



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8287

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. Page 4, by striking lines 34 and 35 and
1 4 inserting the following: <horses, one hundred eighty
1 5 live racing performances for quarter horses, and one
1 6 hundred seventy live racing performances for
1 7 standardbred horses. Live racing performances do
1 8 not>.
1 9
1 10
1 11
1 12 PALMER of Mahaska
1 13
1 14
1 15
1 16 SANDS of Louisa
1 17
1 18
1 19
1 20 DE BOEF of Keokuk
1 21
1 22
1 23
1 24 MAY of Dickinson
1 25
1 26
1 27
1 28 CHAMBERS of O'Brien
1 29
1 30
1 31
1 32 GREINER of Washington
1 33
1 34
1 35
1 36 WHITAKER of Van Buren
1 37
1 38
1 39
1 40 HUSEMAN of Cherokee
1 41
1 42
1 43
1 44 ALONS of Sioux
1 45
1 46
1 47
1 48 DOLECHECK of Ringgold
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8287 continued

2 1
2 2 PETTENGILL of Benton
2 3
2 4
2 5
2 6 SMITH of Marshall
2 7
2 8
2 9
2 10 DEYOE of Story
2 11
2 12
2 13
2 14 S. OLSON of Clinton
2 15
2 16
2 17
2 18 MERTZ of Kossuth
2 19
2 20
2 21
2 22 WORTHAN of Buena Vista
2 23
2 24
2 25
2 26 ANDERSON of Page
2 27
2 28
2 29
2 30 GRANZOW of Hardin
2 31
2 32
2 33
2 34 WENTHE of Fayette
2 35
2 36
2 37
2 38 LUKAN of Dubuque
2 39
2 40
2 41
2 42 JOCHUM of Dubuque
2 43
2 44
2 45
2 46 RASMUSSEN of Buchanan
2 47
2 48
2 49
2 50 HEATON of Henry



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8287 continued

3 1
3 2
3 3
3 4 HORBACH of Tama
3 5
3 6
3 7
3 8 SODERBERG of Plymouth
3 9
3 10
3 11
3 12 BAUDLER of Adair
3 13
3 14
3 15
3 16 TJEPKES of Webster
3 17
3 18
3 19
3 20 RAYHONS of Hancock
3 21
3 22
3 23
3 24 WIENCEK of Black Hawk
3 25
3 26
3 27
3 28 THOMAS of Clayton
3 29
3 30
3 31
3 32 SCHUELLER of Jackson
3 33
3 34
3 35
3 36 FREVERT of Palo Alto
3 37
3 38
3 39
3 40 FOEGE of Linn
3 41
3 42
3 43
3 44 ZIRKELBACH of Jones
3 45
3 46
3 47
3 48 WISE of Lee
3 49
3 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8287 continued

4 1
4 2 VAN FOSSEN of Scott
4 3
4 4
4 5
4 6 GASKILL of Wapello
4 7 SF 348.512 82
4 8 ec/rj/5631



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8288

PAG LIN

1 1 Amend Senate File 2251, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 4, by inserting after the word
1 4 <association> the following: <and as approved by the
1 5 department of education>.
1 6
1 7
1 8
1 9 COMMITTEE ON EDUCATION
1 10 WENDT of Woodbury, Chairperson
1 11 SF 2251.303 82
1 12 ak/rj/10668
1 13
1 14
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8289

PAG LIN

1 1 Amend Senate File 2216, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by striking lines 19 through 28 and
1 4 inserting the following: <through grade twelve in
1 5 those areas. The department shall further define the
1 6 twenty-first century learning skills components by
1 7 rule.>
1 8 #2. Page 2, by striking lines 5 through 7 and
1 9 inserting the following: <Neither the state board nor
1 10 the department shall require school districts or
1 11 accredited nonpublic schools to adopt a specific
1 12 textbook, textbook series, or specific instructional
1 13 methodology, or acquire specific textbooks, curriculum
1 14 materials, or educational products from a specific
1 15 vendor in order to meet the core curriculum
1 16 requirements of.>
1 17 #3. Page 2, line 30, by inserting after the figure
1 18 <57.> the following: <a.>
1 19 #4. Page 2, by striking lines 33 and 34 and
1 20 inserting the following: <that school districts and
1 21 accredited nonpublic schools shall utilize, including
1 22 but not limited to the development and>.
1 23 #5. Page 2, line 35, by inserting before the word
1 24 <assessments> the following: <model>.
1 25 #6. Page 3, line 1, by striking the word <can> and
1 26 inserting the following: <may>.
1 27 #7. Page 3, by striking lines 3 and 4 and
1 28 inserting the following: <The department shall, in
1 29 collaboration with the advisory group convened in
1 30 accordance with paragraph "b" and educational
1 31 assessment providers, identify and make available to
1 32 school districts end-of-course and additional model>.
1 33 #8. Page 3, line 6, by inserting after the word
1 34 <curriculum.> the following: <The model assessments
1 35 shall be suitable to meet the multiple assessment
1 36 measures requirement specified in section 256.7,
1 37 subsection 21, paragraph "c".
1 38 b. Convene an advisory group comprised of
1 39 education stakeholders including but not limited to
1 40 school district and accredited nonpublic school
1 41 teachers, school administrators, higher education
1 42 faculty who teach in the subjects for which the
1 43 curriculum is being adopted, private sector employers,
1 44 members of the boards of directors of school
1 45 districts, and individuals representing the
1 46 educational assessment providers. The task force
1 47 shall review the national assessment of educational
1 48 progress standards and assessments used by other
1 49 states, and shall consider standards identified as
1 50 best practices in the field of study by the national



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8289 continued

2 1 councils of teachers of English and mathematics, the
2 2 national council for the social studies, the national
2 3 science teachers association, and other recognized
2 4 experts.>

2 5 #9. Page 3, by inserting after line 13 the
2 6 following:

2 7 <Sec. _____. Section 257.11, Code Supplement 2007,
2 8 is amended by adding the following new subsection:

2 9 NEW SUBSECTION. 8A. A school district shall
2 10 ensure that any course made available to a student
2 11 through any sharing agreement between the school
2 12 district and a community college or any other entity
2 13 providing course programming pursuant to this section
2 14 to students enrolled in the school district meets the
2 15 expectations contained in the core curriculum adopted
2 16 pursuant to section 256.7, subsection 26. The school
2 17 district shall ensure that any course that has the
2 18 capacity to generate college credit shall be
2 19 equivalent to college-level work.>

2 20 #10. Page 4, by inserting after line 12 the
2 21 following:

2 22 <Sec. _____. Section 280.2, Code 2007, is amended to
2 23 read as follows:

2 24 280.2 DEFINITIONS.

2 25 The term "public school" means any school directly
2 26 supported in whole or in part by taxation. The term
2 27 "nonpublic school" means any other school which is
2 28 accredited ~~or which uses licensed practitioners as~~
2 29 ~~instructors pursuant to section 256.11.>~~

2 30 #11. Page 4, line 15, by striking the words
2 31 ~~<DUTIES OF BOARD>~~ and inserting the following:

2 32 <DUTIES OF BOARD ==>.

2 33 #12. Page 6, line 20, by inserting after the word
2 34 <The> the following: <study shall include an
2 35 examination of the possible future expansion of the
2 36 core curriculum to include content areas not currently
2 37 included under section 256.7, subsection 26, including
2 38 but not limited to fine arts, applied arts,
2 39 humanities, and world languages. The>.

2 40 #13. By renumbering, relettering, or redesignating
2 41 and correcting internal references as necessary.

2 42

2 43

2 44

2 45 COMMITTEE ON EDUCATION

2 46 WENDT of Woodbury, Chairperson

2 47 SF 2216.712 82

2 48 kh/nh/10670



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8290

PAG LIN

1 1 Amend Senate File 2329, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Sec. _____. Section 256D.2, Code 2007, is amended
1 6 to read as follows:
1 7 256D.2 PROGRAM EXPENDITURES.
1 8 1. A school district shall expend funds received
1 9 pursuant to section 256D.4 at the kindergarten through
1 10 grade three levels to reduce class sizes to the state
1 11 goal of seventeen students for every one teacher and
1 12 to achieve a higher level of student success in the
1 13 basic skills, especially reading. In order to support
1 14 these efforts, school districts may expend funds
1 15 received pursuant to section 256D.4 at the
1 16 kindergarten through grade three level on programs,
1 17 instructional support, and materials that include, but
1 18 are not limited to, the following: additional
1 19 licensed instructional staff; additional support for
1 20 students, such as before and after school programs,
1 21 tutoring, and intensive summer programs; the
1 22 acquisition and administration of diagnostic reading
1 23 assessments; the implementation of research-based
1 24 instructional intervention programs for students
1 25 needing additional support; the implementation of
1 26 all-day, everyday kindergarten programs; and the
1 27 provision of classroom teachers with intensive
1 28 training programs to improve reading instruction and
1 29 professional development in best practices, including
1 30 but not limited to training programs related to
1 31 instruction to increase students' phonemic awareness,
1 32 reading abilities, and comprehension skills.
1 33 2. This section is repealed June 30, 2009.
1 34 Sec. _____. NEW SECTION. 256D.2A PROGRAM FUNDING.
1 35 Beginning July 1, 2009, and each succeeding year, a
1 36 school district shall expend funds received pursuant
1 37 to section 257.10, subsection 11, at the kindergarten
1 38 through grade three levels to reduce class sizes to
1 39 the state goal of seventeen students for every one
1 40 teacher and to achieve a higher level of student
1 41 success in the basic skills, especially reading. In
1 42 order to support these efforts, school districts may
1 43 expend funds received pursuant to section 257.10,
1 44 subsection 11, at the kindergarten through grade three
1 45 level on programs, instructional support, and
1 46 materials that include but are not limited to the
1 47 following: additional licensed instructional staff;
1 48 additional support for students, such as before and
1 49 after school programs, tutoring, and intensive summer
1 50 programs; the acquisition and administration of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8290 continued

2 1 diagnostic reading assessments; the implementation of
2 2 research-based instructional intervention programs for
2 3 students needing additional support; the
2 4 implementation of all-day, everyday kindergarten
2 5 programs; and the provision of classroom teachers with
2 6 intensive training programs to improve reading
2 7 instruction and professional development in best
2 8 practices including but not limited to training
2 9 programs related to instruction to increase students'
2 10 phonemic awareness, reading abilities, and
2 11 comprehension skills.

2 12 Sec. _____. Section 256D.4, subsection 3, Code 2007,
2 13 is amended to read as follows:

2 14 3. For each year in which an appropriation is made
2 15 to the Iowa early intervention block grant program,
2 16 the department of education shall notify the
2 17 department of administrative services of the amount of
2 18 the allocation to be paid to each school district as
2 19 provided in subsections 1 and 2. The allocation to
2 20 each school district shall be made in one payment on
2 21 or about October 15 of the fiscal year for which the
2 22 appropriation is made, taking into consideration the
2 23 relative budget and cash position of the state
2 24 resources. Moneys received under this section shall
2 25 not be commingled with state aid payments made under
2 26 section 257.16 to a school district and shall be
2 27 accounted for by the local school district separately
2 28 from state aid payments. Payments made to school
2 29 districts under this section are miscellaneous income
2 30 for purposes of chapter 257. ~~A school district shall~~
~~2 31 maintain a separate listing within its budget for~~
~~2 32 payments received and expenditures made pursuant to~~
~~2 33 this section. A school district shall certify to the~~
~~2 34 department of education that moneys received under~~
~~2 35 this section were used to supplement, not supplant,~~
~~2 36 moneys otherwise received and used by the school~~
~~2 37 district.~~

2 38 Sec. _____. Section 256D.4, subsection 4, Code 2007,
2 39 is amended by striking the subsection and inserting in
2 40 lieu thereof the following:

2 41 This section is repealed June 30, 2009.

2 42 Sec. _____. NEW SECTION. 256D.4A PROGRAM
2 43 REQUIREMENTS.

2 44 A school district shall maintain a separate listing
2 45 within its budget for payments received and
2 46 expenditures made pursuant to this section. A school
2 47 district shall certify to the department of education
2 48 that moneys received under this section were used to
2 49 supplement, not supplant, moneys otherwise received
2 50 and used by the school district.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8290 continued

3 1 Sec. _____. Section 256D.5, subsection 4, Code
3 2 Supplement 2007, is amended to read as follows:
3 3 4. For each fiscal year of the fiscal period
3 4 beginning July 1, 2004, and ending June 30, ~~2012~~ 2009,
3 5 the sum of twenty-nine million two hundred fifty
3 6 thousand dollars.>
3 7 #2. Page 6, line 23, by striking the words <one
3 8 hundred one> and inserting the following: <one
3 9 hundred>.
3 10 #3. Page 7, line 22, by striking the words <one
3 11 hundred one> and inserting the following: <one
3 12 hundred>.
3 13 #4. Page 8, line 21, by striking the words <one
3 14 hundred one> and inserting the following: <one
3 15 hundred>.
3 16 #5. Page 10, line 11, by striking the words <one
3 17 hundred one> and inserting the following: <one
3 18 hundred>.
3 19 #6. Page 11, line 16, by striking the word <one>.
3 20 #7. Page 12, by inserting after line 10 the
3 21 following:
3 22 <Sec. _____. Section 294A.9, Code 2007, is amended
3 23 to read as follows:
3 24 294A.9 PHASE II PROGRAM.
3 25 1. Phase II is established to improve the salaries
3 26 of teachers.
3 27 2. For each fiscal year beginning on or after July
3 28 1, 1992, the per pupil amount upon which the phase II
3 29 moneys are based is equal to the per pupil allocation
3 30 plus supplemental allocations for the immediately
3 31 preceding fiscal year.
3 32 3. The department of education shall certify the
3 33 amounts of the allocations for each school district
3 34 and area education agency to the department of
3 35 administrative services and the department of
3 36 administrative services shall make the payments to
3 37 school districts and area education agencies.
3 38 4. If a school district has discontinued grades
3 39 under section 282.7, subsection 1, or students attend
3 40 school in another school district, under an agreement
3 41 with the board of the other school district, the board
3 42 of directors of the district of residence either shall
3 43 transmit the phase II moneys allocated to the district
3 44 for those students based upon the full-time equivalent
3 45 attendance of those students to the board of the
3 46 school district of attendance of the students or shall
3 47 transmit to the board of the school district of
3 48 attendance of the students a portion of the phase II
3 49 moneys allocated to the district of residence based
3 50 upon an agreement between the board of the resident



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8290 continued

4 1 district and the board of the district of attendance.
4 2 5. If a school district uses teachers under a
4 3 contract between the district and the area education
4 4 agency in which the district is located, the school
4 5 district shall transmit to the employing area
4 6 education agency a portion of its phase II allocation
4 7 based upon the portion that the salaries of teachers
4 8 employed by the area education agency and assigned to
4 9 the school district for a school year bears to the
4 10 total teacher salaries paid in the district for that
4 11 school year, including the salaries of the teachers
4 12 employed by the area education agency.

4 13 6. If the school district or area education agency
4 14 is organized under chapter 20 for collective
4 15 bargaining purposes, the board of directors and
4 16 certified bargaining representative for the licensed
4 17 employees shall mutually agree upon a formula for
4 18 distributing the phase II allocation among the
4 19 teachers.

4 20 7. For the school year beginning July 1, 1987,
4 21 only, the parties shall follow the procedures
4 22 specified in chapter 20 except that if the parties
4 23 reach an impasse, neither impasse procedures agreed to
4 24 by the parties nor sections 20.20 through 20.22 shall
4 25 apply and the phase II allocation shall be divided as
4 26 provided in section 294A.10. Negotiations under this
4 27 section are subject to the scope of negotiations
4 28 specified in section 20.9. If a board of directors
4 29 and certified bargaining representative for licensed
4 30 employees have not reached mutual agreement by July
4 31 15, 1987, for the distribution of the phase II
4 32 payment, section 294A.10 will apply.

4 33 8. If the school district or area education agency
4 34 is not organized for collective bargaining purposes,
4 35 the board of directors shall determine the method of
4 36 distribution.

4 37 9. Subsections 2, 3, 4, and 7 are repealed June
4 38 30, 2009.

4 39 Sec. _____. Section 294A.10, Code 2007, is amended
4 40 by adding the following new subsection:

4 41 NEW SUBSECTION. 5. This section is repealed June
4 42 30, 2009.

4 43 Sec. _____. Section 294A.22, Code 2007, is amended
4 44 to read as follows:

4 45 294A.22 PAYMENTS.

4 46 1. Payments for each phase of the educational
4 47 excellence program shall be made by the department of
4 48 administrative services on a monthly basis commencing
4 49 on October 15 and ending on June 15 of each fiscal
4 50 year, taking into consideration the relative budget



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8290 continued

5 1 and cash position of the state resources. The
5 2 payments shall be separate from state aid payments
5 3 made pursuant to sections 257.16 and 257.35. The
5 4 payments made under this section to a school district
5 5 or area education agency may be combined and a
5 6 separate accounting of the amount paid for each
5 7 program shall be included.

5 8 2. Any payments made to school districts or area
5 9 education agencies under this chapter are
5 10 miscellaneous income for purposes of chapter 257.

5 11 3. Payments made to a teacher by a school district
5 12 or area education agency under this chapter are wages
5 13 for the purposes of chapter 91A.

5 14 4. If funds appropriated are insufficient to pay
5 15 phase II allocations in full, the department of
5 16 administrative services shall prorate payments to
5 17 school districts and area education agencies.

5 18 This subsection is repealed June 30, 2009.

5 19 Sec. _____. Section 294A.25, subsection 1, Code
5 20 2007, is amended to read as follows:

5 21 1. For the fiscal ~~year~~ period beginning July 1,
5 22 2003, and ~~for each succeeding year~~ ending June 30,
5 23 2009, there is appropriated each fiscal year from the
5 24 general fund of the state to the department of
5 25 education the amount of fifty=six million eight
5 26 hundred ninety=one thousand three hundred thirty=six
5 27 dollars to be used to improve teacher salaries. The
5 28 moneys shall be distributed as provided in this
5 29 section.

5 30 Sec. _____. Section 294A.25, Code 2007, is amended
5 31 by adding the following new subsection:

5 32 NEW SUBSECTION. 1A. For the fiscal year beginning
5 33 July 1, 2009, and for each succeeding year, there is
5 34 appropriated from the general fund of the state to the
5 35 department of education an amount not to exceed
5 36 fifteen million six hundred thirty=three thousand two
5 37 hundred forty=five dollars. The moneys shall be
5 38 distributed as provided in this section.

5 39 Sec. _____. Section 294A.25, subsection 6, Code
5 40 2007, is amended to read as follows:

5 41 6. Except as otherwise provided in this section,
5 42 for the fiscal ~~year~~ period beginning July 1, 2003, and
5 43 ~~succeeding fiscal years~~ ending June 30, 2009, the
5 44 remainder of moneys appropriated in subsection 1 to
5 45 the department of education shall be deposited each
5 46 fiscal year in the educational excellence fund to be
5 47 allocated in an amount to meet the requirements of
5 48 this chapter for phase I and phase II.

5 49 Sec. _____. Section 294A.25, Code 2007, is amended
5 50 by adding the following new subsection:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8290 continued

6 1 NEW SUBSECTION. 6A. Except as otherwise provided
6 2 in this section, for the fiscal year beginning July 1,
6 3 2009, and succeeding fiscal years, the remainder of
6 4 moneys appropriated in subsection 1 to the department
6 5 of education shall be deposited in the educational
6 6 excellence fund to be allocated in an amount to meet
6 7 the requirements of this chapter for phase I.>
6 8 #8. Title page, line 4, by inserting after the
6 9 word <basis> the following: <, and providing
6 10 appropriations>.
6 11 #9. By renumbering as necessary.
6 12
6 13
6 14
6 15 COMMITTEE ON EDUCATION
6 16 WENDT of Woodbury, CHAIRPERSON
6 17 SF 2329.202 82
6 18 ak/sc/10669



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8291

PAG LIN

```

1 1 Amend the amendment, H=8150, to House File 2651, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 1 the
1 4 following:
1 5 <#____. Page 1, line 21, by striking the word
1 6 <subsection> and inserting the following:
1 7 <subsections>.
1 8 #____. Page 1, by inserting after line 31 the
1 9 following:
1 10 <NEW SUBSECTION. 2B. a. A person who is
1 11 disqualified from operating a commercial motor vehicle
1 12 pursuant to subsection 1, 2, or 2A, who prevails in a
1 13 hearing on the criminal action on the charge of a
1 14 violation of section 321J.2 resulting from the same
1 15 circumstances that resulted in the administrative
1 16 disqualification, is entitled to reinstatement of the
1 17 person's privilege to operate a commercial motor
1 18 vehicle if the court held either of the following:
1 19 (1) That the peace officer did not have reasonable
1 20 grounds to believe that a violation of section 321J.2
1 21 had occurred to support a request for or to administer
1 22 a chemical test.
1 23 (2) That the chemical test was otherwise
1 24 inadmissible or invalid.
1 25 b. Such a holding by the court in the criminal
1 26 action is binding on the department, and the
1 27 department shall rescind the disqualification.>>
1 28 #2. By renumbering as necessary.
1 29
1 30
1 31
1 32 R. OLSON of Polk
1 33 HF 2651.204 82
1 34 dea/nh/20951
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50

```



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8292

PAG LIN

1 1 Amend the amendment, H=8270, to House File 2651 as
1 2 follows:
1 3 #1. By striking page 1, line 1, through page 2,
1 4 line 15, and inserting the following:
1 5 <Amend House File 2651 as follows:
1 6 #___. Page 1, by inserting after line 4 the
1 7 following:
1 8 <Sec. ____. Section 321.34, subsection 7, paragraph
1 9 a, Code Supplement 2007, is amended to read as
1 10 follows:
1 11 a. Upon application and payment of the proper
1 12 fees, the director may issue to the owner of a motor
1 13 vehicle subject to registration under section 321.109,
1 14 subsection 1, motor truck, motor home, multipurpose
1 15 vehicle, trailer over two thousand pounds, or travel
1 16 trailer registered in this state, collegiate
1 17 registration plates created pursuant to this
1 18 subsection. Upon receipt of the collegiate
1 19 registration plates, the applicant shall surrender the
1 20 regular registration plates to the county treasurer.
1 21 Sec. ____. Section 321.34, Code Supplement 2007, is
1 22 amended by adding the following new subsection:
1 23 NEW SUBSECTION. 7A. COLLEGIATE PLATES == PRIVATE
1 24 FOUR=YEAR COLLEGES AND UNIVERSITIES.
1 25 a. Upon application by a private four-year college
1 26 or university located in this state and payment of the
1 27 initial set-up costs for establishing the collegiate
1 28 plate, the department, in consultation with the
1 29 college or university, may design a special collegiate
1 30 registration plate displaying the colors associated
1 31 with the college or university.
1 32 b. Upon application and payment of the proper
1 33 fees, the director may issue to the owner of a motor
1 34 vehicle subject to registration under section 321.109,
1 35 subsection 1, motor truck, motor home, multipurpose
1 36 vehicle, trailer over two thousand pounds, or travel
1 37 trailer registered in this state, collegiate
1 38 registration plates created pursuant to this
1 39 subsection. The fee for the issuance of collegiate
1 40 registration plates is twenty-five dollars, which fee
1 41 is in addition to the regular annual registration fee
1 42 for the vehicle. An applicant may obtain a
1 43 personalized collegiate registration plate upon
1 44 payment of the additional fee for a personalized plate
1 45 as provided in subsection 5 in addition to the
1 46 collegiate plate fee and the regular registration fee.
1 47 The county treasurer shall validate collegiate
1 48 registration plates issued under this subsection in
1 49 the same manner as regular registration plates, upon
1 50 payment of five dollars in addition to the regular



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8292 continued

2 1 annual registration fee. Upon receipt of the
2 2 collegiate registration plates, the applicant shall
2 3 surrender the regular registration plates to the
2 4 county treasurer.
2 5 c. A personalized collegiate registration plate
2 6 shall not be issued if its combination of alphanumeric
2 7 characters are identical to those contained on a
2 8 current personalized registration plate issued under
2 9 subsection 5. However, the owner of a motor vehicle
2 10 who has a personalized registration plate issued for
2 11 the motor vehicle may, after proper application and
2 12 payment of fees, be issued a collegiate registration
2 13 plate containing the same alphanumeric characters as
2 14 those on the personalized plate. Upon receipt of the
2 15 collegiate registration plates, the owner shall
2 16 surrender the personalized registration plates to the
2 17 county treasurer.>
2 18 #___. Page 1, by inserting after line 19 the
2 19 following:
2 20 <Sec. ___. Section 321.166, subsection 5, Code
2 21 2007, is amended to read as follows:
2 22 5. There shall be a marked contrast between the
2 23 color of the registration plates and the data which is
2 24 required to be displayed on the registration plates.
2 25 When a new series of registration plates is issued to
2 26 replace a current series, the new registration plates
2 27 shall be of a distinctively different color from the
2 28 series which is replaced, except for collegiate
2 29 registration plates issued under section 321.34,
2 30 subsection 7 or 7A.>
2 31 #___. Title page, line 7, by inserting after the
2 32 word <repairs,> the following: <providing for new
2 33 collegiate motor vehicle registration plates and
2 34 providing fees,>.
2 35 #___. By renumbering as necessary.>
2 36
2 37
2 38
2 39 RAECKER of Polk
2 40 HF 2651.506 82
2 41 dea/nh/10723



Iowa General Assembly
 Daily Bills, Amendments & Study Bills
 March 25, 2008

House Amendment 8293

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



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8293 continued

2 1 word <games> the following: <at a gambling facility
2 2 or racetrack enclosure>.
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 348.311 82
2 18 ec/nh/20953



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8294

PAG LIN

1 1 Amend House File 2623 as follows:
 1 2 #1. Page 2, by inserting after line 23 the
 1 3 following:
 1 4 <Sec. _____. Section 299.2, subsection 1, Code 2007,
 1 5 is amended to read as follows:
 1 6 1. a. Who has completed the requirements for
 1 7 graduation in an accredited school or has obtained a
 1 8 high school equivalency diploma under chapter 259A.
 1 9 b. Who is making satisfactory progress towards
 1 10 completion of the requirements for a high school
 1 11 equivalency diploma under chapter 259A after obtaining
 1 12 a written statement from the school district of
 1 13 enrollment affirming that the child has withdrawn from
 1 14 high school. A school district or accredited
 1 15 nonpublic school shall provide the written statement
 1 16 to a former student upon request.>
 1 17 #2. By renumbering as necessary.
 1 18
 1 19
 1 20
 1 21 GAYMAN of Scott
 1 22 HF 2623.702 82
 1 23 kh/nh/11874
 1 24
 1 25
 1 26
 1 27
 1 28
 1 29
 1 30
 1 31
 1 32
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8295

PAG LIN

1 1 Amend House File 2610 as follows:
1 2 #1. Page 1, by striking lines 1 and 2.
1 3 #2. By striking page 6, line 8, through page 16,
1 4 line 9.
1 5 #3. Title page, by striking line 3.
1 6 #4. By renumbering as necessary.
1 7
1 8
1 9
1 10 HORBACH of Tama
1 11 HF 2610.208 82
1 12 ak/rj/20945
1 13
1 14
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8296

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. ____ . TEMPORARY HIGHWAY CLOSURES. Upon
1 8 application by a city located along state highway 175
1 9 for a temporary closure of a portion of the highway to
1 10 accommodate a scheduled community event, the
1 11 department of transportation shall approve the closure
1 12 for the amount of time needed for the community event,
1 13 not to exceed a single period of no more than
1 14 twenty=four hours.>>
1 15
1 16
1 17
1 18 WINDSCHITL of Harrison
1 19 HF 2651.507 82
1 20 dea/nh/20963
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8297

PAG LIN

1 1 Amend Senate File 2212, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 4, by inserting before the word
1 4 <terminated> the following: <involuntarily>.
1 5 #2. Page 1, line 17, by inserting before the word
1 6 <terminated> the following: <involuntarily>.
1 7
1 8
1 9
1 10 COMMITTEE ON JUDICIARY
1 11 SWAIM of Davis, Chairperson
1 12 SF 2212.702 82
1 13 jm/nh/11405
1 14
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8298

PAG LIN

1 1 Amend Senate File 2214, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 2, by inserting after the word
1 4 <CUSTODY> the following: <OR PHYSICAL CARE>.
1 5 #2. Page 1, line 4, by inserting after the word
1 6 <custody> the following: <or physical care>.
1 7 #3. Page 1, line 5, by inserting after the word
1 8 <filed> the following: <prior to or>.
1 9 #4. Page 1, line 7, by inserting after the word
1 10 <order> the following: <or decree>.
1 11 #5. Page 1, line 8, by striking the words <custody
1 12 order> and inserting the following: <custody or
1 13 physical care order or decree>.
1 14 #6. Page 1, line 11, by striking the words
1 15 <custody order> and inserting the following: <custody
1 16 or physical care order or decree>.
1 17 #7. Title page, line 1, by striking the words
1 18 <custody order> and inserting the following: <custody
1 19 or physical care order or decree>.
1 20
1 21
1 22
1 23 COMMITTEE ON JUDICIARY
1 24 SWAIM of Davis, CHAIRPERSON
1 25 SF 2214.202 82
1 26 pf/rj/10984
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8299

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. Page 6, by inserting after line 18 the
 1 4 following:
 1 5 <#____. Page 3, by inserting after line 13 the
 1 6 following:
 1 7 <Sec. ____ . GAMBLING GAMES WAGERING TAX ==
 1 8 ALLOCATION FOR STANDARDBRED HORSE RACES AND COUNTY
 1 9 FAIRS.
 1 10 Notwithstanding any other provision of law to the
 1 11 contrary, for the fiscal period beginning January 1,
 1 12 2011, and ending June 30, 2011, of the taxes imposed
 1 13 by section 99F.11, an amount equal to two-tenths of
 1 14 one percent of the adjusted gross receipts for that
 1 15 fiscal period shall be allocated during the fiscal
 1 16 period as follows:
 1 17 1. Five hundred thousand dollars shall be
 1 18 appropriated to a nonprofit entity established by the
 1 19 representatives of standardbred horse owners for
 1 20 purposes of standardbred horse races held at county
 1 21 fair racetracks.
 1 22 2. The moneys remaining after the appropriation in
 1 23 subsection 1 are appropriated to the treasurer of
 1 24 state for allocation as state aid to eligible fairs as
 1 25 provided in chapter 174.>>
 1 26 #2. Page 6, by inserting after line 32 the
 1 27 following:
 1 28 <3. The section of this Act amending section
 1 29 99F.11, subsection 3, takes effect July 1, 2011.>
 1 30 #3. By renumbering as necessary.
 1 31
 1 32
 1 33
 1 34 QUIRK of Chickasaw
 1 35 SF 348.202 82
 1 36 ec/nh/20565
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
 Daily Bills, Amendments & Study Bills
 March 25, 2008

House Amendment 8300

PAG LIN

1 1 Amend the amendment, H=8144, to House File 2508 as
 1 2 follows:
 1 3 #1. Page 1, by inserting after line 6 the
 1 4 following:
 1 5 <#____. Page 1, by inserting after line 8 the
 1 6 following: <This chapter does not apply to claims
 1 7 made under a policy or contract of dental insurance
 1 8 if, throughout the course of treatment, the liability
 1 9 to the enrollee for any procedure that is the subject
 1 10 of a coverage decision, is two hundred fifty dollars
 1 11 or less.>>
 1 12 #2. By renumbering as necessary.
 1 13
 1 14
 1 15
 1 16 HOFFMAN of Crawford
 1 17
 1 18
 1 19
 1 20 QUIRK of Chickasaw
 1 21
 1 22
 1 23
 1 24 SODERBERG of Plymouth
 1 25
 1 26
 1 27
 1 28 DANDEKAR of Linn
 1 29 HF 2508.703 82
 1 30 av/nh/11370
 1 31
 1 32
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8301

PAG LIN

1 1 Amend the amendment, H=8281, to House File 2652 as
1 2 follows
1 3 #1. Page 1, by inserting after line 9 the
1 4 following:
1 5 <#____. Page 7, by inserting after line 8 the
1 6 following:
1 7 <Sec. _____. Section 459.202, Code 2007, is amended
1 8 by adding the following new subsection:
1 9 NEW SUBSECTION. 7. A confinement feeding
1 10 operation structure shall not be constructed or
1 11 expanded within three thousand feet of an antique
1 12 airport museum.>>
1 13 #2. By renumbering as necessary.
1 14
1 15
1 16
1 17 GASKILL of Wapello
1 18 HF 2652.506 82
1 19 da/nh/20966
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8302

PAG LIN

1 1 Amend Senate File 203, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 18 and 19.
1 4 #2. Title page, line 3, by striking the words <and
1 5 an effective date>.
1 6
1 7
1 8
1 9 BAUDLER of Adair
1 10 SF 203.209 82
1 11 av/nh/20965
1 12
1 13
1 14
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8303

PAG LIN

1 1 Amend Senate File 203, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 14 through 17.
1 4 #2. By renumbering as necessary.
1 5
1 6
1 7
1 8 BAUDLER of Adair
1 9 SF 203.501 82
1 10 av/nh/20964
1 11
1 12
1 13
1 14
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8304

PAG LIN

1 1 Amend House File 2559 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 554E.1 PURCHASING OF
1 5 FLAGS == RESTRICTION.
1 6 1. The state, a state agency, political
1 7 subdivision of the state, school district, area
1 8 education agency, community college, an institution
1 9 under the control of the state board of regents, other
1 10 public entity, or a state, county, or municipal
1 11 cemetery shall not purchase, on or after July 1, 2008,
1 12 any of the following flags, unless the flag was
1 13 manufactured in the United States:
1 14 a. The United States flag.
1 15 b. The state flag of Iowa.
1 16 c. A flag representing or commemorating United
1 17 States soldiers classified as missing in action or
1 18 prisoners of war.
1 19 2. For purposes of this section, "flag" means a
1 20 piece of woven cloth or other material designed to be
1 21 flown for purposes of public display.
1 22 3. This section does not apply to representations
1 23 or depictions of a flag not meeting the definition in
1 24 subsection 2 which are affixed or attached to physical
1 25 objects, works of art, or memorabilia.>
1 26 #2. Title page, by striking lines 1 through 3 and
1 27 inserting the following: <An Act prohibiting the
1 28 purchase of designated flags manufactured outside the
1 29 United States.>
1 30
1 31
1 32
1 33 ZIRKELBACH of Jones
1 34 HF 2559.701 82
1 35 rn/nh/20968
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8305

PAG LIN

1 1 Amend the amendment, H=8150, to House File 2651 as
1 2 follows:

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

1 5 <#___>. Page 2, by inserting after line 10 the
1 6 following:

1 7 <Sec. ___>. Section 321.253, Code 2007, is amended
1 8 to read as follows:

1 9 321.253 DEPARTMENT TO ERECT SIGNS.

1 10 1. The department shall place and maintain such
1 11 traffic=control devices, conforming to its manual and
1 12 specifications, upon all primary highways as it ~~shall~~
~~1 13 deem~~ deems necessary to indicate and to carry out the
1 14 provisions of this chapter or to regulate, warn, or
1 15 guide traffic. Whenever practical, ~~said~~ the devices
1 16 or signs shall be purchased from the director of the
1 17 Iowa department of corrections.

1 18 2. The department shall post signs informing
1 19 motorists of the penalties for speeding in a road work
1 20 zone and that the scheduled fine for committing a any
1 21 other moving traffic violation in a road work zone is
1 22 doubled.>>

1 23 #2. Page 2, by inserting after line 11 the
1 24 following:

1 25 <#___>. Page 10, by inserting after line 18 the
1 26 following:

1 27 <Sec. ___>. Section 805.8A, subsection 14,
1 28 paragraph i, Code 2007, is amended to read as follows:

1 29 i. ROAD WORK ZONE VIOLATIONS. The scheduled fine
1 30 for any moving traffic violation under chapter 321, as
1 31 provided in this section, shall be doubled if the
1 32 violation occurs within any road work zone, as defined
1 33 in section 321.1. However, notwithstanding subsection
1 34 5, the scheduled fine for violating the speed limit in
1 35 a road work zone is as follows:

1 36 (1) One hundred fifty dollars for speed not more
1 37 than ten miles per hour over the posted speed limit.

1 38 (2) Three hundred dollars for speed greater than
1 39 ten but not more than twenty miles per hour over the
1 40 posted speed limit.

1 41 (3) Five hundred dollars for speed greater than
1 42 twenty but not more than twenty=five miles per hour
1 43 over the posted speed limit.

1 44 (4) One thousand dollars for speed greater than
1 45 twenty=five miles per hour over the posted speed
1 46 limit.>>

1 47 #3. Page 2, line 28, by inserting after the word
1 48 <vehicle,> the following: <penalties for speeding
1 49 violations committed in road work zones,>.

1 50 #4. By renumbering as necessary.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8305 continued

- 2 1
- 2 2
- 2 3
- 2 4 HUSER of Polk
- 2 5 HF 2651.705 82
- 2 6 dea/rj/10724



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8306

PAG LIN

1 1 Amend the amendment, H=8241, to House File 2651, as
 1 2 follows:
 1 3 #1. Page 1, line 50, by inserting after the word
 1 4 <district> the following: <by the county>.
 1 5 #2. Page 3, by striking lines 37 through 39 and
 1 6 inserting the following:
 1 7 <The trustees may contract only with the county to
 1 8 provide road services including road paving,
 1 9 reconstruction, or maintenance, according to the
 1 10 county's standards for such services, on roads within
 1 11 the>.
 1 12 #3. Page 3, line 42, by striking the word
 1 13 <material> and inserting the following: <materials
 1 14 incidental to the administrative functions of the
 1 15 trustees>.
 1 16 #4. Page 3, by inserting after line 46 the
 1 17 following:
 1 18 <Sec. ____ . NEW SECTION. 357I.10A REVENUES
 1 19 EXCLUDED FROM COUNTY GENERAL FUND TRANSFERS.
 1 20 The amount of revenue collected from the tax levied
 1 21 pursuant to section 357I.8 shall not be included in
 1 22 the calculation of property tax revenues transferred
 1 23 to the secondary road fund annually under section
 1 24 331.429.>
 1 25 #5. By renumbering as necessary.
 1 26
 1 27
 1 28
 1 29 HUSER of Polk
 1 30 HF 2651.706 82
 1 31 dea/nh/20970
 1 32
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8307

PAG LIN

1 1 Amend the amendment, H=8150, to House File 2651, as
 1 2 follows:
 1 3 #1. Page 1, by inserting after line 1 the
 1 4 following:
 1 5 <#____. Page 1, by inserting after line 19 the
 1 6 following:
 1 7 <Sec. _____. Section 321.189, subsection 6, Code
 1 8 Supplement 2007, is amended to read as follows:
 1 9 6. LICENSES ISSUED TO PERSONS UNDER AGE
 1 10 TWENTY=ONE. A driver's license issued to a person
 1 11 under eighteen years of age shall contain the same
 1 12 information as any other driver's license except that
 1 13 the words "under eighteen" shall appear prominently on
 1 14 the face of the license. A driver's license issued to
 1 15 a person eighteen years of age or older but less than
 1 16 twenty=one years of age shall contain the same
 1 17 information as any other driver's license except that
 1 18 the words "under twenty=one" shall appear prominently
 1 19 on the face of the license. Upon attaining the age of
 1 20 eighteen ~~or upon attaining the age of twenty=one,~~ and
 1 21 upon payment of a one dollar fee, the person shall be
 1 22 entitled to a new driver's license or nonoperator's
 1 23 identification card for the unexpired months of the
 1 24 driver's license or card. Upon attaining the age of
 1 25 twenty=one, the person shall surrender the person's
 1 26 driver's license or nonoperator's identification card
 1 27 to the department in exchange for a replacement
 1 28 license or card valid for the unexpired months of the
 1 29 surrendered license or card. The fee for issuance of
 1 30 the replacement driver's license or nonoperator's
 1 31 identification card is one dollar. An instruction
 1 32 permit or intermediate license issued under section
 1 33 321.180B, subsection 1 or 2, shall include a
 1 34 distinctive color bar. An intermediate license issued
 1 35 under section 321.180B, subsection 2, shall include
 1 36 the words "intermediate license" printed prominently
 1 37 on the face of the license.>>
 1 38 #2. Page 2, by inserting after line 26 the
 1 39 following:
 1 40 <#____. Title page, line 8, by inserting after the
 1 41 word <plates,> the following: <driver's licenses and
 1 42 nonoperator's identification cards for persons
 1 43 twenty=one years of age,>.>
 1 44 #3. By renumbering as necessary.
 1 45
 1 46
 1 47
 1 48 DAVITT of Warren
 1 49 HF 2651.205 82
 1 50 dea/rj/20972



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8308

PAG LIN

1 1 Amend House File 2527 as follows:
1 2 #1. Page 1, by inserting after line 16 the
1 3 following:
1 4 <Sec. _____. Section 709.4, subsection 2, unnumbered
1 5 paragraph 1, Code 2007, is amended to read as follows:
1 6 The act is between persons who are not ~~at the time~~
~~1 7 cohabiting as husband and wife married to each other~~
1 8 and if any of the following are true:>
1 9 #2. By renumbering as necessary.
1 10
1 11
1 12
1 13 RANTS of Woodbury
1 14 HF 2527.701 82
1 15 jm/nh/11209
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8309

PAG LIN

1 1 Amend the amendment, H=8150, to House File 2651 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 1 the
1 4 following:
1 5 <#____. Page 1, by inserting before line 1 the
1 6 following:
1 7 <Section 1. NEW SECTION. 306.47 UTILITY
1 8 FACILITIES RELOCATION POLICY.
1 9 It is the policy of the general assembly that a
1 10 proactive, cooperative coordination between the
1 11 department, local governments, private and public
1 12 utility companies, and other affected parties is the
1 13 most effective way to minimize costs, eliminate the
1 14 need for utilities to relocate facilities, limit
1 15 disruption of utility services related to federal,
1 16 state, or local highway construction projects, and
1 17 limit the potential need for relocation of utility
1 18 facilities.
1 19 All potentially affected parties shall be included
1 20 in meetings at the design phase of a highway
1 21 construction project to review plans, understand goals
1 22 and objectives of the proposed project, and discuss
1 23 design options that would limit the impact of the
1 24 construction on utility facilities and thereby
1 25 minimize or even eliminate costs associated with
1 26 utility facility relocation. All jurisdictions shall
1 27 utilize the Iowa one call design request system in the
1 28 design phase of a highway construction project. As a
1 29 point of review in the design phase, a statement shall
1 30 be provided to affected parties as to whether federal
1 31 funds are available for a given highway project and,
1 32 if so, how the jurisdiction intends to allocate such
1 33 funds to the utility companies for the relocation of
1 34 facilities. In the case of a nonfederally funded
1 35 project, a statement shall be provided acknowledging
1 36 the efforts of the parties involved to review the
1 37 project and discuss options to minimize the cost of
1 38 facility relocation and stating that the requesting
1 39 parties have been advised of the reimbursement costs
1 40 that will be sought by the affected public or private
1 41 utility companies.>>
1 42 #2. Page 2, by inserting after line 26 the
1 43 following:
1 44 <#____. Title page, line 6, by inserting after the
1 45 word <concerning> the following: <utility facility
1 46 relocation due to highway construction,>.>
1 47 #3. By renumbering as necessary.
1 48
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8309 continued

2 1 HUSER of Polk
2 2 HF 2651.707 82
2 3 dea/rj/20974



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8310

PAG LIN

1 1 Amend Senate File 2328, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 4, by inserting after line 12 the
1 4 following:
1 5 <Sec. _____. Section 483A.1A, subsection 7,
1 6 paragraph e, Code 2007, is amended by striking the
1 7 paragraph.>
1 8 #2. By renumbering as necessary.
1 9
1 10
1 11
1 12 BAUDLER of Adair
1 13 SF 2328.704 82
1 14 da/rj/11410
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8311

PAG LIN

1 1 Amend Senate File 2216, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 16, by inserting after the words
1 4 <health literacy> the following: <including
1 5 comprehensive sexual health education>.
1 6 #2. Page 1, line 28, by inserting after the word
1 7 <building.> the following: <For purposes of this
1 8 subsection, "comprehensive sexual health education"
1 9 includes but is not limited to the following:
1 10 abstinence; information about contraceptive pills and
1 11 devices and their effectiveness; sexually transmitted
1 12 infections and their transmission, including HIV and
1 13 HPV; recognizing and effectively rejecting unwanted
1 14 sexual advances; the counseling, medical, and legal
1 15 resources available to victims of sexual abuse or
1 16 sexual assault; techniques for escaping violent
1 17 relationships; and skills for making and implementing
1 18 responsible decisions about sexuality.>
1 19
1 20
1 21
1 22 MASCHER of Johnson
1 23 SF 2216.208 82
1 24 kh/nh/11871
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Amendment 8312

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. Page 1, by inserting after line 4 the
 1 4 following:
 1 5 <<Sec. _____. Section 99D.7, Code 2007, is amended
 1 6 by adding the following new subsection:
 1 7 NEW SUBSECTION. 22A. To require a licensee to
 1 8 publish in a newspaper of general circulation in the
 1 9 county in which the racetrack enclosure is located a
 1 10 notice that it has filed with the commission an
 1 11 application to renew its license and the date and
 1 12 location at which the commission will consider and act
 1 13 upon the application. The notice shall contain
 1 14 language informing the public that public comments
 1 15 concerning the application may be provided at the time
 1 16 the commission considers and acts upon the
 1 17 application. The notice shall be published no sooner
 1 18 than three weeks prior to the date the commission will
 1 19 consider and act upon the application.>
 1 20 #2. Page 3, by inserting after line 3 the
 1 21 following:
 1 22 <NEW SUBSECTION. 28. To require a licensee to
 1 23 publish in a newspaper of general circulation in the
 1 24 county in which the licensed facility is located a
 1 25 notice that it has filed with the commission an
 1 26 application to renew its license and the date and
 1 27 location at which the commission will consider and act
 1 28 upon the application. The notice shall contain
 1 29 language informing the public that public comments
 1 30 concerning the application may be provided at the time
 1 31 the commission considers and acts upon the
 1 32 application. The notice shall be published no sooner
 1 33 than three weeks prior to the date the commission will
 1 34 consider and act upon the application.>
 1 35 #3. By renumbering as necessary.
 1 36
 1 37
 1 38
 1 39 QUIRK of Chickasaw
 1 40 SF 348.205 82
 1 41 ec/nh/20967
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8313

PAG LIN

1 1 Amend House File 2623 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 256.7, subsection 21,
1 5 paragraph c, Code Supplement 2007, is amended to read
1 6 as follows:
1 7 c. A requirement that all school districts and
1 8 accredited nonpublic schools annually report to the
1 9 department and the local community the district-wide
1 10 progress made in attaining student achievement goals
1 11 on the academic and other core indicators and the
1 12 district-wide progress made in attaining locally
1 13 established student learning goals. The school
1 14 districts and accredited nonpublic schools shall
1 15 demonstrate the use of multiple assessment measures in
1 16 determining student achievement levels. The school
1 17 districts and accredited nonpublic schools shall also
1 18 report the number of students who graduate, utilizing
1 19 the definition of graduation rate specified by the
1 20 national governors association; the number of students
1 21 who drop out of school; the number of students
1 22 pursuing a high school equivalency diploma pursuant to
1 23 chapter 259A; the number of students who were enrolled
1 24 in the district within the past five years and who
1 25 received a high school equivalency diploma; the
1 26 percentage of students who receive a high school
1 27 diploma and who were not proficient in reading,
1 28 mathematics, and science in grade eleven; the number
1 29 of students in the prior year who were enrolled as
1 30 high school juniors who are within four units of
1 31 meeting the district's graduation requirements; the
1 32 number of students in the prior year who were enrolled
1 33 as high school freshmen and did not earn enough
1 34 credits to become sophomores; the number of students
1 35 who are tested and the percentage of students who are
1 36 so tested annually; and the percentage of students who
1 37 graduated during the prior school year and who
1 38 completed a core curriculum. The board shall develop
1 39 and adopt uniform definitions consistent with the
1 40 federal No Child Left Behind Act of 2001, Pub. L. No.
1 41 107=110 and any federal regulations adopted pursuant
1 42 to the federal Act. The school districts and
1 43 accredited nonpublic schools may report on other
1 44 locally determined factors influencing student
1 45 achievement. The school districts and accredited
1 46 nonpublic schools shall also report to the local
1 47 community their results by individual attendance
1 48 center.
1 49 Sec. 2. Section 279.61, subsection 2, Code
1 50 Supplement 2007, is amended to read as follows:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8313 continued

2 1 2. a. For the school year beginning July 1, 2007,
2 2 and each succeeding school year, the board of
2 3 directors of each school district shall report
2 4 annually to each student enrolled in grades nine
2 5 through twelve in the school district, and, if the
2 6 student is under the age of eighteen, to each
2 7 student's parent or guardian, the student's progress
2 8 toward meeting the goal of successfully completing the
2 9 high school graduation requirements adopted by the
2 10 state board of education pursuant to section 256.7,
2 11 subsection 26.

2 12 b. If a student is not progressing toward
2 13 successful and timely fulfillment of the student's
2 14 core curriculum plan, a school counselor or other
2 15 school official shall provide advisory services for
2 16 the purpose of advising the student and the student's
2 17 parent or guardian, if the student is under the age of
2 18 eighteen, of options and programs available to assist
2 19 the student in graduating on time.>

2 20 #2. Title page, by striking line 1 and inserting
2 21 the following: <An Act relating to efforts
2 22 encouraging the successful completion of high school,
2 23 including reporting and advisory services and a change
2 24 in the compulsory school attendance age, and>.

2 25 #3. By renumbering as necessary.

2 26

2 27

2 28

2 29 WISE of Lee

2 30 HF 2623.703 82

2 31 kh/rj/11876



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8314

PAG LIN

1 1 Amend House File 2545 as follows:
1 2 #1. Page 1, line 6, by inserting after the word
1 3 <department.> the following: <A department or agency
1 4 of the state or a political subdivision of the state
1 5 may purchase such products, goods, staples, or other
1 6 items from the central warehouse and supply depot.>
1 7 #2. Page 1, by inserting after line 12 the
1 8 following:
1 9 <Sec. ____ . CENTRAL WAREHOUSE AND SUPPLY DEPOT OF
1 10 DEPARTMENT OF HUMAN SERVICES. It is the intent of the
1 11 general assembly that upon completion of the central
1 12 warehouse and supply depot of the department of
1 13 corrections established pursuant to section 904.118A,
1 14 the department of human services shall cease utilizing
1 15 the central warehouse and supply depot of the
1 16 department of human services established pursuant to
1 17 section 218.100.>
1 18 #3. Title page, line 2, by inserting after the
1 19 word <corrections> the following: <and including
1 20 provisions pertaining to the central warehouse and
1 21 supply depot operated by the department of human
1 22 services>.
1 23
1 24
1 25
1 26 ZIRKELBACH of Jones
1 27 HF 2545.202 82
1 28 jm/rj/20973
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8315

PAG LIN

1 1 Amend House File 2269 as follows:

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

1 4 <Section 1. Section 16.10, subsection 1, Code
1 5 Supplement 2007, is amended to read as follows:

1 6 1. Moneys declared by the authority to be surplus
1 7 moneys which are not required to service bonds and
1 8 notes issued by the authority, to pay administrative
1 9 expenses of the authority, or to accumulate necessary
1 10 operating or loss reserves, shall be used by the
1 11 authority to provide grants, subsidies, and services
1 12 to lower income families and very low income families
1 13 through the programs authorized in this chapter and
1 14 consistent with legislative findings and guiding
1 15 principles. ~~In addition, the authority may use such~~

~~1 16 surplus moneys to provide assistance to the local
1 17 housing assistance program established in sections
1 18 15.351 through 15.354 for purposes of providing
1 19 assistance to low and moderate income families.
1 20 Surplus moneys shall not be used for infrastructure or
1 21 administration purposes under the local housing
1 22 assistance program.~~

1 23 Sec. 2. Section 16.91, subsection 1, Code
1 24 Supplement 2007, is amended to read as follows:

1 25 1. The authority through the title guaranty
1 26 division shall initiate and operate a program in which
1 27 the division shall offer guaranties of real property
1 28 titles in this state. The terms, conditions and form
1 29 of the guaranty contract shall be forms approved by
1 30 the division board. The division shall fix a charge
1 31 for the guaranty in an amount sufficient to permit the
1 32 program to operate on a self-sustaining basis,
1 33 including payment of administrative costs and the
1 34 maintenance of an adequate reserve against claims
1 35 under the title guaranty program. A title guaranty
1 36 fund is created in the office of the treasurer of
1 37 state. Funds collected under this program shall be
1 38 placed in the title guaranty fund and are available to
1 39 pay all claims, necessary reserves and all
1 40 administrative costs of the title guaranty program.

1 41 Moneys in the fund shall not revert to the general
1 42 fund and interest on the moneys in the fund shall be
1 43 ~~transferred to the department of economic development~~
~~1 44 for deposit in the local housing assistance program~~
~~1 45 fund established in section 15.354 deposited in the~~
~~1 46 housing trust fund established in section 16.181 and~~

1 47 shall not accrue to the general fund. If the
1 48 authority board in consultation with the division
1 49 board determines that there are surplus funds in the
1 50 title guaranty fund after providing for adequate



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8315 continued

2 1 reserves and operating expenses of the division, the
2 2 surplus funds shall be transferred to the housing
2 3 assistance fund created pursuant to section 16.40.>
2 4 #2. Page 1, by inserting after line 18 the
2 5 following:
2 6 <Sec. _____. TRANSFER OF FUNDS. Any unobligated
2 7 funds in or received for deposit in the local housing
2 8 assistance program fund, created in section 15.354,
2 9 shall be transferred to the Iowa finance authority for
2 10 deposit in the housing trust fund established in
2 11 section 16.181.
2 12 Sec. _____. Sections 15.351 through 15.354, Code
2 13 2007, are repealed.>
2 14 #3. Title page, line 1, by inserting after the
2 15 word <accounts> the following: <and abolishing the
2 16 local housing assistance program>.
2 17 #4. By renumbering as necessary.
2 18
2 19
2 20
2 21 BERRY of Black Hawk
2 22 HF 2269.701 82
2 23 jr/rj/20961



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Amendment 8316

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. _____. Section 459.202, Code 2007, is amended
1 5 by adding the following new subsection:
1 6 NEW SUBSECTION. 7. A confinement feeding
1 7 operation structure shall not be constructed or
1 8 expanded within three thousand feet of an antique
1 9 airport museum.>
1 10 #2. By renumbering as necessary.
1 11
1 12
1 13
1 14 GASKILL of Wapello
1 15 HF 2652.704 82
1 16 da/rj/11411
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2662 - Introduced

HOUSE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 784)

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

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, by providing for agriculture, natural resources,
3 and environmental protection.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TL5B 5004HV 82
6 da/jp/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

3 1 Sec. 6. GENERAL FUND == APIARY LAW. There is appropriated
3 2 from the general fund of the state to the department of
3 3 agriculture and land stewardship for the fiscal year beginning
3 4 July 1, 2008, and ending June 30, 2009, the following amount,
3 5 or so much thereof as is necessary, to be used for the
3 6 purposes designated:

3 7 For purposes of administering and enforcing apiary law as
3 8 provided in chapter 160, including for salaries, support,
3 9 maintenance, and miscellaneous purposes:
3 10 \$ 75,000

3 11 Sec. 7. GYPSY MOTH CONTROL. There is appropriated from
3 12 the general fund of the state to the department of agriculture
3 13 and land stewardship for the fiscal year beginning July 1,
3 14 2008, and ending June 30, 2009, the following amount, or so
3 15 much thereof as is necessary, to be used for the purposes
3 16 designated:

3 17 For the control of the pest commonly referred to as the
3 18 gypsy moth, including but not limited to the detection,
3 19 surveillance, and eradication of the gypsy moth:
3 20 \$ 50,000

3 21 Sec. 8. EMERALD ASH BORER PUBLIC AWARENESS PROJECT. There
3 22 is appropriated from the general fund of the state to the
3 23 department of agriculture and land stewardship for the fiscal
3 24 year beginning July 1, 2008, and ending June 30, 2009, the
3 25 following amount, or so much thereof as is necessary, to be
3 26 used for the purposes designated:

3 27 For the support of a public awareness project to inform
3 28 persons regarding the presence and danger of the pest commonly
3 29 known as the emerald ash borer:
3 30 \$ 50,000

3 31 Sec. 9. GENERAL FUND == SOIL AND WATER CONSERVATION
3 32 DISTRICTS. There is appropriated from the general fund of the
3 33 state to the department of agriculture and land stewardship
3 34 for the fiscal year beginning July 1, 2008, and ending June
3 35 30, 2009, the following amount, or so much thereof as is



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

4 1 necessary, to be used for the purposes designated:
 4 2 For purposes of reimbursing commissioners of soil and water
 4 3 conservation districts for administrative expenses including
 4 4 but not limited to travel expenses, technical training, and
 4 5 professional dues:
 4 6 \$ 400,000
 4 7 A soil and water conservation district receiving moneys
 4 8 from an allocation provided pursuant to this section shall
 4 9 submit a report to the soil conservation division of the
 4 10 department of agriculture and land stewardship by July 1,
 4 11 2009, accounting for moneys which have been expended or
 4 12 unexpended or which have been obligated or encumbered. The
 4 13 report shall state how the moneys were used.
 4 14 DESIGNATED APPROPRIATIONS == FOOD MARKETING AND SECURITY
 4 15 Sec. 10. GENERAL FUND == SENIOR FARMERS' MARKET NUTRITION
 4 16 PROGRAM. There is appropriated from the general fund of the
 4 17 state to the department of agriculture and land stewardship
 4 18 for the fiscal year beginning July 1, 2008, and ending June
 4 19 30, 2009, the following amount, or so much thereof as is
 4 20 necessary, to be used for the purposes designated:
 4 21 For purposes of administering a senior farmers' market
 4 22 nutrition program, including salaries, support, maintenance,
 4 23 and miscellaneous purposes:
 4 24 \$ 75,000
 4 25 Sec. 11. EMERGENCY VETERINARIAN RAPID RESPONSE SERVICES
 4 26 PROGRAM. There is appropriated from the general fund of the
 4 27 state to the department of agriculture and land stewardship
 4 28 for the fiscal year beginning July 1, 2008, and ending June
 4 29 30, 2009, the following amount, or so much thereof as is
 4 30 necessary, to be used for the purposes designated:
 4 31 For purposes of supporting veterinary emergency
 4 32 preparedness and response services necessary to prevent or
 4 33 control a serious threat to the public health, public safety,
 4 34 or the state's economy caused by the transmission of disease
 4 35 among livestock or agricultural animals, including as provided



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

5 1 in section 163.3A:
5 2 \$ 130,000
5 3 Sec. 12. ORGANIC AGRICULTURAL PRODUCTS. There is
5 4 appropriated from the general fund of the state to the
5 5 department of agriculture and land stewardship for the fiscal
5 6 year beginning July 1, 2008, and ending June 30, 2009, the
5 7 following amount, or so much thereof as is necessary, to be
5 8 used for the purposes designated:
5 9 For purposes of supporting the department's regulation and
5 10 promotion of organic agricultural products as provided in
5 11 chapter 190C, including salaries, support, maintenance,
5 12 miscellaneous purposes:
5 13 \$ 50,000
5 14 Sec. 13. FARM=TO=SCHOOL PROGRAM. There is appropriated
5 15 from the general fund of the state to the department of
5 16 agriculture and land stewardship for the fiscal year beginning
5 17 July 1, 2008, and ending June 30, 2009, the following amount,
5 18 or so much thereof as is necessary, to be used for the
5 19 purposes designated:
5 20 For purposes of supporting the farm=to=school program
5 21 created in chapter 190A to encourage and promote the purchase
5 22 of locally and regionally produced or processed food in order
5 23 to improve child nutrition and strengthen local and regional
5 24 farm economies:
5 25 \$ 80,000
5 26 Sec. 14. GRAPE AND WINE DEVELOPMENT FUND. There is
5 27 appropriated from the general fund of the state to the grape
5 28 and wine development fund created in section 175A.5 for the
5 29 fiscal year beginning July 1, 2008, and ending June 30, 2009,
5 30 the following amount, or so much thereof as is necessary, to
5 31 be used for the purposes designated:
5 32 For carrying out the purposes of the fund:
5 33 \$ 280,000
5 34 DESIGNATED APPROPRIATIONS == MOTOR FUEL
5 35 Sec. 15. MOTOR FUEL INSPECTION. There is appropriated



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

6 1 from the renewable fuel infrastructure fund created in section
6 2 15G.205 to the department of agriculture and land stewardship
6 3 for the fiscal year beginning July 1, 2008, and ending June
6 4 30, 2009, the following amount, or so much thereof as is
6 5 necessary, to be used for the purposes designated:

6 6 For purposes of the inspection of motor fuel, including
6 7 salaries, support, maintenance, and miscellaneous purposes:
6 8 \$ 300,000

6 9 The department shall establish and administer programs for
6 10 the auditing of motor fuel including biofuel processing and
6 11 production plants, for screening and testing motor fuel,
6 12 including renewable fuel, and for the inspection of motor fuel
6 13 sold by dealers including retail dealers who sell and dispense
6 14 motor fuel from motor fuel pumps.

6 15 DIVISION II
6 16 DEPARTMENT OF NATURAL RESOURCES
6 17 GENERAL APPROPRIATIONS

6 18 Sec. 16. GENERAL FUND == DEPARTMENT. There is
6 19 appropriated from the general fund of the state to the
6 20 department of natural resources for the fiscal year beginning
6 21 July 1, 2008, and ending June 30, 2009, the following amount,
6 22 or so much thereof as is necessary, to be used for the
6 23 purposes designated:

6 24 For purposes of supporting the department, including its
6 25 divisions, for administration, regulation, and programs; for
6 26 salaries, support, maintenance, and miscellaneous purposes;
6 27 and for not more than the following full-time equivalent
6 28 positions:

6 29 \$ 19,994,822
6 30 FTEs 1,169.95

6 31 Sec. 17. STATE FISH AND GAME PROTECTION FUND == DIVISION
6 32 OF FISH AND WILDLIFE.

6 33 1. a. There is appropriated from the state fish and game
6 34 protection fund to the department of natural resources for the
6 35 fiscal year beginning July 1, 2008, and ending June 30, 2009,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

7 1 the following amount, or so much thereof as is necessary, to
 7 2 be used for the purposes designated:
 7 3 For purposes of supporting the division of fish and
 7 4 wildlife, including for administration, regulation, and
 7 5 programs; and for salaries, support, maintenance, equipment,
 7 6 and miscellaneous purposes:
 7 7 \$ 37,626,733
 7 8 b. Notwithstanding section 455A.10, the department may use
 7 9 the unappropriated balance remaining in the state fish and
 7 10 game protection fund to provide for the funding of health and
 7 11 life insurance premium payments from unused sick leave
 7 12 balances of conservation peace officers employed in a
 7 13 protection occupation who retire, pursuant to section 97B.49B.
 7 14 2. The department shall not expend more moneys from the
 7 15 state fish and game protection fund than provided in this
 7 16 section, unless the expenditure derives from contributions
 7 17 made by a private entity, or a grant or moneys received from
 7 18 the federal government, and is approved by the natural
 7 19 resource commission. The department of natural resources
 7 20 shall promptly notify the legislative services agency and the
 7 21 chairpersons and ranking members of the joint appropriations
 7 22 subcommittee on agriculture and natural resources concerning
 7 23 the commission's approval.
 7 24 Sec. 18. GROUNDWATER PROTECTION FUND == WATER QUALITY.
 7 25 There is appropriated from the groundwater protection fund
 7 26 created in section 455E.11 to the department of natural
 7 27 resources for the fiscal year beginning July 1, 2008, and
 7 28 ending June 30, 2009, from those moneys which are not
 7 29 allocated pursuant to that section, the following amount, or
 7 30 so much thereof as is necessary, to be used for the purposes
 7 31 designated:
 7 32 For purposes of supporting the department's protection of
 7 33 the state's groundwater, including for administration,
 7 34 regulation, and programs, and for salaries, support,
 7 35 maintenance, equipment, and miscellaneous purposes:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

8 1 \$ 3,455,832
8 2 Sec. 19. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
8 3 PERMIT FUND. There is appropriated from the national
8 4 pollutant discharge elimination system permit fund created in
8 5 section 455B.196 to the department of natural resources for
8 6 the fiscal year beginning July 1, 2008, and ending June 30,
8 7 2009, the following amount, or so much thereof as is
8 8 necessary, to be used for the purposes designated:
8 9 For purposes of expediting the department's processing of
8 10 national pollutant discharge elimination system applications
8 11 and the issuance of permits, including salaries, support,
8 12 maintenance, and miscellaneous purposes:
8 13 \$ 700,000
8 14 DESIGNATED APPROPRIATIONS == MISCELLANEOUS
8 15 Sec. 20. SPECIAL SNOWMOBILE FUND == SNOWMOBILE PROGRAM.
8 16 There is transferred on July 1, 2008, from the fees required
8 17 to be deposited in the special snowmobile fund under section
8 18 321G.7 to the fish and game protection fund and appropriated
8 19 to the department of natural resources for the fiscal year
8 20 beginning July 1, 2008, and ending June 30, 2009, the
8 21 following amount, or so much thereof as is necessary, to be
8 22 used for the purpose designated:
8 23 For purposes of administering and enforcing the state
8 24 snowmobile program:
8 25 \$ 100,000
8 26 Sec. 21. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE
8 27 TANK SECTION EXPENSES. There is appropriated from the
8 28 unassigned revenue fund administered by the Iowa comprehensive
8 29 underground storage tank fund board to the department of
8 30 natural resources for the fiscal year beginning July 1, 2008,
8 31 and ending June 30, 2009, the following amount, or so much
8 32 thereof as is necessary, to be used for the purpose
8 33 designated:
8 34 For purposes of paying for administration expenses of the
8 35 department's underground storage tank section:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

9 1 \$ 200,000
 9 2 Sec. 22. STORM WATER DISCHARGE PERMIT FEES == SUPPORT FOR
 9 3 SPECIAL PURPOSES. Notwithstanding any contrary provision of
 9 4 state law, for the fiscal year beginning July 1, 2008, and
 9 5 ending June 30, 2009, the department of natural resources may
 9 6 use additional moneys available to the department collected
 9 7 from storm water discharge permit fees as provided in section
 9 8 455B.103A or 455B.197 for the staffing of the following
 9 9 additional full-time equivalent positions for the purposes
 9 10 designated:
 9 11 1. For purposes of reducing the department's floodplain
 9 12 permit backlog:
 9 13 FTEs 2.00
 9 14 2. For purposes of implementing the federal total maximum
 9 15 daily load program:
 9 16 FTEs 2.00
 9 17 DIVISION III
 9 18 IOWA STATE UNIVERSITY
 9 19 Sec. 23. AGRICULTURAL REMEDIATION FUND == OPEN FEEDLOT
 9 20 WATER QUALITY RESEARCH PROJECT. There is appropriated from
 9 21 the agrichemical remediation fund created in section 161.7 to
 9 22 Iowa state university of science and technology for the fiscal
 9 23 year beginning July 1, 2008, and ending June 30, 2009, the
 9 24 following amount, or so much thereof as is necessary, to be
 9 25 used for the purposes designated:
 9 26 For purposes of supporting a water quality research project
 9 27 which studies the effectiveness of alternative technologies
 9 28 used to reduce risks to water quality from effluent
 9 29 originating from open feedlots which house beef cattle:
 9 30 \$ 50,000
 9 31 In conducting the project, Iowa state university of science
 9 32 and technology shall cooperate with the Iowa cattlemen's
 9 33 association, the department of natural resources, the
 9 34 department of agriculture and land stewardship, and the United
 9 35 States department of agriculture natural resource conservation



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

11 1 Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.
 11 2 There is appropriated from the environment first fund created
 11 3 in section 8.57A to the department of agriculture and land
 11 4 stewardship for the fiscal year beginning July 1, 2008, and
 11 5 ending June 30, 2009, the following amounts, or so much
 11 6 thereof as is necessary, to be used for the purposes
 11 7 designated:
 11 8 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
 11 9 a. For the conservation reserve enhancement program to
 11 10 restore and construct wetlands for the purposes of
 11 11 intercepting tile line runoff, reducing nutrient loss,
 11 12 improving water quality, and enhancing agricultural production
 11 13 practices:
 11 14 \$ 1,500,000
 11 15 b. Not more than 8 percent of the moneys appropriated in
 11 16 paragraph "a" may be used for costs of administration and
 11 17 implementation of soil and water conservation practices.
 11 18 2. WATERSHED PROTECTION
 11 19 a. For continuation of a program that provides
 11 20 multiobjective resource protections for flood control, water
 11 21 quality, erosion control, and natural resource conservation:
 11 22 \$ 2,550,000
 11 23 b. Not more than 8 percent of the moneys appropriated in
 11 24 paragraph "a" may be used for costs of administration and
 11 25 implementation of soil and water conservation practices.
 11 26 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
 11 27 a. For continuation of a statewide voluntary farm
 11 28 management demonstration program to demonstrate the
 11 29 effectiveness and adaptability of emerging practices in
 11 30 agronomy that protect water resources and provide other
 11 31 environmental benefits:
 11 32 \$ 850,000
 11 33 b. Not more than 8 percent of the moneys appropriated in
 11 34 paragraph "a" may be used for costs of administration and
 11 35 implementation of soil and water conservation practices.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

12 1 c. Of the amount appropriated in paragraph "a", \$400,000
 12 2 shall be allocated to the Iowa soybean association's
 12 3 agriculture and environment performance program.
 12 4 4. AGRICULTURE DRAINAGE WELL WATER QUALITY ASSISTANCE FUND
 12 5 a. For deposit in the agricultural drainage well water
 12 6 quality assistance fund created in section 460.303 to be used
 12 7 for purposes of supporting the agricultural drainage well
 12 8 water quality assistance program as provided in section
 12 9 460.304:
 12 10 \$ 1,500,000
 12 11 b. Not more than 8 percent of the moneys appropriated in
 12 12 paragraph "a" may be used for costs of administration and
 12 13 implementation of soil and water conservation practices.
 12 14 5. SOIL AND WATER CONSERVATION PRACTICES
 12 15 a. For use by the soil conservation division, to provide
 12 16 financial assistance for the establishment of permanent soil
 12 17 and water conservation practices:
 12 18 \$ 7,000,000
 12 19 b. Not more than 5 percent of the moneys appropriated in
 12 20 paragraph "a" may be allocated for cost sharing to abate
 12 21 complaints filed under section 161A.47.
 12 22 c. Of the moneys appropriated in paragraph "a", 5 percent
 12 23 shall be allocated for financial incentives to establish
 12 24 practices to protect watersheds above publicly owned lakes of
 12 25 the state from soil erosion and sediment as provided in
 12 26 section 161A.73.
 12 27 d. Not more than 30 percent of a soil and water
 12 28 conservation district's allocation of moneys as financial
 12 29 incentives may be provided for the purpose of establishing
 12 30 management practices to control soil erosion on land that is
 12 31 row cropped, including but not limited to no-till planting,
 12 32 ridge-till planting, contouring, and contour strip-cropping as
 12 33 provided in section 161A.73.
 12 34 e. The state soil conservation committee created in
 12 35 section 161A.4 may allocate moneys appropriated in paragraph



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

13 1 "a" to conduct research and demonstration projects to promote
 13 2 conservation tillage and nonpoint source pollution control
 13 3 practices.
 13 4 f. The allocation of moneys as financial incentives as
 13 5 provided in section 161A.73 may be used in combination with
 13 6 moneys allocated by the department of natural resources.
 13 7 g. Not more than 10 percent of the moneys appropriated in
 13 8 paragraph "a" may be used for costs of administration and
 13 9 implementation of soil and water conservation practices.
 13 10 6. CONSERVATION RESERVE PROGRAM (CRP)
 13 11 a. To encourage and assist farmers in enrolling in and the
 13 12 implementation of the federal conservation program and to work
 13 13 with them to enhance their revegetation efforts to improve
 13 14 water quality and habitat:
 13 15 \$ 1,500,000
 13 16 b. Not more than 8 percent of the moneys appropriated in
 13 17 paragraph "a" may be used for costs of administration and
 13 18 implementation of soil and water conservation practices.
 13 19 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND
 13 20 a. For deposit in the loess hills development and
 13 21 conservation fund created in section 161D.2:
 13 22 \$ 600,000
 13 23 b. (1) Of the amount appropriated in paragraph "a",
 13 24 \$400,000 shall be allocated to the fund's hungry canyons
 13 25 account.
 13 26 (2) Not more than 10 percent of the moneys allocated to
 13 27 the hungry canyons account as provided in subparagraph (1) may
 13 28 be used for administrative costs.
 13 29 c. (1) Of the amount appropriated in paragraph "a",
 13 30 \$200,000 shall be allocated to the fund's loess hills alliance
 13 31 account.
 13 32 (2) Not more than 10 percent of the moneys allocated to
 13 33 the loess hills alliance account as provided in subparagraph
 13 34 (1) may be used for administrative costs.
 13 35 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

14 1 a. For deposit in the southern Iowa development and
 14 2 conservation fund created in section 161D.12:
 14 3 \$ 300,000
 14 4 b. Not more than 5 percent of the moneys appropriated in
 14 5 paragraph "a" may be used for administrative costs.
 14 6 Sec. 27. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
 14 7 appropriated from the environment first fund created in
 14 8 section 8.57A to the department of economic development for
 14 9 the fiscal year beginning July 1, 2008, and ending June 30,
 14 10 2009, the following amount, or so much thereof as is
 14 11 necessary, to be used for the purposes designated:
 14 12 For deposit in the brownfield redevelopment fund created in
 14 13 section 15.293 to provide financial and technical assistance
 14 14 under the brownfield redevelopment program as provided in
 14 15 section 15.292:
 14 16 \$ 500,000
 14 17 Sec. 28. DEPARTMENT OF NATURAL RESOURCES. There is
 14 18 appropriated from the environment first fund created in
 14 19 section 8.57A to the department of natural resources for the
 14 20 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 14 21 the following amounts, or so much thereof as is necessary, to
 14 22 be used for the purposes designated:
 14 23 1. KEEPERS OF THE LAND
 14 24 For statewide coordination of volunteer efforts under the
 14 25 water quality and keepers of the land programs:
 14 26 \$ 100,000
 14 27 2. STATE PARKS MAINTENANCE AND OPERATIONS
 14 28 For regular maintenance of state parks and staff time
 14 29 associated with these activities:
 14 30 \$ 2,470,000
 14 31 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)
 14 32 To provide local watershed managers with geographic
 14 33 information system data for their use in developing,
 14 34 monitoring, and displaying results of their watershed work:
 14 35 \$ 195,000



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

15 1 4. WATER QUALITY MONITORING
 15 2 For continuing the establishment and operation of water
 15 3 quality monitoring stations:
 15 4 \$ 2,955,000
 15 5 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
 15 6 For deposit in the public water supply system account of
 15 7 the water quality protection fund created in section
 15 8 455B.183A:
 15 9 \$ 500,000
 15 10 6. REGULATION OF ANIMAL FEEDING OPERATIONS
 15 11 For the regulation of animal feeding operations, including
 15 12 as provided for in chapters 459 and 459A:
 15 13 \$ 360,000
 15 14 7. AMBIENT AIR QUALITY
 15 15 For the abatement, control, and prevention of ambient air
 15 16 pollution in this state, including measures as necessary to
 15 17 assure attainment and maintenance of ambient air quality
 15 18 standards from particulate matter:
 15 19 \$ 325,000
 15 20 8. WATER QUANTITY REGULATION
 15 21 For regulating water quantity from surface and subsurface
 15 22 sources by providing for the allocation and use of water
 15 23 resources, the protection and management of water resources,
 15 24 and the preclusion of conflicts among users of water
 15 25 resources, including as provided in chapter 455B, division
 15 26 III, part 4:
 15 27 \$ 495,000
 15 28 9. RESOURCE CONSERVATION AND DEVELOPMENT (RCD)
 15 29 a. For resource conservation and development associated
 15 30 with the development of projects relating to natural
 15 31 resource-based business opportunities:
 15 32 \$ 250,000
 15 33 b. Local resource conservation and development groups
 15 34 sponsored by county governments or sponsored by soil and water
 15 35 conservation districts shall be eligible to receive moneys



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

16 1 appropriated in paragraph "a" on the condition that such
 16 2 groups receive the moneys on a dollar-for-dollar matching
 16 3 basis.
 16 4 c. Not more than 5 percent of the moneys appropriated in
 16 5 paragraph "a" may be used for the costs of implementing and
 16 6 administering this subsection.
 16 7 10. IOWA CLIMATE CHANGE ADVISORY COUNCIL
 16 8 For support of the Iowa climate change advisory council
 16 9 established in section 455B.851:
 16 10 \$ 50,000
 16 11 Sec. 29. REVERSION.
 16 12 1. Except as provided in subsection 2, and notwithstanding
 16 13 section 8.33, moneys appropriated for the fiscal year
 16 14 beginning July 1, 2008, in this division of this Act that
 16 15 remain unencumbered or unobligated at the close of the fiscal
 16 16 year shall not revert but shall remain available for the
 16 17 purposes designated until the close of the fiscal year
 16 18 beginning July 1, 2009, or until the project for which the
 16 19 appropriation was made is completed, whichever is earlier.
 16 20 2. Notwithstanding section 8.33, moneys appropriated in
 16 21 this division of this Act to the department of agriculture and
 16 22 land stewardship to provide financial assistance for the
 16 23 establishment of permanent soil and water conservation
 16 24 practices that remain unencumbered or unobligated at the close
 16 25 of the fiscal year shall not revert but shall remain available
 16 26 for expenditure for the purposes designated until the close of
 16 27 the fiscal year beginning July 1, 2011.
 16 28 DIVISION V
 16 29 ENVIRONMENT FIRST FUND == RESOURCE ENHANCEMENT AND PROTECTION
 16 30 Sec. 30. IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND.
 16 31 Notwithstanding the amount of the standing appropriation from
 16 32 the general fund of the state to the Iowa resources
 16 33 enhancement and protection fund as provided in section
 16 34 455A.18, there is appropriated from the environment first fund
 16 35 created in section 8.57A to the Iowa resources enhancement and



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

17 1 protection fund, in lieu of the appropriation made in section
17 2 455A.18, for the fiscal year beginning July 1, 2008, and
17 3 ending June 30, 2009, the following amount, to be allocated as
17 4 provided in section 455A.19:
17 5 \$ 16,000,000

EXPLANATION

17 7 GENERAL. This bill relates to agriculture and natural
17 8 resources by making appropriations for the 2008=2009 fiscal
17 9 year to support related entities, including the department of
17 10 agriculture and land stewardship, the department of natural
17 11 resources, the department of economic development, and Iowa
17 12 state university.

17 13 The bill appropriates moneys to the department of
17 14 agriculture and land stewardship and the department of natural
17 15 resources. The appropriations are made to support those
17 16 departments for administration, regulation, and programs. The
17 17 bill also provides moneys to support specific programs or
17 18 projects administered by those departments. The bill
17 19 appropriates moneys from a number of sources, including the
17 20 general fund of the state, the state fish and game protection
17 21 fund, and the groundwater protection fund. The bill is
17 22 organized into divisions.

17 23 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
17 24 department of agriculture and land stewardship, moneys are
17 25 appropriated in order to support its divisions.

17 26 The bill appropriates moneys from the general fund to
17 27 support animal husbandry including for the administration of
17 28 the chronic wasting disease program, horse and dog racing,
17 29 dairy products control, and avian influenza control. The bill
17 30 supports programs for plant protection and crop production,
17 31 including apiary law, and the control of pests. The bill also
17 32 appropriates moneys to reimburse commissioners of soil and
17 33 water conservation districts for expenses. The bill provides
17 34 for food marketing and security. It provides for emergency
17 35 veterinarian rapid response services. It provides for a



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

18 1 senior farmers' market nutrition program, the regulation of
18 2 organic agricultural products, and a farm-to-school program.
18 3 It also provides for motor fuel inspection.
18 4 DEPARTMENT OF NATURAL RESOURCES. For the department of
18 5 natural resources, moneys are appropriated from the general
18 6 fund in order to support its divisions.
18 7 The bill makes appropriations from other funds. The bill
18 8 appropriates moneys to the department of natural resources
18 9 from the state fish and game protection fund to support
18 10 programs related to fish and wildlife. The bill appropriates
18 11 moneys from the groundwater protection fund to support
18 12 groundwater quality. The bill appropriates moneys from the
18 13 national pollutant discharge elimination system permit fund to
18 14 the department of natural resources for processing permit
18 15 applications.
18 16 The bill includes miscellaneous provisions. The bill
18 17 transfers moneys from the snowmobile fund to the fish and game
18 18 protection fund for snowmobile programs. An appropriation is
18 19 made from the unassigned revenue fund administered by the Iowa
18 20 comprehensive underground storage tank fund board to the
18 21 department of natural resources for administration and
18 22 expenses of the underground storage tank section.
18 23 The bill provides that the department of natural resources
18 24 may use additional funds for staffing to reduce the
18 25 department's floodplain permit backlog and implementing the
18 26 federal maximum daily load program.
18 27 IOWA STATE UNIVERSITY. The bill appropriates moneys to
18 28 Iowa state university from the agricultural remediation fund
18 29 to continue a project to perform water quality research to
18 30 determine methods to reduce risks to water quality associated
18 31 with open feedlot runoff and from the general fund of the
18 32 state for the operation of the veterinary diagnostic
18 33 laboratory. It includes provisions expressing legislative
18 34 intent for a future appropriation for the diagnostic
18 35 laboratory.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2662 - Introduced continued

19 1 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS. The bill
19 2 appropriates funding from the environment first fund to the
19 3 departments of agriculture and land stewardship, economic
19 4 development, and natural resources to support a number of
19 5 programs and projects.

19 6 ENVIRONMENT FIRST FUND == RESOURCE ENHANCEMENT AND
19 7 PROTECTION. The bill appropriates moneys from the environment
19 8 first fund to the resources enhancement and protection fund in
19 9 lieu of the \$20 million appropriated by statute from the
19 10 general fund of the state.

19 11 LSB 5004HV 82

19 12 da/jp/8



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced

HOUSE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO HF 2066)

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the repeal of the local option sales and
2 services tax for school infrastructure purposes by using the
3 revenues from the increase in the state sales and use taxes
4 for replacing lost school district revenues resulting from the
5 repeal, providing property tax relief, providing for the
6 reduction in the state sales and use tax, providing a penalty,
7 and including an effective date provision.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
9 TLSB 5058HV 82
10 mg/rj/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

PAG LIN

1 1 Section 1. Section 257.4, subsection 1, paragraph b, Code
1 2 2007, is amended to read as follows:
1 3 b. For the budget year beginning July 1, ~~2006~~ 2008, and
1 4 succeeding budget years, the department of management shall
1 5 annually determine an adjusted additional property tax levy
1 6 and a statewide maximum adjusted additional property tax levy
1 7 rate, not to exceed the statewide average additional property
1 8 tax levy rate, calculated by dividing the total adjusted
1 9 additional property tax levy dollars statewide by the
1 10 statewide total net taxable valuation. For purposes of this
1 11 paragraph, the adjusted additional property tax levy shall be
1 12 that portion of the additional property tax levy corresponding
1 13 to the state cost per pupil multiplied by a school district's
1 14 weighted enrollment, and then multiplied by one hundred
1 15 percent less the regular program foundation base per pupil
1 16 percentage pursuant to section 257.1. The district shall
1 17 receive adjusted additional property tax levy aid in an amount
1 18 equal to the difference between the adjusted additional
1 19 property tax levy rate and the statewide maximum adjusted
1 20 additional property tax levy rate, as applied per thousand
1 21 dollars of assessed valuation on all taxable property in the
1 22 district. The statewide maximum adjusted additional property
1 23 tax levy rate shall be annually determined by the department
1 24 taking into account amounts allocated pursuant to section
1 25 257.15, subsection 4. The statewide maximum adjusted
1 26 additional property tax levy rate shall be annually determined
1 27 by the department taking into account amounts allocated
1 28 pursuant to section 257.15, subsection 4, and the balance of
1 29 the property tax equity and relief fund created in section
1 30 257.16A at the end of the calendar year.
1 31 Sec. 2. Section 257.15, subsection 4, Code 2007, is
1 32 amended to read as follows:
1 33 4. a. ALLOCATIONS FOR MAXIMUM ADJUSTED ADDITIONAL
1 34 PROPERTY TAX LEVY RATE CALCULATION AND ADJUSTED ADDITIONAL
1 35 PROPERTY TAX LEVY AID. The department of management shall



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

2 1 allocate from amounts appropriated pursuant to section 257.16,
2 2 subsection 1, and from funds appropriated from the property
2 3 tax equity and relief fund created in section 257.16A for the
2 4 purpose of calculating the statewide maximum adjusted
2 5 additional property tax levy rate and providing adjusted
2 6 additional property tax levy aid as provided in section 257.4,
2 7 subsection 1, paragraph "b", an amount ~~not to exceed the~~
2 8 ~~following~~ equal to the sum of subparagraphs (1) and (2) as
2 9 follows:
2 10 (1) From the amount appropriated from the general fund of
2 11 the state pursuant to section 257.16, subsection 1, equal to
2 12 the following:
2 13 ~~a.~~ (a) For the budget year beginning July 1, 2006, six
2 14 million dollars.
2 15 ~~b.~~ (b) For the budget year beginning July 1, 2007, twelve
2 16 million dollars.
2 17 ~~c.~~ (c) For the budget year beginning July 1, 2008,
2 18 eighteen million dollars.
2 19 ~~d.~~ (d) For the budget year beginning July 1, 2009, and
2 20 succeeding budget years, twenty-four million dollars.
2 21 (2) From the amount appropriated from the property tax
2 22 equity and relief fund created in section 257.16A.
2 23 b. After lowering all school district additional property
2 24 tax levy rates to the statewide maximum adjusted additional
2 25 property tax levy rate under paragraph "a", the department of
2 26 management shall use any remaining funds at the end of the
2 27 calendar year to further lower additional property taxes by
2 28 increasing for the budget year beginning the following July 1,
2 29 the state foundation base percentage. Moneys used pursuant to
2 30 this paragraph shall supplant an equal amount of the
2 31 appropriation made from the general fund of the state pursuant
2 32 to section 257.16 that represents the increase in state
2 33 foundation aid.
2 34 Sec. 3. NEW SECTION. 257.16A PROPERTY TAX EQUITY AND
2 35 RELIEF FUND.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

3 1 1. A property tax equity and relief fund is created as a
3 2 separate and distinct fund in the state treasury under the
3 3 control of the department of management. Moneys in the fund
3 4 include revenues credited to the fund, appropriations made to
3 5 the fund, and other moneys deposited into the fund.

3 6 2. There is appropriated annually all moneys in the fund
3 7 to the department of management for purposes of section
3 8 257.15, subsection 4.

3 9 3. Notwithstanding section 8.33, any moneys remaining in
3 10 the property tax equity and relief fund at the end of a fiscal
3 11 year shall not revert to any other fund but shall remain in
3 12 the property tax equity and relief fund for use as provided in
3 13 this section for the following fiscal year.

3 14 Sec. 4. Section 423.2, subsection 1, unnumbered paragraph
3 15 1, Code Supplement 2007, is amended to read as follows:

3 16 There is imposed a tax of ~~five~~ six percent upon the sales
3 17 price of all sales of tangible personal property, consisting
3 18 of goods, wares, or merchandise, sold at retail in the state
3 19 to consumers or users except as otherwise provided in this
3 20 subchapter.

3 21 Sec. 5. Section 423.2, subsections 2, 3, 4, and 5, Code
3 22 Supplement 2007, are amended to read as follows:

3 23 2. A tax of ~~five~~ six percent is imposed upon the sales
3 24 price of the sale or furnishing of gas, electricity, water,
3 25 heat, pay television service, and communication service,
3 26 including the sales price from such sales by any municipal
3 27 corporation or joint water utility furnishing gas,
3 28 electricity, water, heat, pay television service, and
3 29 communication service to the public in its proprietary
3 30 capacity, except as otherwise provided in this subchapter,
3 31 when sold at retail in the state to consumers or users.

3 32 3. A tax of ~~five~~ six percent is imposed upon the sales
3 33 price of all sales of tickets or admissions to places of
3 34 amusement, fairs, and athletic events except those of
3 35 elementary and secondary educational institutions. A tax of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

4 1 ~~five~~ six percent is imposed on the sales price of an entry fee
4 2 or like charge imposed solely for the privilege of
4 3 participating in an activity at a place of amusement, fair, or
4 4 athletic event unless the sales price of tickets or admissions
4 5 charges for observing the same activity are taxable under this
4 6 subchapter. A tax of ~~five~~ six percent is imposed upon that
4 7 part of private club membership fees or charges paid for the
4 8 privilege of participating in any athletic sports provided
4 9 club members.

4 10 4. A tax of ~~five~~ six percent is imposed upon the sales
4 11 price derived from the operation of all forms of amusement
4 12 devices and games of skill, games of chance, raffles, and
4 13 bingo games as defined in chapter 99B, and card game
4 14 tournaments conducted under section 99B.7B, that are operated
4 15 or conducted within the state, the tax to be collected from
4 16 the operator in the same manner as for the collection of taxes
4 17 upon the sales price of tickets or admission as provided in
4 18 this section. Nothing in this subsection shall legalize any
4 19 games of skill or chance or slot-operated devices which are
4 20 now prohibited by law.

4 21 The tax imposed under this subsection covers the total
4 22 amount from the operation of games of skill, games of chance,
4 23 raffles, and bingo games as defined in chapter 99B, card game
4 24 tournaments conducted under section 99B.7B, and musical
4 25 devices, weighing machines, shooting galleries, billiard and
4 26 pool tables, bowling alleys, pinball machines, slot-operated
4 27 devices selling merchandise not subject to the general sales
4 28 taxes and on the total amount from devices or systems where
4 29 prizes are in any manner awarded to patrons and upon the
4 30 receipts from fees charged for participation in any game or
4 31 other form of amusement, and generally upon the sales price
4 32 from any source of amusement operated for profit, not
4 33 specified in this section, and upon the sales price from which
4 34 tax is not collected for tickets or admission, but tax shall
4 35 not be imposed upon any activity exempt from sales tax under



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

5 1 section 423.3, subsection 78. Every person receiving any
5 2 sales price from the sources described in this section is
5 3 subject to all provisions of this subchapter relating to
5 4 retail sales tax and other provisions of this chapter as
5 5 applicable.

5 6 5. There is imposed a tax of ~~five~~ six percent upon the
5 7 sales price from the furnishing of services as defined in
5 8 section 423.1.

5 9 Sec. 6. Section 423.2, subsection 7, paragraph a,
5 10 unnumbered paragraph 1, Code Supplement 2007, is amended to
5 11 read as follows:

5 12 A tax of ~~five~~ six percent is imposed upon the sales price
5 13 from the sales, furnishing, or service of solid waste
5 14 collection and disposal service.

5 15 Sec. 7. Section 423.2, subsection 8, paragraph a, Code
5 16 Supplement 2007, is amended to read as follows:

5 17 a. A tax of ~~five~~ six percent is imposed on the sales price
5 18 from sales of bundled transactions. For the purposes of this
5 19 subsection, a "bundled transaction" is the retail sale of two
5 20 or more distinct and identifiable products, except real
5 21 property and services to real property, which are sold for one
5 22 nonitemized price. A "bundled transaction" does not include
5 23 the sale of any products in which the sales price varies, or
5 24 is negotiable, based on the selection by the purchaser of the
5 25 products included in the transaction.

5 26 Sec. 8. Section 423.2, subsection 9, Code Supplement 2007,
5 27 is amended to read as follows:

5 28 9. A tax of ~~five~~ six percent is imposed upon the sales
5 29 price from any mobile telecommunications service which this
5 30 state is allowed to tax by the provisions of the federal
5 31 Mobile Telecommunications Sourcing Act, Pub. L. No. 106=252, 4
5 32 U.S.C. } 116 et seq. For purposes of this subsection, taxes
5 33 on mobile telecommunications service, as defined under the
5 34 federal Mobile Telecommunications Sourcing Act that are deemed
5 35 to be provided by the customer's home service provider, shall



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

6 1 be paid to the taxing jurisdiction whose territorial limits
6 2 encompass the customer's place of primary use, regardless of
6 3 where the mobile telecommunications service originates,
6 4 terminates, or passes through and shall in all other respects
6 5 be taxed in conformity with the federal Mobile
6 6 Telecommunications Sourcing Act. All other provisions of the
6 7 federal Mobile Telecommunications Sourcing Act are adopted by
6 8 the state of Iowa and incorporated into this subsection by
6 9 reference. With respect to mobile telecommunications service
6 10 under the federal Mobile Telecommunications Sourcing Act, the
6 11 director shall, if requested, enter into agreements consistent
6 12 with the provisions of the federal Act.

6 13 Sec. 9. Section 423.2, subsection 11, Code Supplement
6 14 2007, is amended to read as follows:

6 15 11. a. All revenues arising under the operation of the
6 16 provisions of this section shall be deposited into the general
6 17 fund of the state.

6 18 b. Subsequent to the deposit into the general fund of the
6 19 state and after the transfer of such revenues collected under
6 20 chapter 423B, the department shall transfer one-sixth of such
6 21 remaining revenues to the secure an advanced vision for
6 22 education fund created in section 423F.2. This paragraph is
6 23 repealed December 31, 2029.

6 24 Sec. 10. Section 423.2, Code Supplement 2007, is amended
6 25 by adding the following new subsection:

6 26 NEW SUBSECTION. 13. The sales tax rate of six percent is
6 27 reduced to five percent on January 1, 2030.

6 28 Sec. 11. Section 423.5, unnumbered paragraph 1, Code 2007,
6 29 is amended to read as follows:

6 30 An Except as provided in subsection 3, an excise tax at the
6 31 rate of ~~five~~ six percent of the purchase price or installed
6 32 purchase price is imposed on the following:

6 33 Sec. 12. Section 423.5, subsection 3, Code 2007, is
6 34 amended to read as follows:

6 35 3. The An excise tax at the rate of five percent is



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

7 1 imposed on the use of vehicles subject to registration, or
7 2 subject only to the issuance of a certificate of title and the
7 3 use of leased vehicles, on the amount subject to tax as
7 4 calculated pursuant to section 423.27.
7 5 Sec. 13. Section 423.5, Code 2007, is amended by adding
7 6 the following new subsection:
7 7 NEW SUBSECTION. 9. The use tax rate of six percent is
7 8 reduced to five percent on January 1, 2030.
7 9 Sec. 14. Section 423.43, Code Supplement 2007, is amended
7 10 to read as follows:
7 11 423.43 DEPOSIT OF REVENUE == APPROPRIATIONS.
7 12 1. a. Except as otherwise provided in subsection 2 and
7 13 section 328.36, all revenues arising under the operation of
7 14 the use tax under subchapter III shall be deposited into the
7 15 general fund of the state.
7 16 b. Subsequent to the deposit into the general fund of the
7 17 state and after the transfer of such revenues collected under
7 18 chapter 423B, the department shall transfer one-sixth of such
7 19 remaining revenues to the secure an advanced vision for
7 20 education fund created in section 423F.2. This paragraph is
7 21 repealed December 31, 2029.
7 22 2. Except as otherwise provided in section 312.2,
7 23 subsection 14, all revenues derived from the use tax on motor
7 24 vehicles, trailers, and motor vehicle accessories and
7 25 equipment as collected pursuant to sections 423.26 and 423.27
7 26 shall be deposited and credited to the road use tax fund and
7 27 shall be used exclusively for the construction, maintenance,
7 28 and supervision of public highways-, except as follows:
7 29 1. a. Notwithstanding any provision of this section which
~~7 30 provides that all revenues derived from the use tax on motor~~
~~7 31 vehicles, trailers, and motor vehicle accessories and~~
~~7 32 equipment as collected pursuant to sections 423.26 and 423.27~~
~~7 33 shall be deposited and credited to the road use tax fund,~~
~~7 34 eighty Eighty percent of the revenues collected pursuant to~~
7 35 sections 423.26 and 423.27 shall be deposited and credited as



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

8 1 follows:

8 2 ~~a.~~ (1) Twenty=five percent of all such revenue, up to a
8 3 maximum of four million two hundred fifty thousand dollars per
8 4 quarter, shall be deposited into and credited to the Iowa
8 5 comprehensive petroleum underground storage tank fund created
8 6 in section 455G.3, and the moneys so deposited are a
8 7 continuing appropriation for expenditure under chapter 455G,
8 8 and moneys so appropriated shall not be used for other
8 9 purposes.

8 10 ~~b.~~ (2) Any such revenues remaining shall be credited to
8 11 the road use tax fund.

~~8 12 2. b. Notwithstanding any other provision of this section~~
~~8 13 that provides that all revenue derived from the use tax on~~
~~8 14 motor vehicles, trailers, and motor vehicle accessories and~~
~~8 15 equipment as collected pursuant to section 423.26 shall be~~
~~8 16 deposited and credited to the road use tax fund, twenty Twenty~~
8 17 percent of the revenues collected pursuant to section 423.26
8 18 shall be credited and deposited as follows: ~~one-half~~

8 19 (1) One-half to the road use tax fund ~~and one-half.~~

8 20 (2) One-half to the primary road fund to be used for the
8 21 commercial and industrial highway network.

~~8 22 3. All other revenue arising under the operation of the~~
~~8 23 use tax under subchapter III shall be credited to the general~~
~~8 24 fund of the state.~~

8 25 Sec. 15. Section 423E.3, subsections 1, 2, 3 and 4, Code
8 26 2007, are amended by striking the subsections.

8 27 Sec. 16. Section 423E.3, subsection 5, paragraphs a, b,
8 28 and c, Code 2007, are amended by striking the paragraphs.

8 29 Sec. 17. Section 423E.3, subsections 6 and 7, Code 2007,
8 30 are amended by striking the subsections.

8 31 Sec. 18. Section 423E.4, subsection 1, Code 2007, is
8 32 amended by striking the subsection.

8 33 Sec. 19. Section 423E.4, subsection 2, paragraph b,
8 34 subparagraph (3), Code 2007, is amended to read as follows:

8 35 (3) A school district that is located in whole or in part



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

9 1 in a county that voted on and approved the extension of the
9 2 local sales and services tax for school infrastructure
9 3 purposes pursuant to section 423E.2, subsection 5, Code 2007,
9 4 on or after April 1, 2003, shall receive for any extended
9 5 period an amount equal to its pro rata share of the local
9 6 sales and services tax receipts as provided in section 423E.3,
9 7 subsection 5, paragraph "d", not to exceed its guaranteed
9 8 school infrastructure amount. However, if the school
9 9 district's pro rata share is less than its guaranteed school
9 10 infrastructure amount, the district shall receive an
9 11 additional amount equal to its supplemental school
9 12 infrastructure amount.

9 13 Sec. 20. Section 423E.4, subsection 3, paragraph a, Code
9 14 2007, is amended to read as follows:

9 15 a. The director of revenue by August 15 of each fiscal
9 16 year shall compute the guaranteed school infrastructure amount
9 17 for each school district, each school district's sales tax
9 18 capacity per student for each county, the statewide tax
9 19 revenues per student, and the supplemental school
9 20 infrastructure amount for the ~~coming~~ fiscal year.

9 21 Sec. 21. Section 423E.4, subsection 3, paragraph b,
9 22 subparagraph (2), Code 2007, is amended to read as follows:

9 23 (2) "Sales tax capacity per student" means for a school
9 24 district the estimated amount of revenues that a school
9 25 district ~~receives or~~ would receive if a local sales and
9 26 services tax for school infrastructure purposes ~~is~~ was imposed
9 27 at one percent in the county pursuant to section 423E.2, Code
9 28 2007, as computed in subsection 8, divided by the school
9 29 district's actual enrollment as determined in section 423E.3,
9 30 subsection 5, paragraph "d".

9 31 Sec. 22. Section 423E.4, subsection 3, paragraph b,
9 32 subparagraph (3), Code 2007, is amended by striking the
9 33 subparagraph and inserting in lieu thereof the following:

9 34 (3) "Statewide tax revenues per student" means the amount
9 35 determined by estimating the total revenues that would be



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

10 1 generated by a one percent local option sales and services tax
10 2 for school infrastructure purposes if imposed by all the
10 3 counties during the entire fiscal year, as computed in
10 4 subsection 8, and dividing this estimated revenue amount by
10 5 the sum of the combined actual enrollment for all counties as
10 6 determined in section 423E.3, subsection 5, paragraph "d",
10 7 subparagraph (2).

10 8 Sec. 23. Section 423E.4, subsection 4, paragraph a, Code
10 9 2007, is amended to read as follows:

10 10 a. For the purposes of distribution under subsection 2,
10 11 paragraph "b", subparagraph (1), a school district with a
10 12 sales tax capacity per student below its guaranteed school
10 13 infrastructure amount shall use the amount equal to the
10 14 guaranteed school infrastructure amount less the pro rata
10 15 share amount in accordance with section 423E.3, subsection 5,
10 16 paragraph "d", for the purpose of paying principal and
10 17 interest on outstanding bonds previously issued for school
10 18 infrastructure purposes as defined in section 423E.1,
10 19 subsection 3, Code 2007. Any money remaining after the
10 20 payment of all principal and interest on outstanding bonds
10 21 previously issued for infrastructure purposes may be used for
10 22 any authorized infrastructure purpose of the school district.
10 23 If a majority of the voters in the school district approves
10 24 the use of revenue pursuant to a revenue purpose statement in
10 25 an election held after July 1, 2003, in the school district
10 26 pursuant to section 423E.2, Code 2007, the school district may
10 27 use the amount for the purposes specified in its revenue
10 28 purpose statement.

10 29 Sec. 24. Section 423E.4, subsection 7, Code 2007, is
10 30 amended to read as follows:

10 31 7. Notwithstanding subsection 2 ~~of this section~~ or any
10 32 other provision to the contrary, a school district that is
10 33 located in whole or in part in a county that has not
10 34 previously imposed the local sales and services tax for school
10 35 infrastructure, and which votes on and approves the tax at a



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

11 1 rate of one percent ~~on or~~ after January 1, 2007, and before
11 2 July 1, 2008 2007, shall receive an amount equal to its pro
11 3 rata share of the local sales and services tax receipts as
11 4 provided in section 423E.3, subsection 5, paragraph "d", for a
11 5 period corresponding to one-half the duration of the tax
11 6 authorized by the voters. For the second half of the duration
11 7 of the tax authorized by the voters, local sales and services
11 8 tax receipts shall be distributed as otherwise applicable
11 9 pursuant to subsection 2 ~~of this section~~.

11 10 Sec. 25. Section 423E.4, Code 2007, is amended by adding
11 11 the following new subsection:

11 12 NEW SUBSECTION. 8. For purposes of calculating the amount
11 13 generated in a county, the sales tax capacity per student and
11 14 the statewide tax revenues per student under subsections 2 and
11 15 3, the following shall apply:

11 16 a. For fiscal years beginning on or after July 1, 2008,
11 17 the amount of revenues generated in a county by a one percent
11 18 local option sales and services tax for school infrastructure
11 19 purposes shall be deemed to equal the following:

11 20 (1) For the fiscal year beginning July 1, 2008, the amount
11 21 of revenues generated in a county equals the amount of
11 22 revenues generated in that county during the fiscal year
11 23 beginning July 1, 2007, increased or decreased by the revenue
11 24 factor, as computed in subparagraph (3).

11 25 (2) For fiscal years beginning on or after July 1, 2009,
11 26 the amount of revenues generated in a county equals the amount
11 27 of revenues generated in that county during the previous
11 28 fiscal year, as computed in this paragraph, increased or
11 29 decreased by the revenue factor, as computed in subparagraph
11 30 (3).

11 31 (3) The revenue factor for a fiscal year equals the
11 32 percentage change in the amount of state sales and use tax
11 33 revenues to be deposited in the general fund of the state for
11 34 that fiscal year compared to the amount of such revenues for
11 35 the previous fiscal year as estimated by the revenue



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

12 1 estimating conference at its latest meeting in the previous
12 2 fiscal year.
12 3 b. For fiscal years beginning on or after July 1, 2008,
12 4 the total statewide amount of revenues generated by a one cent
12 5 local option sales and services tax for school infrastructure
12 6 purposes shall be equal to the total of the amounts computed
12 7 under paragraph "a" for all counties for the fiscal year.
12 8 Sec. 26. Section 423E.5, Code 2007, is amended to read as
12 9 follows:
12 10 423E.5 BONDING.
12 11 The board of directors of a school district shall be
12 12 authorized to issue negotiable, interest-bearing school bonds,
12 13 without election, and utilize tax receipts derived from the
12 14 sales and services tax for school infrastructure purposes and
12 15 the supplemental school infrastructure amount distributed
12 16 pursuant to section 423E.4, subsection 2, paragraph "b", and
12 17 revenues received pursuant to section 423F.2, for principal
12 18 and interest repayment. Proceeds of the bonds issued pursuant
12 19 to this section shall be utilized solely for school
12 20 infrastructure needs as school infrastructure is defined in
12 21 section 423E.1, subsection 3, Code 2007, and section 423F.3.
12 22 Bonds issued under this section may be sold at public sale as
12 23 provided in chapter 75, or at private sale, without notice and
12 24 hearing as provided in section 73A.12. Bonds may bear dates,
12 25 bear interest at rates not exceeding that permitted by chapter
12 26 74A, mature in one or more installments, be in registered
12 27 form, carry registration and conversion privileges, be payable
12 28 as to principal and interest at times and places, be subject
12 29 to terms of redemption prior to maturity with or without
12 30 premium, and be in one or more denominations, all as provided
12 31 by the resolution of the board of directors authorizing their
12 32 issuance. The resolution may also prescribe additional
12 33 provisions, terms, conditions, and covenants which the board
12 34 of directors deems advisable, including provisions for
12 35 creating and maintaining reserve funds, the issuance of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

13 1 additional bonds ranking on a parity with such bonds and
13 2 additional bonds junior and subordinate to such bonds, and
13 3 that such bonds shall rank on a parity with or be junior and
13 4 subordinate to any bonds which may be then outstanding. Bonds
13 5 may be issued to refund outstanding and previously issued
13 6 bonds under this section. ~~Local option sales and services tax~~
~~13 7 revenue~~ The bonds are a contract between contractual
13 8 obligation of the school district and holders, and the
13 9 resolution issuing the bonds and pledging local option sales
13 10 and services tax revenues or its share of the revenues
13 11 distributed pursuant to section 423F.2 to the payment of
13 12 principal and interest on the bonds is a part of the contract.
13 13 Bonds issued pursuant to this section shall not constitute
13 14 indebtedness within the meaning of any constitutional or
13 15 statutory debt limitation or restriction, and shall not be
13 16 subject to any other law relating to the authorization,
13 17 issuance, or sale of bonds.
13 18 A school district ~~in which a local option sales tax for~~
~~13 19 school infrastructure purposes has been imposed~~ shall be
13 20 authorized to enter into a chapter 28E agreement with one or
13 21 more cities or a county whose boundaries encompass all or a
13 22 part of the area of the school district. A city or cities
13 23 entering into a chapter 28E agreement shall be authorized to
13 24 expend its designated portion of the ~~local option sales and~~
~~13 25 services tax~~ revenues for any valid purpose permitted in this
13 26 chapter or authorized by the governing body of the city. A
13 27 county entering into a chapter 28E agreement with a school
13 28 district ~~in which a local option sales tax for school~~
~~13 29 infrastructure purposes has been imposed~~ shall be authorized
13 30 to expend its designated portion of the ~~local option sales and~~
~~13 31 services tax~~ revenues to provide property tax relief within
13 32 the boundaries of the school district located in the county.
13 33 A school district ~~where a local option sales and services tax~~
~~13 34 is imposed~~ is also authorized to enter into a chapter 28E
13 35 agreement with another school district, a community college,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

14 1 or an area education agency which is located partially or
14 2 entirely in or is contiguous to the county where the ~~tax is~~
~~14 3 imposed~~ school district is located. The school district or
14 4 community college shall only expend its designated portion of
14 5 the ~~local option sales and services tax~~ revenues for
14 6 infrastructure purposes. The area education agency shall only
14 7 expend its designated portion of the ~~local option school~~
~~14 8 infrastructure sales tax~~ revenues for infrastructure and
14 9 maintenance purposes.

14 10 The governing body of a city may authorize the issuance of
14 11 bonds which are payable from its designated portion of the
14 12 revenues ~~of the local option sales and services tax~~ to be
14 13 received under this section, and not from property tax, by
14 14 following the authorization procedures set forth for cities in
14 15 section 384.83. A city may pledge irrevocably any amount
14 16 derived from its designated portions of the revenues ~~of the~~
~~14 17 local option sales and services tax~~ to the support or payment
14 18 of such bonds.

14 19 Sec. 27. NEW SECTION. 423F.1 LEGISLATIVE INTENT.

14 20 It is the intent of the general assembly that the increase
14 21 in the state sales, services, and use taxes under chapter 423,
14 22 subchapters II and III, from five percent to six percent on
14 23 July 1, 2008, shall be used solely for purposes of providing
14 24 revenues to local school districts under this chapter to be
14 25 used solely for school infrastructure purposes or school
14 26 district property tax relief.

14 27 Sec. 28. NEW SECTION. 423F.2 REPEAL OF LOCAL SALES AND
14 28 SERVICES TAXES == SECURE AN ADVANCED VISION FOR EDUCATION
14 29 FUND.

14 30 1. a. After July 1, 2008, all local sales and services
14 31 taxes for school infrastructure purposes imposed under chapter
14 32 423E are repealed. After July 1, 2008, a county no longer has
14 33 the authority under chapter 423E or any other provision of law
14 34 to impose or to extend an existing local sales and services
14 35 tax for school infrastructure purposes.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

15 1 b. The increase in the state sales, services, and use
15 2 taxes under chapter 423, subchapters II and III, from five
15 3 percent to six percent shall replace the repeal of the
15 4 county's local sales and services tax for school
15 5 infrastructure purposes. The distribution of moneys in the
15 6 secure an advanced vision for education fund and the use of
15 7 the moneys for infrastructure purposes or property tax relief
15 8 shall be as provided in this chapter. However, the formula
15 9 for the distribution of the moneys in the fund shall be based
15 10 upon amounts that would have been received if the local sales
15 11 and services taxes under chapter 423E, Code 2007, continued in
15 12 existence, as computed pursuant to section 423E.4, subsection
15 13 8.

15 14 c. To the extent that any school district has issued bonds
15 15 anticipating the proceeds of a local sales and services tax
15 16 for school infrastructure purposes prior to July 1, 2008, the
15 17 pledge of such tax receipts for the payment of principal and
15 18 interest on such bonds shall be replaced by a pledge of its
15 19 share of the revenues the school district receives under this
15 20 section.

15 21 2. A secure an advanced vision for education fund is
15 22 created as a separate and distinct fund in the state treasury
15 23 under the control of the department of revenue. Moneys in the
15 24 fund include revenues credited to the fund pursuant to this
15 25 chapter, appropriations made to the fund, and other moneys
15 26 deposited into the fund. Subject to subsection 3, any amounts
15 27 disbursed from the fund shall be utilized for school
15 28 infrastructure purposes or property tax relief.

15 29 3. The moneys available in a fiscal year in the secure an
15 30 advanced vision for education fund shall be distributed by the
15 31 department of revenue to each school district in an amount
15 32 equal to the amount the school district would have received
15 33 pursuant to the formula in section 423E.4 as if the local
15 34 sales and services tax for school infrastructure purposes was
15 35 imposed. Moneys in a fiscal year that are in excess of that



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

16 1 needed to provide each school district with its formula amount
16 2 shall be distributed and credited to the property tax equity
16 3 and relief fund created in section 257.16A.

16 4 4. a. The director of revenue by August 15 of each fiscal
16 5 year shall send to each school district an estimate of the
16 6 amount of tax moneys each school district will receive for the
16 7 year and for each month of the year. At the end of each
16 8 month, the director may revise the estimates for the year and
16 9 remaining months.

16 10 b. The director shall remit ninety-five percent of the
16 11 estimated tax receipts for the school district to the school
16 12 district on or before August 31 of the fiscal year and on or
16 13 before the last day of each following month.

16 14 c. The director shall remit a final payment of the
16 15 remainder of tax moneys due for the fiscal year before
16 16 November 10 of the next fiscal year. If an overpayment has
16 17 resulted during the previous fiscal year, the November payment
16 18 shall be adjusted to reflect any overpayment.

16 19 Sec. 29. NEW SECTION. 423F.3 USE OF REVENUES.

16 20 1. A school district receiving revenues from the secure an
16 21 advanced vision for education fund under this chapter without
16 22 a valid revenue purpose statement shall expend the revenues
16 23 subject to subsections 2 and 3 for the following purposes:

16 24 a. Reduction of bond levies under sections 298.18 and
16 25 298.18A and all other debt levies.

16 26 b. Reduction of the regular and voter-approved physical
16 27 plant and equipment levy under section 298.2.

16 28 c. Reduction of the public educational and recreational
16 29 levy under section 300.2.

16 30 d. Reduction of the schoolhouse tax levy under section
16 31 278.1, subsection 7, Code 1989.

16 32 e. For any authorized infrastructure purpose of the school
16 33 district as defined in subsection 6.

16 34 f. For the payment of principal and interest on bonds
16 35 issued under sections 423E.5 and 423F.4.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

17 1 2. A revenue purpose statement in existence for the
17 2 expenditure of local sales and services tax for school
17 3 infrastructure purposes imposed by a county pursuant to
17 4 section 423E.2, Code 2007, prior to July 1, 2008, shall remain
17 5 in effect until amended or extended. The board of directors
17 6 of a school district may take action to adopt or amend a
17 7 revenue purpose statement specifying the specific purposes for
17 8 which the revenues received from the secure an advanced vision
17 9 for education fund will be expended. If a school district is
17 10 located in a county which has imposed a local sales and
17 11 services tax for school infrastructure purposes prior to July
17 12 1, 2008, this action shall be taken before expending or
17 13 anticipating revenues to be received after the unextended term
17 14 of the tax unless the school district elects to adopt a
17 15 revenue purpose statement as provided in subsection 3.
17 16 3. a. If the board of directors adopts a resolution to
17 17 use funds received under the operation of this chapter solely
17 18 for providing property tax relief by reducing indebtedness
17 19 from the levies specified under section 298.2 or 298.18, the
17 20 board of directors may approve a revenue purpose statement for
17 21 that purpose without submitting the revenue purpose statement
17 22 to a vote of the electors.
17 23 b. If the board of directors intends to use funds for
17 24 purposes other than those listed in paragraph "a", or change
17 25 the use of funds to purposes other than those listed in
17 26 paragraph "a", the board shall adopt a revenue purpose
17 27 statement, subject to approval of the electors, listing the
17 28 proposed use of the funds. School districts shall submit the
17 29 statement to the voters no later than sixty days prior to the
17 30 expiration of any existing revenue purpose statement or change
17 31 in use not included in the existing revenue purpose statement.
17 32 c. The board secretary shall notify the county
17 33 commissioner of elections of the intent to take the issue to
17 34 the voters. The county commissioner of elections shall
17 35 publish the notices required by law for special or general



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

18 1 elections, and the election shall be held not sooner than
18 2 thirty days nor later than forty days after notice from the
18 3 school board. A majority of those voting on the question must
18 4 favor approval of the revenue purpose statement. If the
18 5 proposal is not approved, the school district shall not submit
18 6 the same or new revenue purpose statement to the electors for
18 7 a period of six months from the date of the previous election.
18 8 4. The revenues received pursuant to this chapter shall be
18 9 expended for the purposes specified in the revenue purpose
18 10 statement. If a board of directors has not approved a revenue
18 11 purpose statement, the revenues shall be expended in the order
18 12 listed in subsection 1 except that the payment of bonds for
18 13 which the revenues have been pledged shall be paid first.
18 14 Once approved, a revenue purpose statement is effective until
18 15 amended or repealed by the foregoing procedures. A revenue
18 16 purpose statement shall not be amended or repealed to reduce
18 17 the amount of revenue pledged to the payment of principal and
18 18 interest on bonds as long as any bonds authorized by sections
18 19 423E.5 and 423F.4 are outstanding unless funds sufficient to
18 20 pay principal, interest, and premium, if any, on the
18 21 outstanding obligations at or prior to maturity have been
18 22 properly set aside and pledged for that purpose.
18 23 5. A school district with a certified enrollment of fewer
18 24 than two hundred fifty pupils in the entire district or
18 25 certified enrollment of fewer than one hundred pupils in high
18 26 school shall not expend the amount received for new
18 27 construction without prior application to the department of
18 28 education and receipt of a certificate of need pursuant to
18 29 this subsection. A certificate of need is not required for
18 30 repairing schoolhouses or buildings, equipment, technology, or
18 31 transportation equipment for transporting students as provided
18 32 in section 298.3, or for construction necessary for compliance
18 33 with the federal Americans With Disabilities Act pursuant to
18 34 42 U.S.C. } 12101=~~12117~~. In determining whether a
18 35 certificate of need shall be issued or denied, the department



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2663 - Introduced continued

19 1 shall consider all of the following:
19 2 a. Enrollment trends in the grades that will be served at
19 3 the new construction site.
19 4 b. The infeasibility of remodeling, reconstructing, or
19 5 repairing existing buildings.
19 6 c. The fire and health safety needs of the school
19 7 district.
19 8 d. The distance, convenience, cost of transportation, and
19 9 accessibility of the new construction site to the students to
19 10 be served at the new construction site.
19 11 e. Availability of alternative, less costly, or more
19 12 effective means of serving the needs of the students.
19 13 f. The financial condition of the district, including the
19 14 effect of the decline of the budget guarantee and unspent
19 15 balance.
19 16 g. Broad and long-term ability of the district to support
19 17 the facility and the quality of the academic program.
19 18 h. Cooperation with other educational entities including
19 19 other school districts, area education agencies, postsecondary
19 20 institutions, and local communities.
19 21 6. a. For purposes of this chapter, "school
19 22 infrastructure" means those activities authorized in section
19 23 423E.1, subsection 3, Code 2007.
19 24 b. Additionally, "school infrastructure" includes the
19 25 payment or retirement of outstanding bonds previously issued
19 26 for school infrastructure purposes as defined in this
19 27 subsection, and the payment or retirement of bonds issued
19 28 under sections 423E.5 and 423F.4.
19 29 c. A school district that uses secure an advanced vision
19 30 for education fund moneys for school infrastructure shall
19 31 comply with the state building code in the absence of a local
19 32 building code.
19 33 7. The general assembly shall not alter the purposes for
19 34 which the revenues received under this section may be used
19 35 from infrastructure and property tax relief purposes to any



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

20 1 other purpose unless the bill is approved by a vote of at
20 2 least two-thirds of the members of both chambers of the
20 3 general assembly and is signed by the governor.

20 4 Sec. 30. NEW SECTION. 423F.4 BORROWING AUTHORITY FOR
20 5 SCHOOL DISTRICTS.

20 6 A school district may anticipate its share of the revenues
20 7 under section 423F.2 by issuing bonds in the manner provided
20 8 in section 423E.5. However, to the extent any school district
20 9 has issued bonds anticipating the proceeds of an extended
20 10 local sales and services tax for school infrastructure
20 11 purposes imposed by a county pursuant to chapter 423E, Code
20 12 2007, prior to July 1, 2008, the pledge of such revenues for
20 13 the payment of principal and interest on such bonds shall be
20 14 replaced by a pledge of its share of the revenues under
20 15 section 423F.2.

20 16 Sec. 31. NEW SECTION. 423F.5 CONTENTS OF FINANCIAL
20 17 AUDIT.

20 18 A school district shall include as part of its financial
20 19 audit for the budget year beginning July 1, 2007, and for each
20 20 subsequent budget year the amount received during the year
20 21 pursuant to chapter 423E or 423F, as applicable. In addition,
20 22 the financial audit shall include the amount of bond levies,
20 23 physical plant and equipment levy, and public educational and
20 24 recreational levy reduced as a result of the moneys received
20 25 under chapter 423E or 423F, as applicable. The amount of the
20 26 reductions shall be stated in terms of dollars and cents per
20 27 one thousand dollars of valuation and in total amount of
20 28 property tax dollars. Also included shall be an accounting of
20 29 the amount of moneys received which were spent for
20 30 infrastructure purposes pursuant to chapter 423E or 423F, as
20 31 applicable.

20 32 The auditor of state may prescribe necessary forms and
20 33 procedures for the consistent collection of the information
20 34 required by this section.

20 35 Sec. 32. NEW SECTION. 423F.6 REPEAL.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2663 - Introduced continued

21 1 This chapter is repealed December 31, 2029.
21 2 Sec. 33. Section 423E.1, Code 2007, is repealed.
21 3 Sec. 34. Section 423E.2, Code Supplement 2007, is
21 4 repealed.
21 5 Sec. 35. CONSTRUCTION CONTRACTORS.
21 6 1. Construction contractors may make application to the
21 7 department of revenue for a refund of the additional one
21 8 percent tax paid under chapter 423 by reason of the increase
21 9 in the sales and use taxes from five to six percent for taxes
21 10 paid on goods, wares, or merchandise under the following
21 11 conditions:
21 12 a. The goods, wares, or merchandise are incorporated into
21 13 an improvement to real estate in fulfillment of a written
21 14 contract fully executed prior to July 1, 2008. The refund
21 15 shall not apply to equipment transferred in fulfillment of a
21 16 mixed construction contract.
21 17 b. The contractor has paid to the department of revenue or
21 18 to a retailer the full six percent tax.
21 19 c. The claim is filed on forms provided by the department
21 20 of revenue and is filed within one year of the date the tax is
21 21 paid.
21 22 2. A contractor who makes an erroneous application for
21 23 refund shall be liable for payment of the excess refund paid
21 24 plus interest at the rate in effect under section 421.7. In
21 25 addition, a contractor who willfully makes a false application
21 26 for refund is liable for a penalty equal to fifty percent of
21 27 the excess refund claimed. Excess refunds, penalties, and
21 28 interest due under this section may be enforced and collected
21 29 in the same manner as the tax imposed by chapter 423.
21 30 Sec. 36. APPLICABILITY. This section applies in regard to
21 31 the increase in the state sales and use taxes from five to six
21 32 percent. The six percent rate applies to all sales of taxable
21 33 personal property, consisting of goods, wares, or merchandise
21 34 if delivery occurs on or after July 1, 2008. The six percent
21 35 use tax rate applies to the use of property when the first



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

22 1 taxable use in this state occurs on or after July 1, 2008.
22 2 The six percent rate applies to the gross receipts from the
22 3 sale, furnishing, or service of gas, electricity, water, heat,
22 4 pay television service, and communication service if the date
22 5 of billing the customer is on or after July 1, 2008. In the
22 6 case of a service contract entered into prior to July 1, 2008,
22 7 which contract calls for periodic payments, the six percent
22 8 rate applies to those payments made or due on or after July 1,
22 9 2008. This periodic payment applies but is not limited to
22 10 tickets or admissions, private club membership fees, sources
22 11 of amusement, equipment rental, dry cleaning, reducing salons,
22 12 dance schools, and all other services subject to tax, except
22 13 the aforementioned utility services which are subject to a
22 14 special transitional rule. Unlike periodic payments under
22 15 service contracts, installment sales of goods, wares, and
22 16 merchandise are subject to the full amount of sales or use tax
22 17 when the sales contract is entered into or the property is
22 18 first used in Iowa.

22 19 COORDINATING AMENDMENTS

22 20 Sec. 37. Section 8.57, subsection 6, paragraph f, Code
22 21 Supplement 2007, is amended to read as follows:

22 22 f. There is appropriated from the rebuild Iowa
22 23 infrastructure fund to the secure an advanced vision for
22 24 education fund created in section ~~423E.4~~ 423F.2, for each
22 25 fiscal year of the fiscal period beginning July 1, ~~2004~~ 2008,
22 26 and ending June 30, 2014, the amount of the moneys in excess
22 27 of the first forty-seven million dollars credited to the
22 28 rebuild Iowa infrastructure fund during the fiscal year, not
22 29 to exceed ten million dollars.

22 30 Sec. 38. Section 76.4, Code 2007, is amended to read as
22 31 follows:

22 32 76.4 PERMISSIVE APPLICATION OF FUNDS.

22 33 Whenever the governing authority of such political
22 34 subdivision shall have on hand funds derived from any other
22 35 source than taxation which may be appropriated to the payment



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

23 1 either of interest or principal, or both principal and
23 2 interest of such bonds, such funds may be so appropriated and
23 3 used and the levy for the payment of the bonds correspondingly
23 4 reduced. This section shall not restrict the authority of a
23 5 political subdivision to apply sales and services tax receipts
23 6 collected pursuant to chapter 423B for such purpose.
23 7 Notwithstanding section ~~423E.1, subsection 3~~ 423F.3, a school
23 8 district may apply ~~local sales and services~~ tax receipts
23 9 ~~collected~~ received pursuant to chapter ~~423E~~ 423F for the
23 10 purposes of this section.

23 11 Sec. 39. Section 292.1, subsection 8, Code 2007, is
23 12 amended to read as follows:

23 13 8. "Sales tax capacity per pupil" means the estimated
23 14 amount of revenues that a school district receives or would
23 15 receive ~~if a local sales and services tax for school~~
~~23 16 infrastructure is imposed at one percent from the secure an~~
23 17 advanced vision for education fund pursuant to section 423E.2
23 18 423F.2, divided by the school district's basic enrollment for
23 19 the budget year. For the budget year beginning July 1, 2000,
~~23 20 the school district's actual enrollment shall be used in the~~
~~23 21 calculation in place of the school district's basic enrollment~~
~~23 22 for the budget year.~~

23 23 Sec. 40. Section 292.2, subsection 1, paragraph c, Code
23 24 2007, is amended to read as follows:

23 25 c. The department of education, in consultation with the
23 26 department of revenue and the legislative services agency,
23 27 shall annually calculate the estimated ~~sales and services~~ tax
23 28 for school infrastructure, ~~if imposed at one percent,~~ that is
23 29 or would be received by each school district in the state
23 30 pursuant to section ~~423E.3~~ 423F.2. These calculations shall
23 31 be made on a total tax and on a tax per pupil basis for each
23 32 school district.

23 33 Sec. 41. Section 292.2, subsection 2, paragraph a,
23 34 subparagraph (2), Code 2007, is amended to read as follows:

23 35 (2) ~~Local sales and services tax~~ Tax moneys received



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

24 1 pursuant to section ~~423E.3~~ 423F.2.
24 2 Sec. 42. Section 292.2, subsection 3, paragraph i, Code
24 3 2007, is amended by striking the paragraph.
24 4 Sec. 43. Section 292.2, subsection 7, paragraph d, Code
24 5 2007, is amended to read as follows:
24 6 d. A school district ~~for which a sales and services tax~~
~~24 7 for school infrastructure has not been imposed pursuant to~~
~~24 8 section 423E.2 or a school district receiving minimal revenues~~
24 9 under section ~~423E.3~~ 423F.2 when the total enrollment of the
24 10 school district is considered.
24 11 Sec. 44. Section 292.2, subsection 10, Code 2007, is
24 12 amended by striking the subsection.
24 13 Sec. 45. Section 312.1, subsection 4, Code 2007, is
24 14 amended to read as follows:
24 15 4. To the extent provided in section 423.43, subsection ~~±~~
24 16 2, paragraph ~~"b"~~ "a", subparagraph (2), from revenue derived
24 17 from the use tax, under chapter 423 on motor vehicles,
24 18 trailers, and motor vehicle accessories and equipment.
24 19 Sec. 46. Section 312.2, subsection 14, Code Supplement
24 20 2007, is amended to read as follows:
24 21 14. The treasurer of state, before making the allotments
24 22 provided for in this section, shall credit monthly from the
24 23 road use tax fund to the state department of transportation
24 24 from revenue credited to the road use tax fund under section
24 25 423.43, subsection ~~±~~ 2, paragraph ~~"b"~~ "a", subparagraph (2),
24 26 an amount equal to one-twentieth of eighty percent of the
24 27 revenue from the operation of section 423.26, to be used for
24 28 purposes of public transit assistance under chapter 324A.
24 29 Sec. 47. Section 321.34, subsection 7, paragraph c, Code
24 30 Supplement 2007, is amended to read as follows:
24 31 c. The fees for a collegiate registration plate are as
24 32 follows:
24 33 (1) A registration fee of twenty-five dollars.
24 34 (2) A special collegiate registration fee of twenty-five
24 35 dollars.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

25 1 These fees are in addition to the regular annual
25 2 registration fee. The fees collected by the director under
25 3 this subsection shall be paid monthly to the treasurer of
25 4 state and credited by the treasurer of state to the road use
25 5 tax fund. Notwithstanding section 423.43 and prior to the
25 6 revenues being credited to the road use tax fund under section
25 7 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~ "a", subparagraph (2),
25 8 the treasurer of state shall credit monthly from those
25 9 revenues respectively, to Iowa state university of science and
25 10 technology, the university of northern Iowa, and the state
25 11 university of Iowa, the amount of the special collegiate
25 12 registration fees collected in the previous month for
25 13 collegiate registration plates designed for the university.
25 14 The moneys credited are appropriated to the respective
25 15 universities to be used for scholarships for students
25 16 attending the universities.

25 17 Sec. 48. Section 321.34, subsection 10, paragraph c, Code
25 18 Supplement 2007, is amended to read as follows:

25 19 c. The special fees collected by the director under this
25 20 subsection shall be paid monthly to the treasurer of state and
25 21 credited to the road use tax fund. Notwithstanding section
25 22 423.43, and prior to the crediting of revenues to the road use
25 23 tax fund under section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~
25 24 "a", subparagraph (2), the treasurer of state shall transfer
25 25 monthly from those revenues to the Paul Ryan memorial fire
25 26 fighter safety training fund created pursuant to section
25 27 100B.12 the amount of the special fees collected in the
25 28 previous month for the fire fighter plates.

25 29 Sec. 49. Section 321.34, subsection 10A, paragraph b, Code
25 30 Supplement 2007, is amended to read as follows:

25 31 b. The special fees collected by the director under this
25 32 subsection shall be paid monthly to the treasurer of state and
25 33 credited to the road use tax fund. Notwithstanding section
25 34 423.43, and prior to the crediting of revenues to the road use
25 35 tax fund under section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

26 1 "a", subparagraph (2), the treasurer of state shall transfer
26 2 monthly from those revenues to the emergency medical services
26 3 fund created in section 135.25 the amount of the special fees
26 4 collected in the previous month for issuance of emergency
26 5 medical services plates.

26 6 Sec. 50. Section 321.34, subsection 11, paragraph c,
26 7 unnumbered paragraph 1, Code Supplement 2007, is amended to
26 8 read as follows:

26 9 The special natural resources fee for letter number
26 10 designated natural resources plates is forty=five dollars.
26 11 The fee for personalized natural resources plates is
26 12 forty=five dollars which shall be paid in addition to the
26 13 special natural resources fee of forty=five dollars. The fees
26 14 collected by the director under this subsection shall be paid
26 15 monthly to the treasurer of state and credited to the road use
26 16 tax fund. Notwithstanding section 423.43, and prior to the
26 17 crediting of revenues to the road use tax fund under section
26 18 423.43, subsection ~~±~~ 2, paragraph ~~"b"~~ "a", subparagraph (2),
26 19 the treasurer of state shall credit monthly from those
26 20 revenues to the Iowa resources enhancement and protection fund
26 21 created pursuant to section 455A.18, the amount of the special
26 22 natural resources fees collected in the previous month for the
26 23 natural resources plates.

26 24 Sec. 51. Section 321.34, subsection 11A, paragraph c, Code
26 25 Supplement 2007, is amended to read as follows:

26 26 c. The special fee for letter number designated love our
26 27 kids plates is thirty=five dollars. The fee for personalized
26 28 love our kids plates is twenty=five dollars, which shall be
26 29 paid in addition to the special love our kids fee of
26 30 thirty=five dollars. The fees collected by the director under
26 31 this subsection shall be paid monthly to the treasurer of
26 32 state and credited to the road use tax fund. Notwithstanding
26 33 section 423.43, and prior to the crediting of revenues to the
26 34 road use tax fund under section 423.43, subsection ~~±~~ 2,
26 35 paragraph ~~"b"~~ "a", subparagraph (2), the treasurer of state



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

27 1 shall transfer monthly from those revenues to the Iowa
27 2 department of public health the amount of the special fees
27 3 collected in the previous month for the love our kids plates.
27 4 Notwithstanding section 8.33, moneys transferred under this
27 5 subsection shall not revert to the general fund of the state.
27 6 Sec. 52. Section 321.34, subsection 11B, paragraph c, Code
27 7 Supplement 2007, is amended to read as follows:
27 8 c. The special fee for letter number designated motorcycle
27 9 rider education plates is thirty-five dollars. The fee for
27 10 personalized motorcycle rider education plates is twenty-five
27 11 dollars, which shall be paid in addition to the special
27 12 motorcycle rider education fee of thirty-five dollars. The
27 13 fees collected by the director under this subsection shall be
27 14 paid monthly to the treasurer of state and credited to the
27 15 road use tax fund. Notwithstanding section 423.43, and prior
27 16 to the crediting of revenues to the road use tax fund under
27 17 section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~ "a",
27 18 subparagraph (2), the treasurer of state shall transfer
27 19 monthly from those revenues to the department for use in
27 20 accordance with section 321.180B, subsection 6, the amount of
27 21 the special fees collected in the previous month for the
27 22 motorcycle rider education plates.
27 23 Sec. 53. Section 321.34, subsection 13, paragraph d, Code
27 24 Supplement 2007, is amended to read as follows:
27 25 d. A state agency may submit a request to the department
27 26 recommending a special registration plate. The alternate fee
27 27 for letter number designated plates is thirty-five dollars
27 28 with a ten dollar annual special renewal fee. The fee for
27 29 personalized plates is twenty-five dollars which is in
27 30 addition to the alternative fee of thirty-five dollars with an
27 31 annual personalized plate renewal fee of five dollars which is
27 32 in addition to the special renewal fee of ten dollars. The
27 33 alternate fees are in addition to the regular annual
27 34 registration fee. The alternate fees collected under this
27 35 paragraph shall be paid monthly to the treasurer of state and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

28 1 credited to the road use tax fund. Notwithstanding section
28 2 423.43, and prior to the crediting of the revenues to the road
28 3 use tax fund under section 423.43, subsection ~~± 2~~, paragraph
28 4 ~~"b"~~ "a", subparagraph (2), the treasurer of state shall credit
28 5 monthly the amount of the alternate fees collected in the
28 6 previous month to the state agency that recommended the
28 7 special registration plate.

28 8 Sec. 54. Section 321.34, subsection 16, unnumbered
28 9 paragraph 1, Code Supplement 2007, is amended to read as
28 10 follows:

28 11 An owner referred to in subsection 12 who is a member of
28 12 the national guard, as defined in chapter 29A, may, upon
28 13 written application to the department, order special
28 14 registration plates with a national guard processed emblem
28 15 with the emblem designed by the department in cooperation with
28 16 the adjutant general which emblem signifies that the applicant
28 17 is a member of the national guard. The application shall be
28 18 approved by the department in consultation with the adjutant
28 19 general. The special plate fees collected by the director
28 20 under subsection 12, paragraph "a", from the issuance and
28 21 annual validation of letter=number designated and personalized
28 22 national guard plates shall be paid monthly to the treasurer
28 23 of state and credited to the road use tax fund.

28 24 Notwithstanding section 423.43, and prior to the crediting of
28 25 revenues to the road use tax fund under section 423.43,
28 26 subsection ~~± 2~~, paragraph ~~"b"~~ "a", subparagraph (2), the
28 27 treasurer of state shall transfer monthly from those revenues
28 28 to the veterans license fee fund created in section 35A.11 the
28 29 amount of the special fees collected in the previous month for
28 30 national guard plates. Special registration plates with a
28 31 national guard processed emblem shall be surrendered, as
28 32 provided in subsection 12, in exchange for regular
28 33 registration plates upon termination of the owner's membership
28 34 in the active national guard.

28 35 Sec. 55. Section 321.34, subsection 17, unnumbered



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

29 1 paragraph 1, Code Supplement 2007, is amended to read as
29 2 follows:
29 3 An owner referred to in subsection 12 who was at Pearl
29 4 Harbor, Hawaii, as a member of the armed services of the
29 5 United States on December 7, 1941, may, upon written
29 6 application to the department, order special registration
29 7 plates with a Pearl Harbor processed emblem. The emblem shall
29 8 be designed by the department in consultation with service
29 9 organizations. The application is subject to approval by the
29 10 department. The special plate fees collected by the director
29 11 under subsection 12, paragraph "a", from the issuance and
29 12 annual validation of letter=number designated and personalized
29 13 Pearl Harbor plates shall be paid monthly to the treasurer of
29 14 state and credited to the road use tax fund. Notwithstanding
29 15 section 423.43, and prior to the crediting of revenues to the
29 16 road use tax fund under section 423.43, subsection ~~1~~ 2,
29 17 paragraph ~~"b"~~ "a", subparagraph (2), the treasurer of state
29 18 shall transfer monthly from those revenues to the veterans
29 19 license fee fund created in section 35A.11 the amount of the
29 20 special fees collected in the previous month for Pearl Harbor
29 21 plates.

29 22 Sec. 56. Section 321.34, subsection 18, unnumbered
29 23 paragraph 1, Code Supplement 2007, is amended to read as
29 24 follows:

29 25 An owner referred to in subsection 12 who was awarded a
29 26 purple heart medal by the United States government for wounds
29 27 received in military or naval combat against an armed enemy of
29 28 the United States may, upon written application to the
29 29 department and presentation of satisfactory proof of the award
29 30 of the purple heart medal, order special registration plates
29 31 with a purple heart processed emblem. The design of the
29 32 emblem shall include a representation of a purple heart medal
29 33 and ribbon. The application is subject to approval by the
29 34 department in consultation with the adjutant general. The
29 35 special plate fees collected by the director under subsection



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

30 1 12, paragraph "a", from the issuance and annual validation of
30 2 letter=number designated and personalized purple heart plates
30 3 shall be paid monthly to the treasurer of state and credited
30 4 to the road use tax fund. Notwithstanding section 423.43, and
30 5 prior to the crediting of revenues to the road use tax fund
30 6 under section 423.43, subsection ~~±~~ 2, paragraph ~~"b"~~ "a",
30 7 subparagraph (2), the treasurer of state shall transfer
30 8 monthly from those revenues to the veterans license fee fund
30 9 created in section 35A.11 the amount of the special fees
30 10 collected in the previous month for purple heart plates.
30 11 Sec. 57. Section 321.34, subsection 19, unnumbered
30 12 paragraph 1, Code Supplement 2007, is amended to read as
30 13 follows:
30 14 An owner referred to in subsection 12 who is a retired
30 15 member of the United States armed forces may, upon written
30 16 application to the department and upon presentation of
30 17 satisfactory proof of membership, order special registration
30 18 plates with a United States armed forces retired processed
30 19 emblem. The emblem shall be designed by the department in
30 20 consultation with service organizations. The application is
30 21 subject to approval by the department. For purposes of this
30 22 subsection, a person is considered to be retired if the person
30 23 is recognized by the United States armed forces as retired
30 24 from the United States armed forces. The special plate fees
30 25 collected by the director under subsection 12, paragraph "a",
30 26 from the issuance and annual validation of letter=number
30 27 designated and personalized armed forces retired plates shall
30 28 be paid monthly to the treasurer of state and credited to the
30 29 road use tax fund. Notwithstanding section 423.43, and prior
30 30 to the crediting of revenues to the road use tax fund under
30 31 section 423.43, subsection ~~±~~ 2, paragraph ~~"b"~~ "a",
30 32 subparagraph (2), the treasurer of state shall transfer
30 33 monthly from those revenues to the veterans license fee fund
30 34 created in section 35A.11 the amount of the special fees
30 35 collected in the previous month for armed forces retired



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

31 1 plates.

31 2 Sec. 58. Section 321.34, subsection 20, unnumbered
31 3 paragraph 1, Code Supplement 2007, is amended to read as
31 4 follows:

31 5 An owner referred to in subsection 12 who was awarded a
31 6 silver or a bronze star by the United States government, may,
31 7 upon written application to the department and presentation of
31 8 satisfactory proof of the award of the silver or bronze star,
31 9 order special registration plates with a silver or bronze star
31 10 processed emblem. The emblem shall be designed by the
31 11 department in consultation with the adjutant general. The
31 12 special plate fees collected by the director under subsection
31 13 12, paragraph "a", from the issuance and annual validation of
31 14 letter=number designated and personalized silver star and
31 15 bronze star plates shall be paid monthly to the treasurer of
31 16 state and credited to the road use tax fund. Notwithstanding
31 17 section 423.43, and prior to the crediting of revenues to the
31 18 road use tax fund under section 423.43, subsection ~~1~~ 2,
31 19 paragraph ~~"b"~~ "a", subparagraph (2), the treasurer of state
31 20 shall transfer monthly from those revenues to the veterans
31 21 license fee fund created in section 35A.11 the amount of the
31 22 special fees collected in the previous month for silver star
31 23 and bronze star plates.

31 24 Sec. 59. Section 321.34, subsection 20A, unnumbered
31 25 paragraph 1, Code Supplement 2007, is amended to read as
31 26 follows:

31 27 An owner referred to in subsection 12 who was awarded a
31 28 distinguished service cross, a navy cross, or an air force
31 29 cross by the United States government may, upon written
31 30 application to the department and presentation of satisfactory
31 31 proof of the award, order special registration plates with a
31 32 distinguished service cross, navy cross, or air force cross
31 33 processed emblem. The emblem shall be designed by the
31 34 department in consultation with the adjutant general. The
31 35 special plate fees collected by the director under subsection



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

32 1 12, paragraph "a", from the issuance and annual validation of
32 2 letter=number designated and personalized distinguished
32 3 service cross, navy cross, and air force cross plates shall be
32 4 paid monthly to the treasurer of state and credited to the
32 5 road use tax fund. Notwithstanding section 423.43, and prior
32 6 to the crediting of revenues to the road use tax fund under
32 7 section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~ "a",
32 8 subparagraph (2), the treasurer of state shall transfer
32 9 monthly from those revenues to the veterans license fee fund
32 10 created in section 35A.11 the amount of the special fees
32 11 collected in the previous month for distinguished service
32 12 cross, navy cross, and air force cross plates.
32 13 Sec. 60. Section 321.34, subsection 20B, unnumbered
32 14 paragraph 1, Code Supplement 2007, is amended to read as
32 15 follows:
32 16 An owner referred to in subsection 12 who was awarded a
32 17 soldier's medal, a navy and marine corps medal, or an airman's
32 18 medal by the United States government may, upon written
32 19 application to the department and presentation of satisfactory
32 20 proof of the award, order special registration plates with a
32 21 soldier's medal, navy and marine corps medal, or airman's
32 22 medal processed emblem. The emblem shall be designed by the
32 23 department in consultation with the adjutant general. The
32 24 special plate fees collected by the director under subsection
32 25 12, paragraph "a", from the issuance and annual validation of
32 26 letter=number designated and personalized soldier's medal,
32 27 navy and marine corps medal, and airman's medal plates shall
32 28 be paid monthly to the treasurer of state and credited to the
32 29 road use tax fund. Notwithstanding section 423.43, and prior
32 30 to the crediting of revenues to the road use tax fund under
32 31 section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~ "a",
32 32 subparagraph (2), the treasurer of state shall transfer
32 33 monthly from those revenues to the veterans license fee fund
32 34 created in section 35A.11 the amount of the special fees
32 35 collected in the previous month for soldier's medal, navy and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

33 1 marine corps medal, and airman's medal plates.

33 2 Sec. 61. Section 321.34, subsection 21, paragraph c, Code
33 3 Supplement 2007, is amended to read as follows:

33 4 c. The special fees collected by the director under this
33 5 subsection shall be paid monthly to the treasurer of state and
33 6 credited to the road use tax fund. Notwithstanding section
33 7 423.43, and prior to the crediting of revenues to the road use
33 8 tax fund under section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~
33 9 "a", subparagraph (2), the treasurer of state shall credit
33 10 monthly to the Iowa heritage fund created under section 303.9A
33 11 the amount of the special fees collected in the previous month
33 12 for the Iowa heritage plates.

33 13 Sec. 62. Section 321.34, subsection 22, paragraph b, Code
33 14 Supplement 2007, is amended to read as follows:

33 15 b. The special school transportation fee for letter number
33 16 designated education plates is thirty=five dollars. The fee
33 17 for personalized education plates is twenty=five dollars,
33 18 which shall be paid in addition to the special school
33 19 transportation fee of thirty=five dollars. The annual special
33 20 school transportation fee is ten dollars for letter number
33 21 designated registration plates and is fifteen dollars for
33 22 personalized registration plates which shall be paid in
33 23 addition to the regular annual registration fee. The fees
33 24 collected by the director under this subsection shall be paid
33 25 monthly to the treasurer of state and credited to the road use
33 26 tax fund. Notwithstanding section 423.43, and prior to the
33 27 crediting of revenues to the road use tax fund under section,
33 28 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~ "a", subparagraph (2),
33 29 the treasurer of state shall transfer monthly from those
33 30 revenues to the school budget review committee in accordance
33 31 with section 257.31, subsection 17, the amount of the special
33 32 school transportation fees collected in the previous month for
33 33 the education plates.

33 34 Sec. 63. Section 321.34, subsection 23, paragraph c, Code
33 35 Supplement 2007, is amended to read as follows:



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

34 1 c. The special fee for letter number designated breast
34 2 cancer awareness plates is thirty-five dollars. The fee for
34 3 personalized breast cancer awareness plates is twenty-five
34 4 dollars, which shall be paid in addition to the special breast
34 5 cancer awareness fee of thirty-five dollars. The fees
34 6 collected by the director under this subsection shall be paid
34 7 monthly to the treasurer of state and credited to the road use
34 8 tax fund. Notwithstanding section 423.43, and prior to the
34 9 crediting of revenues to the road use tax fund under section
34 10 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~ "a", subparagraph (2),
34 11 the treasurer of state shall transfer monthly from those
34 12 revenues to the Iowa department of public health the amount of
34 13 the special fees collected in the previous month for the
34 14 breast cancer awareness plates and such funds are appropriated
34 15 to the Iowa department of public health. The Iowa department
34 16 of public health shall distribute one hundred percent of the
34 17 funds received monthly in the form of grants to support breast
34 18 cancer screenings for both men and women who meet eligibility
34 19 requirements like those established by the Susan G. Komen
34 20 foundation. In the awarding of grants, the Iowa department of
34 21 public health shall give first consideration to affiliates of
34 22 the Susan G. Komen foundation and similar nonprofit
34 23 organizations providing for breast cancer screenings at no
34 24 cost in Iowa. Notwithstanding section 8.33, moneys
34 25 transferred under this subsection shall not revert to the
34 26 general fund of the state.
34 27 Sec. 64. Section 321.34, subsection 24, Code Supplement
34 28 2007, is amended to read as follows:
34 29 24. GOLD STAR PLATES. An owner referred to in subsection
34 30 12 who is the surviving spouse, parent, child, or sibling of a
34 31 deceased member of the United States armed forces who died
34 32 while serving on active duty during a time of military
34 33 conflict may order special registration plates bearing a gold
34 34 star emblem upon written application to the department
34 35 accompanied by satisfactory supporting documentation as



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

35 1 determined by the department. The gold star emblem shall be
35 2 designed by the department in cooperation with the commission
35 3 of veterans affairs. The special plate fees collected by the
35 4 director under subsection 12, paragraph "a", from the issuance
35 5 and annual validation of letter=number designated and
35 6 personalized gold star plates shall be paid monthly to the
35 7 treasurer of state and credited to the road use tax fund.
35 8 Notwithstanding section 423.43, and prior to the crediting of
35 9 revenues to the road use tax fund under section 423.43,
35 10 subsection ~~1~~ 2, paragraph ~~"b"~~ "a", subparagraph (2), the
35 11 treasurer of state shall transfer monthly from those revenues
35 12 to the veterans license fee fund created in section 35A.11 the
35 13 amount of the special fees collected in the previous month for
35 14 gold star plates.

35 15 Sec. 65. Section 327I.26, Code 2007, is amended to read as
35 16 follows:

35 17 327I.26 APPROPRIATION TO AUTHORITY.

35 18 Notwithstanding section 423.43, and prior to the
35 19 application of section 423.43, subsection ~~1~~ 2, paragraph ~~"b"~~
35 20 "a", subparagraph (2), there shall be deposited into the
35 21 general fund of the state and is appropriated to the authority
35 22 from eighty percent of the revenues derived from the operation
35 23 of section 423.26, the amounts certified by the authority
35 24 under section 327I.25. However, the total amount deposited
35 25 into the general fund and appropriated to the Iowa railway
35 26 finance authority under this section shall not exceed two
35 27 million dollars annually. Moneys appropriated to the Iowa
35 28 railway finance authority under this section are appropriated
35 29 only for the payment of principal and interest on obligations
35 30 or the payment of leases guaranteed by the authority as
35 31 provided under section 327I.25.

35 32 Sec. 66. Section 423.36, subsection 8, paragraph a, Code
35 33 2007, is amended to read as follows:

35 34 a. Except as provided in paragraph "b", purchasers, users,
35 35 and consumers of tangible personal property or enumerated



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

36 1 services taxed pursuant to subchapter II or III of this
36 2 chapter or ~~chapters~~ chapter 423B and ~~423E~~ may be authorized,
36 3 pursuant to rules adopted by the director, to remit tax owed
36 4 directly to the department instead of the tax being collected
36 5 and paid by the seller. To qualify for a direct pay tax
36 6 permit, the purchaser, user, or consumer must accrue a tax
36 7 liability of more than four thousand dollars in tax under
36 8 subchapters II and III in a semimonthly period and make
36 9 deposits and file returns pursuant to section 423.31. This
36 10 authority shall not be granted or exercised except upon
36 11 application to the director and then only after issuance by
36 12 the director of a direct pay tax permit.

36 13 Sec. 67. Section 423.57, Code Supplement 2007, is amended
36 14 to read as follows:

36 15 423.57 STATUTES APPLICABLE.

36 16 The director shall administer this subchapter as it relates
36 17 to the taxes imposed in this chapter in the same manner and
36 18 subject to all the provisions of, and all of the powers,
36 19 duties, authority, and restrictions contained in sections
36 20 423.14, 423.15, 423.16, 423.17, 423.19, 423.20, 423.21,
36 21 423.22, 423.23, 423.24, 423.25, 423.28, 423.29, 423.31,
36 22 423.32, 423.33, 423.34, 423.35, 423.37, 423.38, 423.39,
36 23 423.40, 423.41, and 423.42, section 423.43, subsection ~~3~~ 1,
36 24 and sections 423.45, 423.46, and 423.47.

36 25 Sec. 68. Section 423B.7, subsection 6, paragraphs a and b,
36 26 Code 2007, are amended by striking the paragraphs.

36 27 Sec. 69. Section 455G.3, subsection 1, Code 2007, is
36 28 amended to read as follows:

36 29 1. The Iowa comprehensive petroleum underground storage
36 30 tank fund is created as a separate fund in the state treasury,
36 31 and any funds remaining in the fund at the end of each fiscal
36 32 year shall not revert to the general fund but shall remain in
36 33 the Iowa comprehensive petroleum underground storage tank
36 34 fund. Interest or other income earned by the fund shall be
36 35 deposited in the fund. The fund shall include moneys credited



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

37 1 to the fund under this section, section 423.43, subsection 1
37 2 2, paragraph "a", subparagraph (1), and sections 455G.8,
37 3 455G.9, and 455G.11, Code 2003, and other funds which by law
37 4 may be credited to the fund. The moneys in the fund are
37 5 appropriated to and for the purposes of the board as provided
37 6 in this chapter. Amounts in the fund shall not be subject to
37 7 appropriation for any other purpose by the general assembly,
37 8 but shall be used only for the purposes set forth in this
37 9 chapter. The treasurer of state shall act as custodian of the
37 10 fund and disburse amounts contained in it as directed by the
37 11 board including automatic disbursements of funds as received
37 12 pursuant to the terms of bond indentures and documents and
37 13 security provisions to trustees and custodians. The treasurer
37 14 of state is authorized to invest the funds deposited in the
37 15 fund at the direction of the board and subject to any
37 16 limitations contained in any applicable bond proceedings. The
37 17 income from such investment shall be credited to and deposited
37 18 in the fund. The fund shall be administered by the board
37 19 which shall make expenditures from the fund consistent with
37 20 the purposes of the programs set out in this chapter without
37 21 further appropriation. The fund may be divided into different
37 22 accounts with different depositories as determined by the
37 23 board and to fulfill the purposes of this chapter.

37 24 Sec. 70. Section 455G.6, subsection 4, Code 2007, is
37 25 amended to read as follows:

37 26 4. Grant a mortgage, lien, pledge, assignment, or other
37 27 encumbrance on one or more improvements, revenues, asset of
37 28 right, accounts, or funds established or received in
37 29 connection with the fund, including revenues derived from the
37 30 use tax under section 423.43, subsection 1 2, paragraph "a",
37 31 subparagraph (1), and deposited in the fund or an account of
37 32 the fund.

37 33 Sec. 71. Section 455G.8, subsection 2, Code 2007, is
37 34 amended to read as follows:

37 35 2. USE TAX. The revenues derived from the use tax imposed



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House File 2663 - Introduced continued

38 1 under chapter 423, subchapter III. The proceeds of the use
38 2 tax under section 423.43, subsection ~~1~~ 2, paragraph "a",
38 3 subparagraph (1), shall be allocated, consistent with this
38 4 chapter, among the fund's accounts, for debt service and other
38 5 fund expenses, according to the fund budget, resolution, trust
38 6 agreement, or other instrument prepared or entered into by the
38 7 board or authority under direction of the board.

38 8 Sec. 72. 2007 Iowa Acts, chapter 179, section 6, is
38 9 amended to read as follows:

38 10 SEC. 6. Section 423.57, Code 2007, as amended by this Act,
38 11 is amended to read as follows:

38 12 423.57 STATUTES APPLICABLE.

38 13 The director shall administer this subchapter as it relates
38 14 to the taxes imposed in this chapter in the same manner and
38 15 subject to all the provisions of, and all of the powers,
38 16 duties, authority, and restrictions contained in sections
38 17 423.14, 423.15, 423.16, 423.17, 423.19, 423.20, 423.21,
38 18 423.22, 423.23, 423.24, 423.25, 423.28, 423.29, 423.31,
38 19 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,
38 20 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection
38 21 ~~3~~ 1, and sections 423.45, 423.46, and 423.47.

38 22 Sec. 73. EFFECTIVE DATE. The section of this Act amending
38 23 2007 Iowa Acts, chapter 179, takes effect January 1, 2009.

38 24 EXPLANATION

38 25 This bill replaces the local option sales and services tax
38 26 for school infrastructure purposes by increasing the state
38 27 sales and use taxes from 5 percent to 6 percent, effective
38 28 July 1, 2008. The increased use tax rate does not apply to
38 29 the sale or lease of motor vehicles. The state sales and use
38 30 tax rates are reduced from 6 percent to 5 percent on January
38 31 1, 2030. The increased state sales and use tax revenues are
38 32 deposited into a new secure an advanced vision for education
38 33 fund to be distributed to all school districts. All existing
38 34 local sales and services taxes for school infrastructure
38 35 purposes are repealed. A statewide amount per pupil is



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2663 - Introduced continued

39 1 computed each fiscal year based upon the estimated amount that
39 2 would have been generated by a 1 percent local sales and
39 3 services tax divided by the combined enrollment of all school
39 4 districts. Each district will receive an amount equal to the
39 5 amount that it would have received under the formula if the
39 6 local sales and services tax for school infrastructure was
39 7 still imposed. Any funds left over after distribution under
39 8 the formula are to be distributed to a new property tax equity
39 9 and relief fund to be used to reduce school districts'
39 10 additional property tax levy. This reduction would be in
39 11 addition to the amounts already appropriated for this purpose
39 12 pursuant to Code section 257.4, subsection 4.

39 13 In determining the amounts that would have been collected
39 14 statewide and by each county and school district, a base
39 15 amount is established that is to be adjusted each fiscal year.
39 16 The base amount for a county equals the amount generated by
39 17 the 1 percent tax during FY 2007=2008. This figure is
39 18 adjusted by the estimated change in the state sales and use
39 19 tax collections for FY 2008=2009 as estimated by the revenue
39 20 estimating conference in April. This computation is done for
39 21 each subsequent fiscal year with the estimated change for the
39 22 next fiscal year applied to the previous fiscal year's
39 23 computation. The amount that would have been collected
39 24 statewide is determined by adding up the computational amounts
39 25 for all the counties.

39 26 Revenues received are to be used according to a revenue
39 27 purpose statement that was in existence under the replaced
39 28 tax. Prior to use of any revenues after the replaced tax
39 29 revenue purpose statement expires, the school district may
39 30 hold an election on the adoption of a new revenue purpose
39 31 statement. However, an election is not needed if the purposes
39 32 for which the revenues are to be used are for bond levy and
39 33 physical plant and equipment levy reductions.

39 34 The purposes for which the revenues may be used are the
39 35 reduction of bond levies, regular and voter approved physical



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House File 2663 - Introduced continued

40 1 plant and equipment levy, public educational and recreational
40 2 levy, and schoolhouse tax levy, authorized infrastructure
40 3 purposes as defined in new Code section 423F.3, which are the
40 4 same activities listed under the repealed Code section 423E.1,
40 5 subsection 3, and payment of principal and interest of bonds
40 6 issued under Code chapter 423E or 423F. If a revenue purpose
40 7 statement is not approved, the revenues are to be used in the
40 8 order listed for the above purposes.

40 9 The new Code chapter 423F is repealed December 31, 2029, at
40 10 the time of the state sales and use tax rate reductions.

40 11 The bill provides an effective date.

40 12 LSB 5058HV 82

40 13 mg/rj/24



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 131 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.

1 2 BY SCHICKEL, WINDSCHITL, SANDS, BERRY,

1 3 T. OLSON, D. OLSON, WATTS, KRESSIG, STAED,

1 4 HEDDENS, ROBERTS, BAILEY, SODERBERG, DEYOE,

1 5 GASKILL, GRANZOW, RAYHONS, UPMEYER, HUSEMAN,

1 6 GAYMAN, JACOBS, HOFFMAN, PALMER, TYMESON,

1 7 HORBACH, WENDT, CHAMBERS, PETTENGILL,

1 8 VAN FOSSEN, MERTZ, and JACOBY

1 9 A Resolution celebrating the 100th birthday of the

1 10 United States Army Reserve, honoring the commitment,

1 11 dedication, and service to America, and wishing for

1 12 its continued support to our soldiers.

1 13 WHEREAS, in 1908, the nation's leaders, knowing

1 14 that the most up-to-date medical experience resided in

1 15 the civilian sector, created the first reservoir of

1 16 trained officers in a reserve status known as the

1 17 Medical Reserve Corps; and

1 18 WHEREAS, today, over 67 percent of the Army's

1 19 medical assets lie within the Army Reserve; and

1 20 WHEREAS, in 1916, Congress passed the National

1 21 Defense Act, creating the Officers' Reserve Corps, the

1 22 Enlisted Reserve Corps, and the Reserve Officers'

1 23 Training Corps, later named the Organized Reserve

1 24 Corps (ORC), all of which are forerunners of the

1 25 current Army Reserve; and

1 26 WHEREAS, in World War I, 89,500 reserve officers

1 27 were mobilized and during World War II, 200,000

1 28 members of the ORC participated, with reserve officers

1 29 providing 29 percent of the Army's officers; and

1 30 WHEREAS, in 1952, legislation renamed the ORC as



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 131 - Introduced continued

2 1 the Army Reserve and then divided it into three
2 2 reserves, a Ready Reserve, a Standby Reserve, and a
2 3 Retired Reserve, and also provided reserve units with
2 4 24 initial training days and up to 17 days of annual
2 5 training; and
2 6 WHEREAS, the Army Reserve has been an integral part
2 7 of numerous conflicts with more than 70 Army Reserve
2 8 units deployed to the Korean Peninsula, more than
2 9 84,000 soldiers providing combat support and combat
2 10 service support during Operation Desert Shield/Storm,
2 11 and others providing support in Somalia, Haiti,
2 12 Bosnia, Kosovo, Operation Enduring Freedom, Operation
2 13 Noble Eagle, and Operation Iraqi Freedom; and
2 14 WHEREAS, the role of the Army Reserve has changed
2 15 over time, moving from a Strategic Reserve to an
2 16 Operational Force, providing resources and training to
2 17 first-responder organizations across the nation,
2 18 training soldiers, implementing national objectives,
2 19 keeping the Army mobile, and enabling the Army to do
2 20 more with fewer resources; and
2 21 WHEREAS, the Army Reserve makes up 20 percent of
2 22 the Army's organized units, but provides one-half of
2 23 the Army's combat support and one-fourth of its
2 24 mobilization base expansion capabilities; NOW
2 25 THEREFORE,
2 26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 27 That the members of the House of Representatives, by
2 28 this resolution, celebrate the 100th birthday of the
2 29 United States Army Reserve, honor its service to
2 30 America, and wish them another century of continued



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 131 - Introduced continued

- 3 1 support.
- 3 2 LSB 6609HH 82
- 3 3 jr/rj/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 132 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
 1 2 BY ALONS
 1 3 A Resolution recognizing Iowa's 4th legislative house
 1 4 district as the 2008 Iowa High School Boys' State
 1 5 Basketball Tournament capitol.
 1 6 WHEREAS, Lyon and Sioux Counties have sent three
 1 7 teams to the 2008 Iowa High School Boys' State
 1 8 Basketball Tournament; and
 1 9 WHEREAS, the Western Christian High School team,
 1 10 the Wolfpack, coached by Jim Eekhoff, came to the 2008
 1 11 tournament as the defending Class 2A state basketball
 1 12 champions and successfully defended that title to
 1 13 claim the Class 2A championship for two years in a
 1 14 row; and
 1 15 WHEREAS, the George=Little Rock High School team,
 1 16 the Mustangs, coached by Ben Gerleman, were the 2001
 1 17 and 2006 Class 1A state champions and in the 2008
 1 18 tournament, were the Class 1A runner up; and
 1 19 WHEREAS, the Boyden=Hull High School team, the
 1 20 Comets, coached by Bill Francis, is a scrappy Class 1A
 1 21 team, winning through the quarter=final round of play
 1 22 and shocking top=seeded and unbeaten
 1 23 Sheffield=Chapin/Meservey=Thornton with a 43=40 win,
 1 24 and then playing in the Class 1A consolation
 1 25 championship; NOW THEREFORE,
 1 26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 1 27 That the House of Representatives honors the work and
 1 28 achievements of these three remarkable teams and
 1 29 recognizes Iowa's 4th legislative house district as
 1 30 the 2008 Iowa High School Boys' State Basketball



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 132 - Introduced continued

- 2 1 Tournament capitol.
- 2 2 LSB 6600HH 82
- 2 3 jr/nh/14.1



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Resolution 133 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
1 2 BY SMITH, BAUDLER, WENDT, FOEGE, HEATON,
1 3 FORD, T. OLSON, PETERSEN, and HOFFMAN
1 4 A Resolution designating September 2008 as Prostate
1 5 Cancer Awareness Month.
1 6 WHEREAS, countless families in Iowa live with
1 7 prostate cancer; and
1 8 WHEREAS, a significant number of men in Iowa live
1 9 with prostate cancer; and
1 10 WHEREAS, over the past decade, prostate cancer has
1 11 been the most commonly diagnosed nonskin cancer and
1 12 the second most common cause of cancer-related deaths
1 13 among men in Iowa; and
1 14 WHEREAS, the American Cancer Society estimates
1 15 218,890 men in the United States will be diagnosed
1 16 with prostate cancer and 27,050 men will die of
1 17 prostate cancer in 2008; and
1 18 WHEREAS, the American Cancer Society estimates
1 19 2,140 men in Iowa will be diagnosed with prostate
1 20 cancer and 350 men will die of prostate cancer in
1 21 2008; and
1 22 WHEREAS, African-American males suffer a prostate
1 23 cancer incidence rate up to 60 percent higher than
1 24 white males and more than double the mortality rate;
1 25 and
1 26 WHEREAS, age, ethnicity, and family history are
1 27 significant predictors of the severity of prostate
1 28 cancer and the probability that the disease will lead
1 29 to death; NOW THEREFORE,
1 30 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 133 - Introduced continued

2 1 That the House of Representatives designates September
2 2 2008 as Prostate Cancer Awareness month;
2 3 BE IT FURTHER RESOLVED, That the House of
2 4 Representatives declares that Iowa state government
2 5 has a responsibility to raise awareness about the
2 6 importance of screening methods for, and treatment of,
2 7 prostate cancer; to encourage increased research in
2 8 order to improve screening and treatment of prostate
2 9 cancer, and to provide that the causes of, and a cure
2 10 for, prostate cancer may be discovered; and to
2 11 continue to consider ways for improving access to, and
2 12 the quality of, health care services for detecting and
2 13 treating prostate cancer.
2 14 BE IT FURTHER RESOLVED, That the House of
2 15 Representatives requests the Governor to issue a
2 16 proclamation calling on the people of Iowa, interested
2 17 groups, and affected persons to promote awareness of
2 18 prostate cancer; to take an active role in the fight
2 19 to end the devastating effects of prostate cancer on
2 20 individuals and their families; to observe Prostate
2 21 Cancer Awareness Month with appropriate ceremonies and
2 22 activities; and to urge the United States Congress to
2 23 prohibit the application of least costly alternative
2 24 practices or similar policies for drugs and
2 25 biologicals that unfairly target prostate cancer
2 26 patients.
2 27 LSB 6612HH 82
2 28 rj/rj/24.1



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 134 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.

1 2 BY BERRY, FREVERT, GASKILL, GAYMAN, HEDDENS,

1 3 HUNTER, JACOBS, JOCHUM, KRESSIG, LENSING, H. MILLER,

1 4 L. MILLER, T. OLSON, SWAIM, WINCKLER,

1 5 WIENCEK, AND MERTZ

1 6 A Resolution designating Tuesday, April 22, 2008, as

1 7 Equal Pay Day.

1 8 WHEREAS, Equal Pay Day was originated by the

1 9 National Committee on Pay Equity in 1996 as a public

1 10 awareness event to illustrate the gap between men's

1 11 and women's wages; and

1 12 WHEREAS, despite the passage of the federal Equal

1 13 Pay Act and Title VII of the federal Civil Rights Act,

1 14 women continue to suffer the consequences of

1 15 inequitable pay differentials; and

1 16 WHEREAS, despite the fact that women make up almost

1 17 half of the American workforce, women on average still

1 18 earn only 77 percent of men's earnings; and

1 19 WHEREAS, a lifetime of lower wages means women have

1 20 less income available to save for retirement and less

1 21 income for purposes of Social Security or a pension;

1 22 and

1 23 WHEREAS, the goal of equal pay for equal work and

1 24 the battle against wage discrimination must continue

1 25 to be a priority for all Iowans; and

1 26 WHEREAS, April 22, 2008, symbolizes the day on

1 27 which the wages paid to American women so far in 2008,

1 28 when added to women's earnings for all of 2007,

1 29 finally equal the 2007 earnings of American men; NOW

1 30 THEREFORE,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 134 - Introduced continued

2 1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 2 That the House of Representatives supports the
2 3 proposition that it is the fundamental right of all
2 4 American women to receive equal pay for equal work and
2 5 for that reason designates Tuesday, April 22, 2008, as
2 6 Equal Pay Day and urges all Iowans to recognize the
2 7 full value and worth of women and their contributions
2 8 to the Iowa workforce.
2 9 LSB 6531HH 82
2 10 jr/nh/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

House Resolution 135 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
1 2 BY BERRY
1 3 A Resolution recognizing March 15, 2008, as Buckle Up
1 4 for Safety Day.
1 5 WHEREAS, failure to use safety belts remains one of
1 6 the leading causes of deaths and injuries to motorists
1 7 involved in crashes; and
1 8 WHEREAS, the use of seat belts has been proven to
1 9 save lives and reduce injuries in traffic accidents
1 10 throughout the country; and
1 11 WHEREAS, the Iowa Department of Transportation
1 12 reports that an accident occurs every eight and
1 13 one-half minutes and that consistent use of seat belts
1 14 will save approximately 100 to 150 lives each year;
1 15 and
1 16 WHEREAS, the House of Representatives wishes to
1 17 promote the increase in use of seat belts among all
1 18 residents and visitors of this state in order to
1 19 protect the driving public from injuries associated
1 20 with traffic accidents; NOW THEREFORE,
1 21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 22 That the House of Representatives recognizes March 15,
1 23 2008, as Buckle Up for Safety Day, and encourages all
1 24 drivers and passengers to buckle up for safety.
1 25 LSB 6571HH 82
1 26 jr/rj/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 136 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
 1 2 BY FOEGE
 1 3 A Resolution honoring Wartburg College's wrestling team
 1 4 for winning the National Collegiate Athletic Association
 1 5 Division III Wrestling Championship.
 1 6 WHEREAS, the Wartburg College wrestling team, the
 1 7 Knights, has won its sixth National Collegiate
 1 8 Athletic Association (NCAA) Division III wrestling
 1 9 title; and
 1 10 WHEREAS, led by Head Coach Jim Miller, the Knights
 1 11 won the championship on March 8, 2008, with 147
 1 12 points, clearing the rest of the field by 47 points;
 1 13 and
 1 14 WHEREAS, the Knights also added three more
 1 15 individual title winners to the all-time total:
 1 16 junior Jacob Naig of Emmetsburg, junior Aaron
 1 17 Wernimont of Pocahontas, and junior Romeo Djoumessi of
 1 18 Waverly each won individual national titles, pushing
 1 19 the program total to 27; and
 1 20 WHEREAS, the Knights' nine All-American team
 1 21 members are a Wartburg tradition == in each of the
 1 22 last six national championships, Wartburg has earned
 1 23 at least five All-American honors, for a grand program
 1 24 total of 140; and
 1 25 WHEREAS, two team members, Jacob Naig and senior
 1 26 T.J. Miller of Cedar Falls, picked up their third
 1 27 All-American awards; three Knights, Romeo Djoumessi,
 1 28 senior Jacob Helvey of Mitchellville, and Aaron
 1 29 Wernimont, all recorded their second All-American
 1 30 award; while senior Robert Struthers of Emmetsburg,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

House Resolution 136 - Introduced continued

2 1 sophomore Matt Kelly of Dubuque, and junior Justin
2 2 Hanson of Humboldt each earned his first All-American
2 3 award; and
2 4 WHEREAS, the Knights also had three runners-up in
2 5 Jacob Helvey, T.J. Miller, and senior Brian Borchers
2 6 of Holstein; and
2 7 WHEREAS, in addition to their athletic prowess, the
2 8 Knights also placed in the top 10 of the 2007=2008
2 9 National Wrestling Coaches Association Division III
2 10 Scholar Team Top 25 and had six individuals earn
2 11 Scholar All-American awards; and
2 12 WHEREAS, those team members who were awarded
2 13 Scholar All-American honors were Aaron Wernimont,
2 14 Brian Borchers for the second time, junior Craig
2 15 Kreman of Tipton, sophomore Chris Sandy of Spirit
2 16 Lake, and sophomore Dustin Jaeger of Manchester; and
2 17 WHEREAS, the extraordinary success of the Wartburg
2 18 College Knights wrestling team of 2007=2008 is a
2 19 source of pride for all Iowans; NOW THEREFORE,
2 20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 21 That the House of Representatives congratulates the
2 22 Wartburg College Knights wrestling team and Coach
2 23 Miller on the success of their 2007=2008 wrestling
2 24 season and wishes them continued success in all their
2 25 future endeavors.
2 26 LSB 6611HH 82
2 27 jr/nh/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Amendment 5216

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
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Amendment 5216 continued

2 1 3. Electrical inspection of concession booths, and
2 2 amusement devices fees, ~~thirty-five~~ 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 SF 2157.H
2 24 ak/jg/25



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Amendment 5217

PAG LIN

1 1 Amend Senate File 2383, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 1, by striking lines 12 through 17 and
 1 4 inserting the following:
 1 5 <() The offspring of a domestic cat and a
 1 6 nondomestic cat that is a member of the family felidae
 1 7 of the order carnivora, if the offspring is all of the
 1 8 following:
 1 9 (a) Removed from the parentage of the nondomestic
 1 10 cat by a minimum of four generations.
 1 11 (b) Equal to or less than twenty-five pounds in
 1 12 weight at one year of age.
 1 13 (c) Registered with the cat fanciers association,
 1 14 American cat fanciers association, or international
 1 15 cat association.
 1 16 (d) Permanently tattooed or installed with an
 1 17 electronic device that identifies the offspring as
 1 18 provided in rules adopted by the department.>
 1 19 #2. By renumbering as necessary.
 1 20
 1 21
 1 22
 1 23 Dr. JOE M. SENG
 1 24 DENNIS H. BLACK
 1 25 NANCY J. BOETTGER
 1 26 MARK ZIEMAN
 1 27 WILLIAM DOTZLER
 1 28 THOMAS RIELLY
 1 29 SF 2383.301 82
 1 30 da/nh/20934
 1 31
 1 32
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Amendment 5218

PAG LIN

1 1 Amend Senate File 2342 as follows:
 1 2 #1. Page 1, by striking lines 3 through 19 and
 1 3 inserting the following:
 1 4 <626.16 RECEIPT AND RETURN.
 1 5 1. Every officer who receives an execution shall
 1 6 provide a receipt, if required, stating the hour when
 1 7 the same was received, and shall make sufficient
 1 8 return of the execution, together with the money
 1 9 collected, on or before the one hundred twentieth day
 1 10 from the date of its issuance.
 1 11 2. Notwithstanding the one=hundred=twenty=day
 1 12 period in subsection 1, a creditor may request the
 1 13 clerk of court to allow for the return of the
 1 14 execution, together with the money collected, for a
 1 15 period of up to three=hundred=sixty days from the date
 1 16 of its issuance. In such a case, if a second creditor
 1 17 subsequently executes a judgment against the same
 1 18 judgment debtor, the clerk of court shall require a
 1 19 return of the execution of the first creditor's
 1 20 judgment, together with the money collected, on the
 1 21 one hundred twentieth day from the date of its
 1 22 issuance or thirty days from the issuance of the
 1 23 second creditor's execution, whichever occurs later.
 1 24 Upon return of the first creditor's execution, the
 1 25 second creditor's execution shall begin and the return
 1 26 of the second creditor's execution, together with the
 1 27 money collected, shall occur on or before the one
 1 28 hundred twentieth day of the date of its issuance.
 1 29 3. The sheriff shall deposit any moneys collected
 1 30 with the clerk of court and the clerk shall disburse
 1 31 the amounts, after subtracting applicable fees, within
 1 32 one hundred twenty days of collection.>
 1 33 #2. By renumbering as necessary.
 1 34
 1 35
 1 36
 1 37 HERMAN C. QUIRMBACH
 1 38 SF 2342.202 82
 1 39 rh/rj/11404
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Amendment 5219

PAG LIN

1 1 Amend Senate File 2372 as follows:
1 2 #1. Page 2, by inserting after line 21 the
1 3 following:
1 4 <c. The gift certificate is sold or issued by a
1 5 small business. For purposes of this subsection, a
1 6 "small business" means a business employing fifty or
1 7 fewer employees.>
1 8
1 9
1 10
1 11 BRAD ZAUN
1 12 JERRY BEHN
1 13 SF 2372.202 82
1 14 rn/rj/20960
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Amendment 5220

PAG LIN

1 1 Amend Senate File 2372 as follows:
1 2 #1. Page 2, by inserting after line 21 the
1 3 following:
1 4 <c. The gift certificate is in the form of a
1 5 prepaid telephone calling card to be utilized to make
1 6 a wireline or wireless telephone call, or to provide
1 7 or add value to a prepaid wireline or wireless
1 8 telephone account, either sold by the issuer or
1 9 distributed pursuant to an awards, loyalty, or
1 10 promotional program.>
1 11
1 12
1 13
1 14 STEVE KETTERING
1 15 JERRY BEHN
1 16 SF 2372.702 82
1 17 rn/nh/20762
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Amendment 5221

PAG LIN

1 1 Amend Senate File 2372 as follows:
 1 2 #1. Page 1, by striking line 1 and inserting the
 1 3 following:
 1 4 <Section 1. NEW SECTION. 555D.1 LEGISLATIVE
 1 5 INTENT == DEFINITION.
 1 6 0A. It is the intent of the general assembly to
 1 7 provide for and facilitate consumer protection,
 1 8 convenience, and customer service in connection with
 1 9 the issuance and redemption of gift certificates, and
 1 10 in connection therewith preserve the status of
 1 11 unclaimed gift certificates as redeemable by a holder
 1 12 or owner at a future unspecified date.>
 1 13 #2. Page 2, by inserting after line 28 the
 1 14 following:
 1 15 <Sec. ____ . NEW SECTION. 555D.4 GIFT CERTIFICATES
 1 16 == UNCLAIMED PROPERTY PROHIBITION.
 1 17 A gift certificate which has remained unclaimed by
 1 18 the owner of the gift certificate for more than three
 1 19 years after issuance shall not be presumed abandoned,
 1 20 but shall remain on file indefinitely with the seller
 1 21 or issuer of the gift certificate and redeemable for
 1 22 full value if presented by the owner or holder at a
 1 23 future date.>
 1 24 #3. By striking page 2, line 29, through page 3,
 1 25 line 12.
 1 26 #4. Page 3, by inserting before line 13 the
 1 27 following:
 1 28 <Sec. ____ . Section 556.1, subsection 12, paragraph
 1 29 b, Code Supplement 2007, is amended to read as
 1 30 follows:
 1 31 b. Credit balance, customer overpayment, ~~gift~~
 1 32 ~~certificate~~, security deposit, refund, credit
 1 33 memorandum, unpaid wage, unused airline ticket, unused
 1 34 ticket, mineral proceeds, and unidentified remittance
 1 35 and electronic fund transfer.>
 1 36 #5. Title page, line 3, by inserting after the
 1 37 word <dates,> the following: <prohibiting disposition
 1 38 as unclaimed property,>.
 1 39 #6. By renumbering, redesignating, and correcting
 1 40 internal references as necessary.
 1 41
 1 42
 1 43
 1 44 STEVE KETTERING
 1 45 JERRY BEHN
 1 46 SF 2372.201 82
 1 47 rn/nh/20592
 1 48
 1 49
 1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Amendment 5222

PAG LIN

1 1 Amend Senate File 2372 as follows:
 1 2 #1. By striking everything after the enacting
 1 3 clause and inserting the following:
 1 4 <Section 1. NEW SECTION. 555D.1 GIFT
 1 5 CERTIFICATES == DEFINITION.
 1 6 For purposes of this chapter, "gift certificate"
 1 7 means the same as defined in section 556.9, subsection
 1 8 2.
 1 9 Sec. 2. NEW SECTION. 555D.2 GIFT CERTIFICATES ==
 1 10 FULL DISCLOSURE.
 1 11 A gift certificate shall contain on the face of the
 1 12 certificate or electronic gift card full disclosure of
 1 13 all of the following:
 1 14 1. An expiration date after which the certificate
 1 15 or card cannot be redeemed.
 1 16 2. Any fee or other charge which may be assessed,
 1 17 charged, or deducted from or with respect to the gift
 1 18 certificate.
 1 19 Sec. 3. NEW SECTION. 555D.3 PENALTY.
 1 20 A violation of this chapter is an unlawful practice
 1 21 under section 714.16.>
 1 22 #2. Title page, by striking lines 1 through 3 and
 1 23 inserting the following: <An Act relating to the
 1 24 issuance of gift certificates by requiring full
 1 25 disclosure of expiration dates and fees, and making
 1 26 penalties applicable.>
 1 27
 1 28
 1 29
 1 30 STEVE KETTERING
 1 31 JERRY BEHN
 1 32 SF 2372.701 82
 1 33 rn/nh/20716
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2403 - Introduced

SENATE FILE
BY COMMITTEE ON GOVERNMENT
OVERSIGHT

(SUCCESSOR TO SSB 3247)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act concerning the ability of the lottery authority to operate
2 a joint lottery with a lottery operated outside of the United
3 States.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6558SV 82
6 ec/rj/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2403 - Introduced continued

PAG LIN

1 1 Section 1. Section 99G.21, subsection 2, paragraph f, Code
1 2 2007, is amended to read as follows:

1 3 f. To enter into written agreements with one or more other
1 4 states or territories of the United States, or one or more
1 5 political subdivisions of another state or territory of the
1 6 United States, ~~or any entity lawfully operating a lottery~~
~~1 7 outside the United States~~ for the operation, marketing, and
1 8 promotion of a joint lottery or joint lottery game. For the
1 9 purposes of this subsection, any lottery with which the
1 10 authority reaches an agreement or compact shall meet the
1 11 criteria for security, integrity, and finance set by the
1 12 board.

1 13 EXPLANATION

1 14 This bill eliminates the ability of the lottery authority
1 15 to enter into an agreement for a joint lottery with an entity
1 16 operating a lottery outside the United States.

1 17 LSB 6558SV 82

1 18 ec/rj/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2404 - Introduced

SENATE FILE
BY COMMITTEE ON GOVERNMENT
OVERSIGHT

(SUCCESSOR TO SSB 3263)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to state agency reporting of the receipt of
- 2 gifts, bequests, and grants.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5216SV 82
- 5 jp/rj/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2404 - Introduced continued

PAG LIN

1 1 Section 1. Section 8.7, Code 2007, is amended to read as
1 2 follows:

1 3 8.7 REPORTING OF GIFTS AND BEQUESTS RECEIVED.

1 4 All gifts, and bequests, ~~and grants~~ received by a
1 5 department or accepted by the governor on behalf of the state
1 6 shall be reported to the Iowa ethics and campaign disclosure
1 7 board and the government oversight committees. The ethics and
1 8 campaign disclosure board shall, by January 31 of each year,
1 9 submit to the fiscal services division of the legislative
1 10 services agency a written report listing all gifts, and
1 11 bequests, ~~and grants~~ received during the previous calendar
1 12 year with a value over one thousand dollars and the purpose
1 13 for each such gift, or bequest, ~~or grant~~. The submission
1 14 shall also include a listing of all gifts, and bequests, ~~and~~
~~1 15 grants~~ received by a department from a person if the
1 16 cumulative value of all gifts, and bequests, ~~and grants~~
1 17 received by the department from the person during the previous
1 18 calendar year exceeds one thousand dollars, and the ethics and
1 19 campaign disclosure board shall include, if available, the
1 20 purpose for each such gift, or bequest, ~~or grant~~. However,
1 21 the reports on gifts, ~~grants~~, or bequests filed by the state
1 22 board of regents pursuant to section 8.44 shall be deemed
1 23 sufficient to comply with the requirements of this section.

1 24 Sec. 2. Section 8.9, Code 2007, is amended to read as
1 25 follows:

1 26 8.9 GRANTS ENTERPRISE MANAGEMENT OFFICE.

1 27 1. The office of grants enterprise management is
1 28 established in the department of management. The function of
1 29 the office is to develop and administer a system to track,
1 30 identify, advocate for, and coordinate nonstate grants as
1 31 defined in section 8.2, subsections 1 and 3. Staffing for the
1 32 office of grants enterprise management shall be provided by a
1 33 facilitator appointed by the director of the department of
1 34 management. Additional staff may be hired, subject to the
1 35 availability of funding. Funding for the office is from the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2404 - Introduced continued

2 1 appropriation to the department pursuant to section 8A.505,
2 2 subsection 2.
2 3 2. a. All grant applications submitted and grant moneys
2 4 received by a department on behalf of the state shall be
2 5 reported to the office of grants enterprise management. The
2 6 office shall by January 31 of each year submit to the fiscal
2 7 services division of the legislative services agency a written
2 8 report listing all grants received during the previous
2 9 calendar year with a value over one thousand dollars and the
2 10 funding entity and purpose for each grant. However, the
2 11 reports on grants filed by the state board of regents pursuant
2 12 to section 8.44 shall be deemed sufficient to comply with the
2 13 requirements of this subsection.

2 14 b. The office of grants enterprise management shall submit
2 15 by July 1 and January 1 of each year to the government
2 16 oversight committees a written report summarizing departmental
2 17 compliance with the requirements of this subsection.

2 18 Sec. 3. Section 68B.32, subsection 1, Code 2007, is
2 19 amended to read as follows:

2 20 1. An Iowa ethics and campaign disclosure board is
2 21 established as an independent agency. The board shall
2 22 administer this chapter and set standards for, investigate
2 23 complaints relating to, and monitor the ethics of officials,
2 24 employees, lobbyists, and candidates for office in the
2 25 executive branch of state government. The board shall
2 26 administer and set standards for, investigate complaints
2 27 relating to, and monitor the campaign finance practices of
2 28 candidates for public office. The board shall administer and
2 29 establish standards for, investigate complaints relating to,
2 30 and monitor the reporting of gifts, and bequests, ~~and grants~~
2 31 under section 8.7. The board shall consist of six members and
2 32 shall be balanced as to political affiliation as provided in
2 33 section 69.16. The members shall be appointed by the
2 34 governor, subject to confirmation by the senate.

2 35 Sec. 4. Section 68B.32A, subsection 4, Code Supplement



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2404 - Introduced continued

3 1 2007, is amended to read as follows:

3 2 4. Receive and file registration and reports from
3 3 lobbyists of the executive branch of state government, client
3 4 disclosure from clients of lobbyists of the executive branch
3 5 of state government, personal financial disclosure information
3 6 from officials and employees in the executive branch of state
3 7 government who are required to file personal financial
3 8 disclosure information under this chapter, and gift, and
3 9 ~~bequest, and grant~~ disclosure information pursuant to section
3 10 8.7. The board, upon its own motion, may initiate action and
3 11 conduct a hearing relating to reporting requirements under
3 12 this chapter or section 8.7.

3 13 EXPLANATION

3 14 This bill relates to state agency reporting of the receipt
3 15 of gifts, bequests, and grants.

3 16 Under current law, Code section 8.7 requires executive
3 17 branch departments and agencies to annually report the gifts,
3 18 bequests, and grants received to the Iowa ethics and campaign
3 19 disclosure board and the government oversight committees. The
3 20 board is required to compile this information for each gift,
3 21 bequest, and grant with a value over \$1,000 received during
3 22 the previous calendar year, list the purpose, if available,
3 23 and report to the fiscal services division of the legislative
3 24 services agency by January 31 each year.

3 25 The bill amends Code sections 8.7 and 8.9 to shift the
3 26 responsibility for receiving the reporting of grants to the
3 27 office of grants enterprise management of the department of
3 28 management. The office is required to compile the reports in
3 29 the manner required under current law and submit an annual
3 30 report to the fiscal services division by January 31 for the
3 31 grants received during the previous calendar year. In
3 32 addition, the office is required to report each July and
3 33 January to the government oversight committees summarizing
3 34 departmental compliance with the reporting requirements.

3 35 Code section 68B.32 is amended to remove from the Iowa



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate File 2404 - Introduced continued

4 1 ethics and campaign disclosure board the responsibility to
4 2 address standards for, investigate complaints relating to, and
4 3 monitor the reporting of grants. Code section 68B.32A is
4 4 amended to remove from the board's duties the responsibility
4 5 to receive and file grant disclosure information and to
4 6 conduct hearings relating to the grant reporting requirements.
4 7 LSB 5216SV 82
4 8 jp/rj/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Resolution 121 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY BOETTGER
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



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Resolution 121 - Introduced continued

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



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Resolution 122 - Introduced continued

2 1 committees, Mr. Smith has carried his commitment to
2 2 fight poverty, ignorance, and inequality beyond the
2 3 labor movement, serving as a model of citizen
2 4 involvement in the many other institutions of civil
2 5 society; and
2 6 WHEREAS, his work and life have made an indelible
2 7 mark on the social, political, and economic history of
2 8 our state; NOW THEREFORE,
2 9 BE IT RESOLVED BY THE SENATE, That the Senate, on
2 10 behalf of all Iowans, honors Mark L. Smith, a
2 11 remarkable and altogether memorable citizen of our
2 12 state, and wishes him a fulfilling and happy
2 13 retirement.
2 14 LSB 6606SS 82
2 15 jr/nh/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3287

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act authorizing certain special charter cities to impose a
- 2 local economic development sales and services tax.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6595SC 82
- 5 tw/sc/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3287 continued

PAG LIN

1 1 Section 1. NEW SECTION. 423F.1 ECONOMIC DEVELOPMENT
1 2 SALES AND SERVICES TAX.
1 3 1. Subject to the provisions of this chapter, a special
1 4 charter city with a population greater than seventy-five
1 5 thousand may impose by ordinance an economic development sales
1 6 and services tax at the rate of one percent on the sales price
1 7 taxed by the state under chapter 423, subchapter II.
1 8 a. An economic development sales and services tax shall be
1 9 imposed on the same basis as the state sales and services tax
1 10 or, in the case of the use of natural gas, natural gas
1 11 service, electricity, or electric service, on the same basis
1 12 as the state use tax.
1 13 b. An economic development sales and services tax shall
1 14 not be imposed on the sale of any property or on any service
1 15 not taxed by the state, except the tax shall not be imposed on
1 16 the sales price from the sale of motor fuel or special fuel as
1 17 defined in chapter 452A which is consumed for highway use or
1 18 in watercraft or aircraft if the fuel tax is paid on the
1 19 transaction and a refund has not or will not be allowed, on
1 20 the sales price from the sale of equipment by the state
1 21 department of transportation, or on the sales price from the
1 22 sale or use of natural gas, natural gas service, electricity,
1 23 or electric service in a city where the sales price from the
1 24 sale of natural gas or electric energy is subject to a
1 25 franchise fee or user fee during the period the franchise or
1 26 user fee is imposed.
1 27 c. An economic development sales and services tax is
1 28 applicable to transactions within the incorporated areas of
1 29 the special charter city where it is imposed and shall be
1 30 collected by all persons required to collect state sales
1 31 taxes.
1 32 d. The amount of the sale, for purposes of determining the
1 33 amount of the economic development sales and services tax,
1 34 does not include the amount of any state sales tax or other
1 35 local option sales and services taxes.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3287 continued

2 1 e. A tax permit other than the state sales tax permit
2 2 required under section 423.36 shall not be required by local
2 3 authorities.

2 4 2. If an economic development sales and services tax is
2 5 imposed by a city pursuant to this chapter, a local excise tax
2 6 at the same rate shall be imposed by the city on the purchase
2 7 price of natural gas, natural gas service, electricity, or
2 8 electric service subject to tax under chapter 423, subchapter
2 9 III, and not exempted from tax by any provision of chapter
2 10 423, subchapter III. The local excise tax is applicable only
2 11 to the use of natural gas, natural gas service, electricity,
2 12 or electric service within the incorporated areas of the city
2 13 where it is imposed and, except as otherwise provided in this
2 14 chapter, shall be collected and administered in the same
2 15 manner as the economic development sales and services tax.
2 16 For purposes of this chapter, "economic development sales and
2 17 services tax" shall also include the local excise tax.

2 18 3. An economic development sales and services tax under
2 19 this chapter may be imposed in addition to any local sales and
2 20 services tax imposed under chapter 423B in an area of the
2 21 city.

2 22 Sec. 2. NEW SECTION. 423F.2 ELECTION == IMPOSITION ==
2 23 REPEAL.

2 24 1. ELECTION REQUIREMENT. An economic development sales
2 25 and services tax shall be imposed pursuant to this chapter
2 26 only after an election at which a majority of those voting on
2 27 the question favors imposition and shall then be imposed until
2 28 repealed as provided in this section.

2 29 2. MANNER OF ELECTION. The question of whether an
2 30 economic development sales and services tax shall be imposed
2 31 in a special charter city shall be submitted to the voters by
2 32 one of the following methods:

2 33 a. Upon its own motion, the governing body of the city may
2 34 within thirty days of adoption of the motion direct the county
2 35 commissioner of elections to submit the question of the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3287 continued

3 1 imposition of an economic development sales and services tax
3 2 to the registered voters of the city.
3 3 b. Upon the receipt of a petition signed by the residents
3 4 of the city, the governing body of the city shall within
3 5 thirty days direct the county commissioner of elections to
3 6 submit the question of the imposition of an economic
3 7 development sales and services tax to the registered voters of
3 8 the city. A petition requesting imposition of an economic
3 9 development sales and services tax shall be signed by a number
3 10 of eligible electors of the city equal to five percent of the
3 11 persons in the city who voted in the most recent general
3 12 election.
3 13 3. TIMING AND BALLOT REQUIREMENTS.
3 14 a. The county commissioner of elections shall submit the
3 15 question of imposition of an economic development sales and
3 16 services tax at the general election, at the regular city
3 17 election, or at a special election called for that purpose.
3 18 The election shall not be held sooner than sixty days after
3 19 publication of notice of the ballot proposition.
3 20 b. The ballot proposition shall specify the date the tax
3 21 will be imposed. The date of imposition shall be as provided
3 22 in section 423F.3, subsection 1.
3 23 c. The ballot proposition shall contain a statement of the
3 24 purposes for which the revenues shall be expended. Moneys
3 25 collected from an economic development sales and services tax
3 26 shall be expended pursuant to section 423F.4, subsection 3.
3 27 d. When submitting the question of the imposition of an
3 28 economic development sales and services tax, the governing
3 29 body of the city may direct that the ballot question contain a
3 30 provision for the repeal, without election, of the tax on a
3 31 specific date, which date shall be as provided in section
3 32 423F.3, subsection 1.
3 33 e. If a majority of those voting on the question of
3 34 imposition of the economic development sales and services tax
3 35 favors imposition of the tax, the governing body of the city



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3287 continued

4 1 shall impose the tax at the rate specified in section 423F.1,
4 2 subsection 1, for an unlimited period.

4 3 4. REPEAL BY ELECTION.

4 4 a. An economic development sales and services tax may be
4 5 repealed after an election at which a majority of those voting
4 6 on the question of repeal favored the repeal. The date on
4 7 which the repeal takes effect shall not be earlier than ninety
4 8 days following the election.

4 9 b. The election at which the question of a repeal of the
4 10 economic development sales and services tax is submitted to
4 11 the registered voters shall be called and held in the same
4 12 manner and under the same conditions as provided in
4 13 subsections 2 and 3.

4 14 5. NOTICE TO THE DIRECTOR OF REVENUE. Within ten days of
4 15 the election at which a majority of those voting on the
4 16 question favors the imposition or repeal of an economic
4 17 development sales and services tax, the county auditor shall
4 18 give written notice of the result of the election by sending a
4 19 copy of the abstract of the votes from the election to the
4 20 director of revenue. The director shall have the authority to
4 21 waive the notice requirement.

4 22 Sec. 3. NEW SECTION. 423F.3 ADMINISTRATION.

4 23 1. a. An economic development sales and services tax
4 24 shall be imposed either January 1 or July 1 following the
4 25 notification of the director of revenue but not sooner than
4 26 ninety days following the passage of the ordinance and not
4 27 sooner than sixty days following notice to sellers, as defined
4 28 in section 423.1.

4 29 b. An economic development sales and services tax shall be
4 30 repealed only on June 30 or December 31, but not sooner than
4 31 ninety days following the repeal of the ordinance. However, a
4 32 local sales and services tax shall not be repealed before the
4 33 tax has been in effect for one year.

4 34 c. At least forty days before the imposition or repeal of
4 35 the tax, a city shall provide notice of the action by



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3287 continued

5 1 certified mail to the director of revenue.
5 2 d. The imposition of an economic development sales and
5 3 services tax shall not be applied to purchases from a printed
5 4 catalog wherein a purchaser computes the local tax based on
5 5 rates published in the catalog unless a minimum of one hundred
5 6 twenty days' notice of the imposition has been given to the
5 7 seller and the first day of a calendar quarter has occurred on
5 8 or after the one hundred twentieth day.
5 9 2. a. The director of revenue shall administer an
5 10 economic development sales and services tax as nearly as
5 11 possible in conjunction with the administration of state sales
5 12 tax laws. The director shall provide appropriate forms or
5 13 provide space on the regular state tax forms for reporting
5 14 economic development sales and services tax liability.
5 15 b. The ordinance of a city imposing an economic
5 16 development sales and services tax shall adopt by reference
5 17 the applicable provisions of the appropriate sections of
5 18 chapter 423. All powers and requirements of the director to
5 19 administer the state sales tax law and use tax law are
5 20 applicable to the administration of an economic development
5 21 sales and services tax law and the local excise tax, including
5 22 but not limited to the provisions of section 422.25,
5 23 subsection 4, sections 422.30, 422.67, and 422.68, section
5 24 422.69, subsection 1, sections 422.70 to 422.75, section
5 25 423.14, subsection 1 and subsection 2, paragraphs "b" through
5 26 "e", and sections 423.15, 423.23, 423.24, 423.25, 423.31 to
5 27 423.35, 423.37 to 423.42, 423.46, and 423.47. Local officials
5 28 shall confer with the director of revenue for assistance in
5 29 drafting the ordinance imposing an economic development sales
5 30 and services tax. A certified copy of the ordinance shall be
5 31 filed with the director as soon as possible after passage of
5 32 the ordinance.
5 33 c. Frequency of deposits and quarterly reports of an
5 34 economic development sales and services tax with the
5 35 department of revenue are governed by the tax provisions in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3287 continued

6 1 section 423.31. Local tax collections shall not be included
6 2 in computation of the total tax to determine frequency of
6 3 filing under section 423.31.
6 4 d. The director shall apply a boundary change of a city
6 5 imposing or collecting the economic development sales and
6 6 services tax to the imposition or collection of that tax only
6 7 on the first day of a calendar quarter which occurs sixty days
6 8 or more after the director has given notice of the boundary
6 9 change to sellers.
6 10 3. a. The director, in consultation with local officials,
6 11 shall collect and account for an economic development sales
6 12 and services tax. The director shall certify each quarter the
6 13 amount of sales and services tax receipts and any interest and
6 14 penalties to be credited to an economic development sales and
6 15 services tax fund of that city established in the office of
6 16 the treasurer of state. All taxes collected under this
6 17 chapter by a retailer or any individual are deemed to be held
6 18 in trust for the state of Iowa and the local jurisdictions
6 19 imposing the taxes.
6 20 b. All local tax moneys and interest and penalties
6 21 received or refunded one hundred eighty days or more after the
6 22 date on which the city repeals its economic development sales
6 23 and services tax shall be deposited in or withdrawn from the
6 24 general fund of the state.
6 25 Sec. 4. NEW SECTION. 423F.4 PAYMENT TO THE CITY == USE
6 26 OF RECEIPTS.
6 27 1. The director shall credit the economic development
6 28 sales and services tax receipts and interest and penalties
6 29 from a city-imposed tax to the city's economic development
6 30 sales and services tax fund.
6 31 2. a. The director of revenue by August 15 of each fiscal
6 32 year shall send to the city where the economic development tax
6 33 is imposed an estimate of the amount of tax moneys the city
6 34 will receive for the year and for each month of the year. At
6 35 the end of each month, the director may revise the estimates



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3287 continued

8 1 The tax can be repealed at election by a majority vote, or
8 2 a repeal date can be included on the ballot at the election
8 3 where its imposition is proposed. A vote to repeal the tax
8 4 must be conducted in the same manner as the election imposing
8 5 the tax.

8 6 All revenues collected from a local economic development
8 7 sales and services tax must be spent by the city as follows:
8 8 90 percent for economic development and 10 percent for public
8 9 safety.

8 10 LSB 6595SC 82

8 11 tw/sc/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3288

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act limiting the amount of the research activities tax credit
- 2 under the state individual and corporate income taxes and
- 3 including effective and applicability date provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 6546XC 82
- 6 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3288 continued

PAG LIN

1 1 Section 1. Section 15.335, subsection 1, Code Supplement
1 2 2007, is amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. d. Notwithstanding the computation under
1 4 paragraph "a" or paragraphs "b" and "c", the amount of the tax
1 5 credit allowed a business for a tax year shall not exceed two
1 6 hundred fifty thousand dollars.

1 7 Sec. 2. Section 15A.9, subsection 8, Code Supplement 2007,
1 8 is amended by adding the following new paragraph:

1 9 NEW PARAGRAPH. g. Notwithstanding the computation under
1 10 paragraph "a" or paragraphs "b" and "c", the amount of the tax
1 11 credit allowed a business for a tax year shall not exceed two
1 12 hundred fifty thousand dollars.

1 13 Sec. 3. Section 422.10, subsection 1, Code Supplement
1 14 2007, is amended by adding the following new paragraph:

1 15 NEW PARAGRAPH. d. Notwithstanding the computation under
1 16 paragraph "a" or paragraphs "b" and "c", the amount of the tax
1 17 credit allowed a taxpayer for a tax year shall not exceed two
1 18 hundred fifty thousand dollars.

1 19 Sec. 4. Section 422.33, subsection 5, Code Supplement
1 20 2007, is amended by adding the following new paragraph:

1 21 NEW PARAGRAPH. h. Notwithstanding the computation under
1 22 paragraph "a" or paragraphs "b" and "c", the amount of the tax
1 23 credit allowed a taxpayer for a tax year shall not exceed two
1 24 hundred fifty thousand dollars.

1 25 Sec. 5. EFFECTIVE AND APPLICABILITY DATES.

1 26 1. The sections of this Act amending sections 15.335 and
1 27 15A.9 take effect January 1, 2009, for contracts entered into
1 28 on or after that date.

1 29 2. The sections of this Act amending sections 422.10 and
1 30 422.33 take effect January 1, 2009, for tax years beginning on
1 31 or after that date.

1 32 EXPLANATION

1 33 This bill limits the amount of the research activities tax
1 34 credit under the individual and corporate income taxes to
1 35 \$250,000 for each business. In addition, a business that



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3288 continued

2 1 receives an additional research activities tax credit under
2 2 the high quality job creation program, the quality jobs
2 3 enterprise zone program, and the regular enterprise zone
2 4 program is also limited to \$250,000. Thus such business could
2 5 receive up to a maximum of \$500,000 in tax credits.
2 6 The bill takes effect January 1, 2009, and has
2 7 applicability provisions.
2 8 LSB 6546XC 82
2 9 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3289

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act repealing research activities tax credits under certain
2 economic development programs and including effective and
3 applicability date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6545XC 82
6 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3289 continued

PAG LIN

1 1 Section 1. Section 15.335A, subsection 2, paragraph a,
1 2 Code 2007, is amended by striking the paragraph.
1 3 Sec. 2. Section 15A.9, subsection 8, Code Supplement 2007,
1 4 is amended by striking the subsection.
1 5 Sec. 3. Section 15E.192, subsection 3, Code Supplement
1 6 2007, is amended to read as follows:
1 7 3. A city may create an economic development enterprise
1 8 zone as authorized in this division, subject to certification
1 9 by the department of economic development, by designating up
1 10 to four square miles of the city for that purpose. In order
1 11 for an enterprise zone to be certified pursuant to this
1 12 subsection, an enterprise zone shall meet the distress
1 13 criteria provided in section 15E.194, subsection 3. Section
1 14 15E.194, subsection 2, shall not apply to an enterprise zone
1 15 certified pursuant to this subsection. For the fiscal period
1 16 beginning July 1, 2007, and ending June 30, 2010, each fiscal
1 17 year a cumulative total of not more than twenty-five million
1 18 dollars worth of incentives and assistance under section
1 19 15E.196, subsections 1, 2, 3, 4, and 6, shall be awarded to
1 20 eligible businesses that apply to an enterprise zone
1 21 commission for incentives and assistance during that fiscal
1 22 year and that are located in an enterprise zone certified
1 23 pursuant to this subsection. For purposes of this subsection
1 24 and section 15E.194, subsection 3, "city" means a city that
1 25 includes at least three census tracts, as determined in the
1 26 most recent federal census.
1 27 Sec. 4. Section 15E.196, subsection 4, Code 2007, is
1 28 amended by striking the subsection.
1 29 Sec. 5. Section 422.10, subsection 5, Code Supplement
1 30 2007, is amended by striking the subsection.
1 31 Sec. 6. Section 422.33, subsection 5, paragraphs f and g,
1 32 Code Supplement 2007, are amended by striking the paragraphs.
1 33 Sec. 7. Section 15.335, Code Supplement 2007, is repealed.
1 34 Sec. 8. EFFECTIVE AND APPLICABILITY DATE. This Act takes
1 35 effect January 1, 2009, for contracts entered into on or after



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3289 continued

2 1 that date.

2 2

EXPLANATION

2 3 Under current law, individual and corporate income tax
2 4 credits are allowed for increasing research activities within
2 5 the state. In addition, additional research activities tax
2 6 credits are allowed under the high quality job creation
2 7 program, the quality jobs enterprise zone program, and the
2 8 regular enterprise zone program. This bill eliminates these
2 9 additional research activities tax credits.

2 10 The bill takes effect January 1, 2009, for contracts
2 11 entered into on or after that date.

2 12 LSB 6545XC 82

2 13 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3290

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the exemption from the state inheritance tax
2 of property passing to certain nieces and nephews and
3 including an applicability date provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6601XC 82
6 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3290 continued

PAG LIN

1 1 Section 1. Section 450.7, subsection 1, unnumbered
1 2 paragraph 1, Code 2007, is amended to read as follows:
1 3 Except for the share of the estate passing to the surviving
1 4 spouse, and parents, grandparents, great-grandparents, and
1 5 other lineal ascendants, children including legally adopted
1 6 children and biological children entitled to inherit under the
1 7 laws of this state, stepchildren, and grandchildren,
1 8 great-grandchildren, and other lineal descendants, and persons
1 9 identified in section 450.10, subsection 7, the tax is a

1 10 charge against and a lien upon the estate subject to tax under
1 11 this chapter, and all property of the estate or owned by the
1 12 decedent from the death of the decedent until paid, subject to
1 13 the following limitation:

1 14 Sec. 2. Section 450.9, Code 2007, is amended to read as
1 15 follows:

1 16 450.9 INDIVIDUAL EXEMPTIONS.

1 17 In computing the tax on the net estate, the entire amount
1 18 of property, interest in property, and income passing to the
1 19 surviving spouse, and parents, grandparents,
1 20 great-grandparents, and other lineal ascendants, children
1 21 including legally adopted children and biological children
1 22 entitled to inherit under the laws of this state,
1 23 stepchildren, and grandchildren, great-grandchildren, and
1 24 other lineal descendants, and persons identified in section
1 25 450.10, subsection 7, are exempt from tax.

1 26 Sec. 3. Section 450.10, subsection 2, unnumbered paragraph
1 27 1, Code 2007, is amended to read as follows:

1 28 When the property or interest in property or income from
1 29 property, taxable under this chapter, passes to a person not
1 30 included in subsections 1 ~~and~~, 6, and 7, the rate of tax
1 31 imposed on the individual share so passing shall be as
1 32 follows:

1 33 Sec. 4. Section 450.10, Code 2007, is amended by adding
1 34 the following new subsection:

1 35 NEW SUBSECTION. 7. In the case of a decedent who is not



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3290 continued

2 1 married at the time of death, property, interest in property,
2 2 or income passing to a niece or nephew is not taxable under
2 3 this section.

2 4 Sec. 5. APPLICABILITY DATE. This Act applies to decedents
2 5 dying on or after the effective date of this Act.

2 6 EXPLANATION

2 7 This bill exempts from the inheritance tax property,
2 8 interest in property, or income passing to a niece or nephew
2 9 of the decedent if the decedent is not married at the time of
2 10 death.

2 11 The bill applies to decedents dying on or after the
2 12 effective date of the bill.

2 13 LSB 6601XC 82

2 14 mg/rj/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3291

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the investment tax credit and research
2 activities tax credit under the high quality job creation
3 program, to the earned income tax credit, and to the endow
4 Iowa program tax credits, and making an appropriation, and
5 including effective and retroactive and other applicability
6 date provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8 TLSB 6620SC 82
9 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3291 continued

PAG LIN

1 1 INVESTMENT TAX CREDIT
1 2 Section 1. Section 15.333, subsection 1, unnumbered
1 3 paragraph 2, Code Supplement 2007, is amended by striking the
1 4 unnumbered paragraph.
1 5 Sec. 2. Section 15.333, subsection 3, Code Supplement 2007,
1 6 is amended by striking the subsection.

1 7 RESEARCH ACTIVITIES TAX
1 8 CREDIT == ENERGY GENERATION COMPONENTS
1 9 Sec. 3. Section 15.335, subsection 1, unnumbered paragraph
1 10 1, Code Supplement 2007, is amended to read as follows:
1 11 An eligible business may claim a corporate tax credit for
1 12 increasing research activities in this state during the period
1 13 the eligible business is participating in the program. For
1 14 purposes of this section, "research activities" includes the
1 15 development and deployment of innovative renewable energy
1 16 generation components manufactured or assembled in this state.
1 17 For purposes of this section, "innovative renewable energy
1 18 generation components" does not include a component with more
1 19 than two hundred megawatts of installed effective nameplate
1 20 capacity. The tax credits for innovative renewable energy
1 21 generation components shall not exceed one million seven
1 22 hundred fifty thousand dollars.

1 23 ENDOW IOWA PROGRAM TAX CREDIT
1 24 Sec. 4. Section 15E.305, subsection 2, Code Supplement
1 25 2007, is amended to read as follows:
1 26 2. The annual aggregate amount of tax credits authorized
1 27 pursuant to this section shall not exceed a total of two
1 28 million seven hundred fifty thousand dollars plus ~~such the~~
1 29 ~~additional credit amount as provided by this section annually~~
1 30 determined pursuant to paragraph "c".
1 31 a. The maximum amount of tax credits granted annually to a
1 32 taxpayer shall not exceed ~~five~~ three and one-third percent of
1 33 the annual aggregate amount of tax credits authorized in this
1 34 subsection minus the additional credit amount from paragraph
1 35 "c".



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3291 continued

2 1 b. Ten percent of the aggregate amount of tax credits
2 2 authorized in a calendar year shall be reserved for those
2 3 endowment gifts in amounts of thirty thousand dollars or less.
2 4 If by September 1 of a calendar year the entire ten percent of
2 5 the reserved tax credits is not distributed, the remaining tax
2 6 credits shall be available to any other eligible applicants.

2 7 c. For purposes of this subsection, the additional credit
2 8 amount shall be an amount for each applicable calendar year
2 9 determined by the department of revenue equal to the amount of
2 10 money credited as provided by section 99F.11, subsection 3,
2 11 paragraph "e", subparagraph (3), for the prior fiscal year.

EARNED INCOME TAX CREDIT

2 12 Sec. 5. Section 422.12B, subsection 1, Code Supplement
2 13 2007, is amended to read as follows:

2 14 1. The taxes imposed under this division less the credits
2 15 allowed under section 422.12 shall be reduced by an earned
2 16 income credit equal to seven and sixty-five hundredths percent
2 17 of the federal earned income credit provided in section 32 of
2 18 the Internal Revenue Code. Any credit in excess of the tax
2 19 liability is refundable.

MICROENTERPRISE

2 20 Sec. 6. MICROENTERPRISE DEVELOPMENT PROGRAM. There is
2 21 appropriated from the general fund of the state to the
2 22 department of economic development for the fiscal year
2 23 beginning July 1, 2008, and ending June 30, 2009, the
2 24 following amount, or so much thereof as is necessary, to be
2 25 used for the purpose designated.

2 26 For funding a microenterprise development program, if
2 27 enacted by Act of the Eighty-second General Assembly:
2 28 \$ 500,000

2 29 Sec. 7. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

2 30 1. The sections of this Act amending section 15.333 take
2 31 effect July 1, 2008, and apply to fiscal years beginning on or
2 32 after that date.

2 33 2. The section of this Act amending section 15.335, being
2 34



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3291 continued

3 1 deemed of immediate importance, takes effect upon enactment
3 2 and applies retroactively to January 1, 2008, for contracts
3 3 entered into on or after that date.
3 4 3. The section of this Act amending section 15E.305, being
3 5 deemed of immediate importance, takes effect upon enactment
3 6 and applies retroactively to January 1, 2008.
3 7 4. The section of this Act amending section 422.12B
3 8 applies retroactively to January 1, 2008, for tax years
3 9 beginning on or after that date.

3 10 EXPLANATION

3 11 This bill relates to various tax credits and economic
3 12 development programs that offered these tax credits, the
3 13 individual earned income tax credit, and makes an
3 14 appropriation.

3 15 INVESTMENT TAX CREDIT. The bill eliminates the investment
3 16 tax credit refunds that may be provided to value-added
3 17 agricultural and biotechnical-related businesses under the
3 18 high quality job creation program. This provision takes
3 19 effect July 1, 2008, for fiscal years beginning on or after
3 20 that date.

3 21 RESEARCH ACTIVITIES TAX CREDIT == ENERGY GENERATION
3 22 COMPONENTS. The bill increases the amount of research
3 23 activities tax credits for innovative renewable energy
3 24 generation components under the high quality job creation
3 25 program from \$1 million to \$1.75 million.

3 26 This provision takes effect upon enactment and applies
3 27 retroactively to January 1, 2008, for contracts entered into
3 28 on or after that date.

3 29 ENDOW IOWA PROGRAM TAX CREDIT. The bill increases the
3 30 annual aggregate amount of tax credits available under the
3 31 endow Iowa program from \$2 million to \$2.75 million while also
3 32 reducing the annual percentage amount that can be granted to
3 33 an individual taxpayer.

3 34 This provision takes effect upon enactment and applies
3 35 retroactively to January 1, 2008.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008**

Senate Study Bill 3291 continued

4 1 EARNED INCOME TAX CREDIT. The bill increases the earned
4 2 income tax credit under the state individual income tax from 7
4 3 percent to 7.65 percent of the federal earned income tax
4 4 credit.
4 5 This provision applies retroactively to January 1, 2008,
4 6 for tax years beginning on or after that date.
4 7 MICROENTERPRISE. The bill also makes an appropriation of
4 8 \$500,000 to the department of economic development for funding
4 9 a microenterprise development program, if enacted by the
4 10 general assembly during the 2008 session.
4 11 LSB 6620SC 82
4 12 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3292

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the repeal of the wage=benefit tax credit
- 2 program and making an appropriation, and including effective
- 3 and retroactive applicability date provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 6619SC 82
- 6 mg/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2008

Senate Study Bill 3292 continued

PAG LIN

1 1 Section 1. Section 15.335A, subsection 2, paragraphs b and
1 2 c, Code 2007, are amended by striking the paragraphs and
1 3 inserting in lieu thereof the following:

1 4 b. "Average county wage" means the annualized, average
1 5 hourly wage based on wage information compiled by the
1 6 department of workforce development.

1 7 c. "Benefits" means all of the following:

1 8 (1) Medical and dental insurance plans. If an employer
1 9 offers medical insurance under both single and family coverage
1 10 plans, the employer shall be given credit for providing
1 11 medical insurance under family coverage plans to all new
1 12 employees.

1 13 (2) Pension and profit sharing plans.

1 14 (3) Child care services.

1 15 (4) Life insurance coverage.

1 16 (5) Other benefits identified by rule of the department of
1 17 revenue.

1 18 Sec. 2. Section 15.336, Code 2007, is amended to read as
1 19 follows:

1 20 15.336 OTHER INCENTIVES.

1 21 An eligible business may receive other applicable federal,
1 22 state, and local incentives and credits in addition to those
1 23 provided in this part. ~~However, a business which participates~~
~~1 24 in the program under this part shall not receive any~~
~~1 25 wage-benefits tax credits under chapter 15I.~~

1 26 Sec. 3. Section 15G.112, subsection 1, Code 2007, is
1 27 amended to read as follows:

1 28 1. In order to receive financial assistance from the
1 29 department from moneys appropriated from the grow Iowa values
1 30 fund, the average annual wage, including benefits, of new jobs
1 31 created must be equal to or greater than one hundred thirty
1 32 percent of the average county wage. For purposes of this
1 33 section, "average county wage" and "benefits" mean the same as
1 34 defined in section ~~15I.1~~ 15.335A.

1 35 Sec. 4. Section 422.33, subsection 18, Code Supplement

