nonprofit entities.



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- 2 1 g. "Grant recipient".
2 2 h. Contractors.
2 3 i. A county, city, school district, or other local
2 4 government entity.
2 5 "Entity" or "recipients" does not include an
2 6 individual recipient of state assistance.
2 7 4. "Funding action or expenditure" includes
2 8 details on the type of spending that is provided
2 9 including but not limited to grants, contracts, and
2 10 appropriations. "Funding action or expenditure"
2 11 includes tax exemptions or credits. Where possible, a
2 12 hyperlink to the actual grants or contracts shall be
2 13 provided.
2 14 5. "Funding source" means the state account or
2 15 fund the expenditure is appropriated from.
2 16 6. "State audit or report" shall include any audit
2 17 or report issued by the auditor of state, department
2 18 of management, legislative services agency,
2 19 legislative committee, or executive body relating to
2 20 the entity or recipient of funds, the budget program
2 21 or activity, or agency.
2 22 Sec. _____. NEW SECTION. 23.4 SEARCHABLE BUDGET
2 23 DATABASE WEB SITE CREATED.
2 24 1. By January 1, 2010, the director shall develop
2 25 and make publicly available a single, searchable
2 26 budget database web site including the data required
2 27 in this section for the most recent state budget.
2 28 2. The searchable budget database web site
2 29 developed pursuant to this section shall allow the
2 30 public at no cost to search and aggregate information
2 31 for all of the following:
2 32 a. Name and principal location or residence of the
2 33 entity or recipient of funds.
2 34 b. Amount of funds expended.
2 35 c. Funding or expending agency.
2 36 d. Funding source of the revenue expended.
2 37 e. Budget program or activity of the expenditure.
2 38 f. Descriptive purpose for the funding action or
2 39 expenditure.
2 40 g. Expected performance outcome for the funding
2 41 action or expenditure.
2 42 h. Past performance outcomes achieved for the
2 43 funding action or expenditure.
2 44 i. State audit or report relating to the entity or
2 45 recipient of funds or the budget program or activity
2 46 or agency.
2 47 j. Any other relevant information specified by the
2 48 director.
2 49 Sec. _____. NEW SECTION. 23.5 WEB SITE UPDATES.
2 50 Effective July 1, 2010, the searchable budget



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3 1 database web site shall be updated for each fiscal
3 2 year not later than thirty days following the close of
3 3 the fiscal year. In addition, the director may update
3 4 the searchable budget database web site as new data
3 5 becomes available. All state agencies shall provide
3 6 to the director all data that is required to be
3 7 included in the searchable budget database web site
3 8 not later than thirty days after the data becomes
3 9 available to the agency. The director shall provide
3 10 guidance to agency heads or the governing body of an
3 11 agency to ensure compliance with this section.

3 12 By January 1, 2011, the director shall add data for
3 13 the previous budgets to the searchable budget database
3 14 web site. Data for previous fiscal years may be added
3 15 as available and time permits. The director shall
3 16 ensure that all data added to the searchable budget
3 17 database web site remains accessible to the public for
3 18 a minimum of ten years.

3 19 Sec. _____. NEW SECTION. 23.6 NONCOMPLIANCE.

3 20 The director shall not be considered in compliance
3 21 with this chapter if the data required for the
3 22 searchable budget database web site is not available
3 23 in a searchable and aggregate manner or the public is
3 24 redirected to other government web sites unless each
3 25 of those sites has information from all agencies and
3 26 each category of information required can be searched
3 27 electronically by field in a single search.>

3 28 #6. By renumbering as necessary.

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3 31

3 32 JERRY BEHN

3 33 SF 2400.301 82

3 34 ec/mg/11348



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Senate Amendment 5213

PAG LIN

1 1 Amend Senate File 2400 as follows:
1 2 #1. Page 17, by inserting after line 14 the
1 3 following:
1 4 <Sec. _____. Section 68B.32A, Code Supplement 2007,
1 5 is amended by adding the following new subsection:
1 6 NEW SUBSECTION. 15. At the board's discretion,
1 7 develop and operate a searchable internet site
1 8 database that provides access to information on
1 9 statements or reports filed with the board. For
1 10 purposes of this subsection, "searchable internet site
1 11 database" means an internet site database that allows
1 12 the public to search and aggregate information and is
1 13 in a downloadable format.>
1 14 #2. By renumbering as necessary.
1 15
1 16
1 17
1 18 JEFF DANIELSON
1 19 SF 2400.202 82
1 20 ec/mg/20930
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Senate Amendment 5214

PAG LIN

1 1 Amend House File 2645, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 2, line 14, by striking the words <but
1 4 not limited to>.
1 5 #2. Page 3, by striking line 11.
1 6 #3. Page 3, by striking lines 22 through 23 and
1 7 inserting the following:
1 8 <w. Other matters mutually agreed upon.>
1 9 #4. By renumbering as necessary.
1 10
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1 12
1 13 MARK ZIEMAN
1 14 HF 2645.748 82
1 15 ec/rj/11393
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Senate Amendment 5215

PAG LIN

1 1 Amend Senate Concurrent Resolution 104 as follows:
1 2 #1. Page 3, line 12, by inserting after the word
1 3 <Denver> the following: <, Colorado>.
1 4 #2. Page 3, line 13, by striking the word
1 5 <Legislatures.> and inserting the following:
1 6 <Legislatures; and
1 7 BE IT FURTHER RESOLVED, That a copy of this
1 8 resolution be delivered to the Lexington, Kentucky,
1 9 office of the Council of State Governments; and
1 10 BE IT FURTHER RESOLVED, That a copy of this
1 11 resolution be delivered to the Harrodsburg, Kentucky,
1 12 office of the State Agriculture and Rural Leaders
1 13 Association.>
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1 16
1 17 DAVID JOHNSON
1 18 SCR 104.701 82
1 19 da/rj/20932
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Senate Resolution 120 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY DVORSKY, BOLKCOM, and SCHMITZ
1 3 A Resolution honoring Lisa Bluder, Head Coach of the
1 4 University of Iowa's Women's Basketball Team and 2008
1 5 Big Ten Coach of the Year.
1 6 WHEREAS, Lisa Bluder is an Iowa native and a
1 7 graduate of Linn-Mar High School in Marion and of the
1 8 University of Northern Iowa, where she earned a
1 9 bachelor's degree in marketing in 1983; and
1 10 WHEREAS, Coach Bluder was named Missouri Valley
1 11 Coach of the Year three times, in 1995, 1997, and
1 12 1998, while coaching the women's basketball team at
1 13 Drake University; and
1 14 WHEREAS, Lisa Bluder is one of the most respected
1 15 and admired coaches in women's collegiate basketball,
1 16 with an overall record of 504=239 (.679) and 148=97
1 17 (.605) in eight seasons at the University of Iowa; and
1 18 WHEREAS, in her first season with the Black and
1 19 Gold, Ms. Bluder transformed a struggling program into
1 20 a 21=game winner, leading her Hawkeyes to tie for
1 21 second place in the Big Ten and win the Big Ten
1 22 Tournament title in 2001; and
1 23 WHEREAS, Virginia and USA Basketball Head Coach
1 24 Debbie Ryan chose Bluder as an assistant coach to help
1 25 guide Team USA at the 2001 World University Games in
1 26 Beijing, China; and
1 27 WHEREAS, Team USA marched into the gold medal game
1 28 against host team China and won 87=69 and finished the
1 29 2001 World University Games with a 7=1 mark; and
1 30 WHEREAS, Coach Bluder has guided Iowa to five



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2 1 upper-division finishes in the Big Ten Conference,
2 2 including winning a share of the league title with
2 3 Ohio State in 2008, and her teams have ranked in the
2 4 top five in Big Ten scoring and assists all eight
2 5 seasons; and
2 6 WHEREAS, student athletes who have played under
2 7 Lisa Bluder have a 100 percent job placement rate
2 8 following their collegiate careers; and
2 9 WHEREAS, all of Coach Bluder's recruited student
2 10 athletes have earned their degrees and three former
2 11 players have become coaches == Randi Peterson as head
2 12 coach at Coe College and Cara Consuegra and Jennie
2 13 Lillis as assistant coaches at Marquette University;
2 14 and
2 15 WHEREAS, Coach Bluder won career game number 500 on
2 16 February 10, 2008, at Penn State, becoming the 35th
2 17 Division I coach to accomplish the feat; and
2 18 WHEREAS, Lisa Bluder is the second most winning
2 19 women's basketball coach at Iowa, behind the
2 20 exceptional Women's Basketball Hall of Fame member C.
2 21 Vivian Stringer; and
2 22 WHEREAS, the 2008 Big Ten Coach of the Year honor
2 23 is Coach Bluder's second at Iowa, the first coming in
2 24 2001, and it is her fifth Big Ten Coach of the Year
2 25 honor overall; NOW THEREFORE,
2 26 BE IT RESOLVED BY THE SENATE, That the Senate
2 27 congratulates Head Coach Lisa Bluder for being named
2 28 2008 Big Ten Coach of the Year and leading the
2 29 Hawkeyes to another successful season, thanks Coach
2 30 Bluder for bringing honor to the University of Iowa



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3 1 and the State of Iowa, and wishes Coach Bluder the
3 2 very best in all her future endeavors; and
3 3 BE IT FURTHER RESOLVED, That, upon adoption, an
3 4 official copy of this Resolution be prepared for
3 5 presentation to University of Iowa Women's Basketball
3 6 Head Coach Lisa Bluder.
3 7 LSB 6615SS 82
3 8 kh/rj/14