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House Amendment 8348

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1 1 Amend Senate File 517, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. Section 8.60, subsection 15, Code
1 6 2007, is amended by striking the subsection.
1 7 Sec. 2. Section 12.28, subsection 6, Code 2007, is
1 8 amended to read as follows:
1 9 6. The maximum principal amount of financing
1 10 agreements which the treasurer of state can enter into
1 11 shall be one million dollars per state agency in a
1 12 fiscal year, subject to the requirements of section
1 13 8.46. For the fiscal year, the treasurer of state
1 14 shall not enter into more than one million dollars of
1 15 financing agreements per state agency, not considering
1 16 interest expense. However, the treasurer of state may
1 17 enter into financing agreements in excess of the one
1 18 million dollar per agency per fiscal year limit if a
1 19 constitutional majority of each house of the general
1 20 assembly, or the legislative council if the general
1 21 assembly is not in session, and the governor,
1 22 authorize the treasurer of state to enter into
1 23 additional financing agreements above the one million
1 24 dollar authorization contained in this section. The
1 25 treasurer of state shall not enter into a financing
1 26 agreement for real or personal property which is to be
1 27 constructed for use as a prison or prison-related
1 28 facility without prior authorization by a
1 29 constitutional majority of each house of the general
1 30 assembly and approval by the governor of the use,
1 31 location, and maximum cost, not including interest
1 32 expense, of the real or personal property to be
1 33 financed. However, financing agreements for an energy
1 34 conservation measure, as defined in section 7D.34, for
1 35 an energy management improvement, as defined in
1 36 section 473.19, or for costs associated with projects
1 37 under section 473.13A, are exempt from the provisions
1 38 of this subsection, but are subject to the
1 39 requirements of section 7D.34 ~~or 473.20A~~. In
1 40 addition, financing agreements funded through the
1 41 materials and equipment revolving fund established in
1 42 section 307.47 are exempt from the provisions of this
1 43 subsection.
1 44 Sec. 3. Section 103A.3, Code 2007, is amended by
1 45 adding the following new subsection:
1 46 NEW SUBSECTION. 23. "Sustainable design" means
1 47 construction design intended to minimize negative
1 48 environmental impacts and to promote the health and
1 49 comfort of building occupants including but not
1 50 limited to measures to reduce consumption of



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2 1 nonrenewable resources, minimize waste, and create
2 2 healthy, productive environments.

2 3 Sec. 4. Section 103A.7, subsection 6, Code 2007,
2 4 is amended to read as follows:

2 5 6. The conservation of energy through thermal ~~and~~
~~2 6 lighting~~ efficiency standards for buildings intended
2 7 for human occupancy ~~or use~~ and which are heated or
2 8 cooled and lighting efficiency standards for buildings
2 9 intended for human occupancy which are lighted.

2 10 Sec. 5. Section 103A.7, Code 2007, is amended by
2 11 adding the following new subsection:

2 12 NEW SUBSECTION. 7. Standards for sustainable
2 13 design, also known and referred to as green building
2 14 standards.

2 15 Sec. 6. Section 103A.8, subsections 7 and 8, Code
2 16 2007, are amended to read as follows:

2 17 7. Limit the application of thermal efficiency
2 18 standards for energy conservation to ~~new~~ construction
2 19 of buildings which will incorporate a heating or
~~2 20 cooling system~~ are heated or cooled. Air exchange

2 21 fans designed to provide ventilation shall not be
2 22 considered a cooling system. The commissioner shall
2 23 exempt any ~~new~~ construction from any thermal
2 24 efficiency ~~standards~~ standard for energy conservation
2 25 if the commissioner determines that the ~~standards are~~
2 26 standard is unreasonable as they apply it would apply
2 27 to a particular building or class of buildings
2 28 including farm buildings for livestock use. No
2 29 standard adopted by the commissioner for energy

2 30 conservation in construction shall be interpreted to
2 31 require the replacement or modification of any
2 32 existing equipment or feature solely to ensure
2 33 compliance with requirements for energy conservation
2 34 in construction. Lighting efficiency standards shall
2 35 recognize variations in lighting intensities required
2 36 for the various tasks performed within the building.

2 37 The commissioner shall consult with the department of
2 38 natural resources regarding standards for energy
2 39 conservation prior to the adoption of the standards.
2 40 However, the standards shall be consistent with
2 41 section 103A.8A.

2 42 8. Facilitate the development and use of ~~solar~~
2 43 renewable energy.

2 44 Sec. 7. Section 103A.8A, Code 2007, is amended to
2 45 read as follows:

2 46 103A.8A ENERGY CONSERVATION REQUIREMENTS.

2 47 The state building code commissioner shall adopt as
2 48 a part of the state building code a requirement that
2 49 new single-family or two-family residential
2 50 construction shall comply with energy conservation



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3 1 requirements. The requirements adopted by the
3 2 commissioner shall be based upon a nationally
3 3 recognized standard or code for energy conservation.
3 4 The requirements shall only apply to single-family or
3 5 two-family residential construction commenced after
3 6 the adoption of the requirements. ~~This chapter shall
3 7 not be construed to prohibit a governmental
3 8 subdivision from adopting or enacting a minimum energy
3 9 standard which is substantially in accordance and
3 10 consistent with energy codes and standards developed
3 11 by a nationally recognized organization in effect on
3 12 or after July 1, 2002. A governmental subdivision
3 13 that adopts or enacts a minimum energy standard which
3 14 is substantially in accordance and consistent with
3 15 energy codes and standards developed by a nationally
3 16 recognized organization shall adopt or enact any
3 17 update or revision to the energy codes and standards.~~
3 18 Notwithstanding any other provision of this chapter to
3 19 the contrary, the energy conservation requirements
3 20 adopted by the commissioner and approved by the
3 21 council shall apply to new single-family or two-family
3 22 residential construction commenced on or after July 1,
3 23 2008, and shall supersede and replace any minimum
3 24 requirements for energy conservation adopted or
3 25 enacted by the governmental subdivision prior to that
3 26 date applicable to such construction. The state
3 27 building code commissioner may provide training to
3 28 builders, contractors, and other interested persons on
3 29 the adopted energy conservation requirements.
3 30 Sec. 8. NEW SECTION. 103A.8B SUSTAINABLE DESIGN
3 31 OR GREEN BUILDING STANDARDS.
3 32 The commissioner, after consulting with and
3 33 receiving recommendations from the department of
3 34 natural resources and the office of energy
3 35 independence, shall adopt rules pursuant to chapter
3 36 17A specifying standards and requirements for
3 37 sustainable design and construction based upon or
3 38 incorporating nationally recognized ratings,
3 39 certifications, or classification systems, and
3 40 procedures relating to documentation of compliance.
3 41 The standards and requirements shall be incorporated
3 42 into rules implementing the provisions of the state
3 43 building code established in section 103A.7 and shall
3 44 be applicable to construction projects specified in
3 45 the state building code, projects as specified in
3 46 other statutory provisions, or as established by other
3 47 state agencies by rule.
3 48 Sec. 9. Section 103A.10, subsection 4, paragraphs
3 49 a and b, Code Supplement 2007, are amended to read as
3 50 follows:



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4 1 a. Provisions of the state building code
4 2 establishing thermal efficiency energy conservation
4 3 standards shall be applicable to all ~~new~~ construction
4 4 ~~owned by the state, an agency of the state or a~~
~~4 5 political subdivision of the state, to all new~~
~~4 6 construction located in a governmental subdivision~~
~~4 7 which has adopted either the state building code or a~~
~~4 8 local building code or compilation of requirements for~~
~~4 9 building construction and to all other new~~
~~4 10 construction in the state which will contain more than~~
~~4 11 one hundred thousand cubic feet of enclosed space that~~
4 12 is heated or cooled. The commissioner shall provide
4 13 appropriate exceptions for construction where the
4 14 application of an energy conservation requirement
4 15 adopted pursuant to this chapter would be impractical.
4 16 b. Provisions of the state building code
4 17 establishing lighting efficiency standards shall be
4 18 applicable to all ~~new~~ construction ~~owned by the state,~~
~~4 19 an agency of the state or a political subdivision of~~
~~4 20 the state and to all new construction, in the state,~~
~~4 21 of buildings which are open to the general public~~
~~4 22 during normal business hours and to new and~~
4 23 replacement lighting in existing buildings.
4 24 Sec. 10. Section 103A.10, subsection 5, Code
4 25 Supplement 2007, is amended by striking the subsection
4 26 and inserting in lieu thereof the following:
4 27 5. Notwithstanding any other provision of this
4 28 chapter to the contrary, the energy conservation
4 29 requirements adopted by the commissioner and approved
4 30 by the council shall apply to all new construction
4 31 commenced on or after July 1, 2008, and shall
4 32 supersede and replace any minimum requirements for
4 33 energy conservation adopted or enacted by the
4 34 governmental subdivision prior to that date and
4 35 applicable to such construction.
4 36 Sec. 11. Section 103A.10A, subsections 1 and 2,
4 37 Code Supplement 2007, are amended to read as follows:
4 38 1. ~~Beginning on January 1, 2007, all All~~ newly
4 39 constructed buildings or structures subject to the
4 40 state building code, ~~excluding~~ including any addition,
4 41 but excluding any renovation, or repair of a building
4 42 or structure, ~~whether existing prior to January 1,~~
~~4 43 2007, or thereafter, that are owned by the state or an~~
4 44 agency of the state, except as provided in subsection
4 45 2, shall be subject to a plan review and inspection by
4 46 the commissioner or an independent building inspector
4 47 appointed by the commissioner. A fee shall be
4 48 assessed for the cost of plan review and the cost of
4 49 inspection. The commissioner may inspect an existing
4 50 building that is undergoing renovation or remodeling



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5 1 to enforce the energy conservation requirements
5 2 established under this chapter.

5 3 2. ~~Beginning on July 1, 2007, all All~~ newly
5 4 constructed buildings, ~~excluding~~ including any
5 5 addition, but excluding any renovation, or repair of a
5 6 building, ~~whether existing prior to July 1, 2007, or~~
5 7 thereafter, that are owned by the state board of
5 8 regents shall be subject to a plan review and
5 9 inspection by the commissioner or the commissioner's
5 10 staff or assistant. ~~The commissioner and the state~~
5 11 board of regents shall develop a plan to implement the
5 12 requirements of this subsection, including funding
5 13 recommendations related to plan review and inspection,
5 14 by March 1, 2007. The commissioner may inspect an
5 15 existing building that is undergoing renovation or
5 16 remodeling to enforce the energy conservation
5 17 requirements established under this chapter.

5 18 Sec. 12. Section 103A.19, subsection 1, Code
5 19 Supplement 2007, is amended to read as follows:

5 20 1. The examination and approval or disapproval of
5 21 plans and specifications, the issuance and revocation
5 22 of building permits, licenses, certificates, and
5 23 similar documents, the inspection of buildings or
5 24 structures, and the administration and enforcement of
5 25 building regulations shall be the responsibility of
5 26 the governmental subdivisions of the state and shall
5 27 be administered and enforced in the manner prescribed
5 28 by local law or ordinance. All provisions of law
5 29 relating to the administration and enforcement of
5 30 local building regulations in any governmental
5 31 subdivision shall be applicable to the administration
5 32 and enforcement of the state building code in the
5 33 governmental subdivision. An application made to a
5 34 local building department or to a state agency for
5 35 permission to construct a building or structure
5 36 pursuant to the provisions of the state building code
5 37 shall, in addition to any other requirement, be signed
5 38 by the owner or the owner's authorized agent, and
5 39 shall contain the address of the owner, and a
5 40 statement that the application is made for permission
5 41 to construct in accordance with the provisions of the
5 42 code. The application shall also specifically include
5 43 a statement that the construction will be in
5 44 accordance with all applicable energy conservation
5 45 requirements.

5 46 Sec. 13. Section 103A.22, subsection 1, Code 2007,
5 47 is amended to read as follows:

5 48 1. Nothing in this chapter shall be construed as
5 49 prohibiting any governmental subdivision from adopting
5 50 or enacting any building regulations relating to any



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6 1 building or structure within its limits, but a
6 2 governmental subdivision in which the state building
6 3 code has been accepted and is applicable shall not
6 4 have the power to supersede, void, or repeal or make
6 5 more restrictive any of the provisions of this chapter
6 6 or of the rules adopted by the commissioner. This
6 7 subsection shall not apply to energy conservation
6 8 requirements adopted by the commissioner and approved
6 9 by the council pursuant to section 103A.8A or 103A.10.
6 10 Sec. 14. Section 216A.102, subsection 2, paragraph
6 11 b, Code 2007, is amended by striking the paragraph.
6 12 Sec. 15. Section 266.39C, subsection 3, Code 2007,
6 13 is amended to read as follows:
6 14 3. Iowa state university of science and technology
6 15 shall employ a director for the center, who shall be
6 16 appointed by the president of Iowa state university of
6 17 science and technology. The director of the center
6 18 shall employ necessary research and support staff.
6 19 The director and staff shall be employees of Iowa
6 20 state university of science and technology. ~~No more~~
6 21 ~~than seven hundred thousand dollars of the funds made~~
6 22 ~~available by appropriation from state revenues in any~~
6 23 ~~one year shall be expended by the center for the~~
6 24 ~~salaries and benefits of the employees of the center,~~
6 25 ~~including the salary and benefits of the director.~~
6 26 ~~The limit on expenditures for salaries and benefits~~
6 27 ~~shall be adjusted annually by a percentage equal to~~
6 28 ~~the average percentage salary adjustment approved~~
6 29 ~~annually by the state board of regents for~~
6 30 ~~professional and scientific employees at Iowa state~~
6 31 ~~university of science and technology. The remainder~~
6 32 ~~of the funds appropriated from state funds~~ Funds
6 33 appropriated to the center shall be used to sponsor
6 34 research grants and projects submitted on a
6 35 competitive basis by Iowa colleges and universities
6 36 and private nonprofit agencies and foundations, and
6 37 for the salaries and benefits of the employees of the
6 38 center. The center may also solicit additional grants
6 39 and funding from public and private nonprofit agencies
6 40 and foundations.
6 41 Sec. 16. Section 388.9, subsection 2, Code 2007,
6 42 is amended by adding the following new unnumbered
6 43 paragraph:
6 44 NEW UNNUMBERED PARAGRAPH. For purposes of this
6 45 subsection, "proprietary information" includes
6 46 customer records that if disclosed would harm the
6 47 competitive position of a customer; or information
6 48 required by a noncustomer contracting party to be kept
6 49 confidential pursuant to a nondisclosure agreement
6 50 which relates to electric transmission planning and



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7 1 construction, critical energy infrastructure, an
7 2 ownership interest or acquisition of an ownership
7 3 interest in an electric generating facility, or other
7 4 information made confidential by law or rule.

7 5 Sec. 17. Section 455E.11, subsection 2, paragraph
7 6 e, Code 2007, is amended by striking the paragraph.

7 7 Sec. 18. Section 473.1, Code 2007, is amended by
7 8 adding the following new subsections:

7 9 NEW SUBSECTION. 0A. "Alternative and renewable
7 10 energy" means the same as in section 469.31.

7 11 NEW SUBSECTION. 4A. "Renewable fuel" means the
7 12 same as in section 469.31.

7 13 Sec. 19. Section 473.1, subsection 5, Code 2007,
7 14 is amended to read as follows:

7 15 5. "Supplier" means any person engaged in the
7 16 business of selling, importing, storing, or generating
7 17 energy sources, alternative and renewable energy, or
7 18 renewable fuel in Iowa.

7 19 Sec. 20. Section 473.2, subsection 1, paragraph a,
7 20 Code 2007, is amended to read as follows:

7 21 a. Physical, human, natural, and financial
7 22 resources are allocated efficiently.

7 23 Sec. 21. Section 473.3, Code 2007, is amended to
7 24 read as follows:

7 25 473.3 ENERGY EFFICIENCY RESOURCE MANAGEMENT GOAL.

7 26 1. The goal of this state is to ~~more~~ efficiently
7 27 utilize energy resources, ~~especially those that are~~
~~nonrenewable or that have negative environmental~~
7 29 ~~impacts, in order to enhance the economy of the state~~
7 30 ~~and to decrease by decreasing the state's dependence~~
7 31 ~~on nonrenewable energy resources from outside the~~
7 32 ~~state and by reducing the amount of energy used. This~~
7 33 ~~goal is to be implemented through the development of~~
7 34 policies and programs that promote energy efficiency,
7 35 and energy conservation, and alternative and renewable
7 36 energy use by all Iowans, through the development and
7 37 enhancement of an energy efficiency and alternative
7 38 and renewable energy industry, through the development
~~7 39 of indigenous commercialization of energy resources~~
7 40 and technologies that are economically and
7 41 environmentally viable, and through the development
7 42 and implementation of effective public information and
7 43 education programs.

7 44 2. State government shall be a model and testing
7 45 ground for the use of energy efficiency, energy
7 46 conservation, and alternative and renewable energy
7 47 systems.

7 48 Sec. 22. Section 473.7, subsections 2 and 3, Code
7 49 Supplement 2007, are amended by striking the
7 50 subsections.



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8 1 Sec. 23. Section 473.7, subsections 4, 5, 11, 12,
8 2 and 14, Code Supplement 2007, are amended to read as
8 3 follows:
8 4 4. a. ~~Establish a central depository within the~~
~~8 5 state for energy data. The central depository shall~~
~~8 6 be located at or accessible through a library which is~~
~~8 7 a member of an interlibrary loan program to facilitate~~
~~8 8 access to the data and information contained in the~~
~~8 9 central depository. The department shall collect and~~
8 10 analyze data necessary to forecast to use in
8 11 forecasting future energy demands in demand and supply
8 12 for the state. The department may require a A
8 13 supplier is required to provide information pertaining
8 14 to the supply, storage, distribution, and sale of
8 15 energy sources in this state when requested by the
8 16 department. The information shall be furnished on a
~~8 17 periodic basis,~~ shall be of a nature which directly
8 18 relates to the supply, storage, distribution, and sale
8 19 of energy sources, and shall not include any records,
8 20 documents, books, or other data which relate to the
8 21 financial position of the supplier. ~~Provided the~~ The
8 22 department, prior to requiring any supplier to furnish
8 23 it with such information, shall make every reasonable
8 24 effort to determine if ~~the same~~ such information is
8 25 available from any other governmental source. If it
8 26 finds such information is available, the department
8 27 shall not require submission of the ~~same~~ information
8 28 from a supplier. Notwithstanding the provisions of
8 29 chapter 22, information and reports obtained under
8 30 this section shall be confidential except when used
8 31 for statistical purposes without identifying a
8 32 specific supplier and when release of the information
8 33 will not give an advantage to competitors and serves a
8 34 public purpose. The department shall use this data to
8 35 conduct energy forecasts ~~which shall be included in~~
~~8 36 the biennial update required by this section.~~
8 37 b. The department may subpoena witnesses,
8 38 administer oaths, and require the production of
8 39 records, books, and documents for examination in order
8 40 to obtain information required to be submitted under
8 41 this section. In case of failure or refusal on the
8 42 part of any person to comply with a subpoena issued by
8 43 the department, or in case of the refusal of any
8 44 witness to testify as to any matter regarding which
8 45 the witness may be interrogated under this chapter,
8 46 the district court, upon the application of the
8 47 department, may order the person to show cause why the
8 48 person should not be held in contempt for failure to
8 49 testify or comply with a subpoena, and may order the
8 50 person to produce the records, books, and documents



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9 1 for examination, and to give testimony. The courts
 9 2 may punish for contempt as in the case of disobedience
 9 3 to a like subpoena issued by the court, or for refusal
 9 4 to testify.

9 5 5. Develop, recommend, and implement with
 9 6 appropriate agencies public and professional education
 9 7 and communication programs in energy efficiency,
 9 8 energy conservation, and conversion to ~~alternative~~
~~9 9 sources of energy~~ alternative and renewable energy.

9 10 11. Develop, in coordination with the office of
~~9 11 energy independence, a program to annually give public~~
 9 12 recognition to innovative methods of energy
 9 13 conservation, energy management, and alternative and
~~9 14 renewable energy production.~~

9 15 12. Administer and coordinate, in coordination
~~9 16 with the office of energy independence, federal funds~~
 9 17 for energy conservation, energy management, and
~~9 18 alternative and renewable energy programs including,~~
~~9 19 but not limited to, the institutional conservation~~
~~9 20 program, state energy conservation program, and energy~~
~~9 21 extension service program, and related programs which~~
~~9 22 provide energy management and conservation assistance~~
~~9 23 to schools, hospitals, health care facilities,~~
~~9 24 communities, and the general public.~~

9 25 14. ~~Perform~~ Provide information from monthly fuel
 9 26 surveys which establish a statistical average of motor
 9 27 fuel prices for various motor fuels provided
 9 28 throughout the state. Additionally, the department
 9 29 shall ~~perform~~ provide statewide monthly fuel surveys
~~9 30 in cities with populations of over fifty thousand~~
 9 31 survey information which establish a statistical
 9 32 average of motor fuel prices for various motor fuels
 9 33 provided in ~~those individual cities~~ both metropolitan
 9 34 and rural areas of the state. The survey results
~~9 35 shall be publicized in a monthly press release issued~~
~~9 36 by the department.~~

9 37 Sec. 24. Section 473.15, Code 2007, is amended to
 9 38 read as follows:
 9 39 473.15 ANNUAL REPORT.

9 40 The department shall ~~include in the complete an~~
 9 41 annual report ~~required under section 455A.4 an~~
~~9 42 assessment of to assess the progress achieved by~~
~~9 43 public agencies of state agencies in implementing~~
 9 44 energy management improvements, alternative and
 9 45 renewable energy systems, and life cycle cost analyses
 9 46 under chapter 470, and on the use of renewable fuels.
 9 47 The department shall work with state agencies and with
 9 48 any entity, agency, or organization with which they
 9 49 are associated or involved in such implementation, to
 9 50 use available information to minimize the cost of



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10 1 preparing the report. The department shall also
 10 2 provide an assessment of the economic and
 10 3 environmental impact of the progress made by state
 10 4 agencies related to energy management and alternative
 10 5 and renewable energy, along with recommendations on
 10 6 technological opportunities and policies necessary for
 10 7 continued improvement in these areas.
 10 8 Sec. 25. Section 473.19, Code 2007, is amended to
 10 9 read as follows:
 10 10 473.19 ENERGY BANK PROGRAM.
 10 11 1. The energy bank program is established by the
 10 12 department. The energy bank program consists of the
 10 13 following forms of assistance for the state, state
 10 14 agencies, political subdivisions of the state, school
 10 15 districts, area education agencies, community
 10 16 colleges, and nonprofit organizations:
 10 17 ~~1.~~ a. Promoting program availability.
 10 18 b. Developing or identifying guidelines and model
 10 19 energy techniques for the completion of energy
 10 20 analyses for state agencies, political subdivisions of
 10 21 the state, school districts, area education agencies,
 10 22 community colleges, and nonprofit organizations.
 10 23 c. Providing moneys from the petroleum overcharge
~~10 24 fund technical assistance for conducting or evaluating~~
~~10 25 energy audits analyses for school districts under~~
~~10 26 section 279.44, for conducting comprehensive~~
~~10 27 engineering analyses for school districts and for~~
~~10 28 conducting energy audits and comprehensive engineering~~
~~10 29 analyses for state agencies, and political~~
~~10 30 subdivisions of the state agencies, political~~
 10 31 subdivisions of the state, school districts, area
 10 32 education agencies, community colleges, and nonprofit
 10 33 organizations.
 10 34 ~~2.~~ d. Providing or facilitating loans, leases,
 10 35 and other methods of alternative financing from under
 10 36 the energy loan fund established in section 473.20 and
~~10 37 section 473.20A program for the state, state agencies,~~
 10 38 political subdivisions of the state, school districts,
 10 39 area education agencies, community colleges, and
 10 40 nonprofit organizations to implement energy
 10 41 conservation measures management improvements or
 10 42 energy analyses.
~~10 43 3. Serving as a source of technical support for~~
~~10 44 energy conservation management.~~
 10 45 ~~4.~~ e. Providing assistance for obtaining
 10 46 insurance on the energy savings expected to be
 10 47 realized from the implementation of energy
 10 48 conservation measures management improvements.
 10 49 ~~5.~~ f. Providing Facilitating self-liquidating
 10 50 financing for the state, state agencies, political



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11 1 subdivisions of the state, school districts, area
11 2 education agencies, community colleges, and nonprofit
11 3 organizations pursuant to section 473.20A.

11 4 g. Assisting the treasurer of state with financing
11 5 agreements entered into by the treasurer of state on
11 6 behalf of state agencies to finance energy management
11 7 improvements pursuant to section 12.28.

11 8 2. For the purpose of this section, section
11 9 473.20, and section 473.20A, "energy ~~conservation~~
~~11 10 measure" management improvement means construction,~~
11 11 rehabilitation, acquisition, or modification of an
11 12 installation in a facility or vehicle which is
11 13 intended to reduce energy consumption, or energy
11 14 costs, or both, or allow the use of an ~~alternative~~
~~11 15 energy source, which may contain integral alternative~~
11 16 and renewable energy. "Energy management improvement"
11 17 may include control and measurement devices.

11 18 "Nonprofit organization" means an organization exempt
11 19 from federal income taxation under section 501(c)(3)
11 20 of the Internal Revenue Code.

11 21 3. The department shall submit a report by January
11 22 1 annually to the governor and the general assembly
11 23 detailing services provided and assistance rendered
11 24 pursuant to the energy bank program and pursuant to
11 25 sections 473.20 and 473.20A, and receipts and
11 26 disbursements in relation to the energy bank fund
11 27 created in section 473.19A.

11 28 4. Moneys awarded or allocated to the state, its
11 29 citizens, or its political subdivisions as a result of
11 30 the federal court decisions and United States
11 31 department of energy settlements resulting from
11 32 alleged violations of federal petroleum pricing
11 33 regulations attributable to or contained within the
11 34 Stripper Well fund shall be allocated to and remain
11 35 under the control of the department for utilization
11 36 for energy program-related staff support purposes.

11 37 Sec. 26. NEW SECTION. 473.19A ENERGY BANK FUND.

11 38 1. The energy bank fund is created within the
11 39 state treasury under the control of the department, in
11 40 collaboration with the office of energy independence
11 41 established in section 469.2. The fund shall be used
11 42 for the operational expenses and administrative costs
11 43 incurred by the department in facilitating and
11 44 administering the energy bank program established in
11 45 section 473.19.

11 46 2. The energy bank fund shall consist of amounts
11 47 deposited into the fund or allocated from the
11 48 following sources:

11 49 a. Any moneys awarded or allocated to the state,
11 50 its citizens, or its political subdivisions as a



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12 1 result of the federal court decisions and United
12 2 States department of energy settlements resulting from
12 3 alleged violations of federal petroleum pricing
12 4 regulations attributable to or contained within the
12 5 Exxon fund. Amounts remaining in the oil overcharge
12 6 account established in section 455E.11, subsection 2,
12 7 paragraph "e", and the energy conservation trust
12 8 established in section 473.11, as of June 30, 2008,
12 9 shall be deposited into the energy bank fund pursuant
12 10 to this paragraph, notwithstanding section 8.60,
12 11 subsection 15.
12 12 b. (1) Moneys received in the form of fees
12 13 imposed upon the state, state agencies, political
12 14 subdivisions of the state, school districts, area
12 15 education agencies, community colleges, and nonprofit
12 16 organizations for services performed or assistance
12 17 rendered pursuant to the energy bank program. Fees
12 18 imposed pursuant to this paragraph shall be
12 19 established by the department in an amount
12 20 corresponding to the operational expenses or
12 21 administrative costs incurred by the department in
12 22 performing services or providing assistance authorized
12 23 pursuant to the energy bank program, as follows:
12 24 (a) For a building of up to twenty-five thousand
12 25 square feet, two thousand five hundred dollars.
12 26 (b) For a building in excess of twenty-five
12 27 thousand square feet, an additional eight cents per
12 28 square foot.
12 29 (c) A building that houses more energy intensive
12 30 functions may be subject to a higher fee than the fees
12 31 specified in subparagraphs (a) and (b) as determined
12 32 by the department.
12 33 (2) Any fees imposed shall be retained by the
12 34 department and are appropriated to the department for
12 35 purposes of providing the services or assistance under
12 36 the program.
12 37 c. Moneys appropriated by the general assembly and
12 38 any other moneys, including grants and gifts from
12 39 government and nonprofit organizations, available to
12 40 and obtained or accepted by the department for
12 41 placement in the fund.
12 42 d. Moneys contained in the intermodal revolving
12 43 loan fund administered by the department of
12 44 transportation for the fiscal year beginning July 1,
12 45 2019, and succeeding fiscal years.
12 46 e. Moneys in the fund are not subject to section
12 47 8.33. Notwithstanding section 12C.7, interest or
12 48 earnings on moneys in the fund shall be credited to
12 49 the fund.
12 50 3. The energy bank fund shall be limited to a



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13 1 maximum of one million dollars. Amounts in excess of
13 2 this maximum limitation shall be transferred to and
13 3 deposited in the rebuild Iowa infrastructure fund
13 4 created in section 8.57, subsection 6.

13 5 Sec. 27. Section 473.20, unnumbered paragraph 1,
13 6 Code 2007, is amended to read as follows:

13 7 An energy loan ~~fund~~ program is established ~~in the~~
~~13 8 office of the treasurer of state to~~ and shall be
13 9 administered by the department.

13 10 Sec. 28. Section 473.20, subsections 1, 5, and 6,
13 11 Code 2007, are amended to read as follows:

13 12 1. The department may ~~make loans to the state,~~

~~13 13 state agencies,~~ facilitate the loan process for
13 14 political subdivisions of the state, school districts,
13 15 area education agencies, community colleges, and
13 16 nonprofit organizations for implementation of energy
13 17 ~~conservation measures~~ management improvements

13 18 identified in a ~~comprehensive engineering~~ an energy
13 19 analysis. Loans shall be ~~made~~ facilitated for all

13 20 cost-effective energy management improvements. For

13 21 ~~the state, state agencies,~~ political subdivisions of
13 22 the state, school districts, area education agencies,

13 23 community colleges, and nonprofit organizations to
13 24 receive a loan ~~from the fund~~ assistance under the

~~13 25 program,~~ the department shall require completion of an
13 26 energy management plan including an energy ~~audit and a~~

~~13 27 comprehensive engineering~~ analysis. The department

13 28 shall approve loans ~~made~~ facilitated under this
13 29 section.

13 30 5. ~~The state, state agencies, political~~ Political
13 31 subdivisions of the state, school districts, area

13 32 education agencies, and community colleges shall

13 33 design and construct the most energy cost-effective
13 34 facilities feasible and ~~shall use the financing made~~

~~13 35 available~~ may use financing facilitated by the

13 36 department to cover the incremental costs above

13 37 minimum building code energy efficiency standards of
13 38 purchasing energy efficient devices and materials

13 39 unless other lower cost financing is available. As

13 40 used in this section, "facility" means a structure

13 41 that is heated or cooled by a mechanical or electrical
13 42 system, or any system of physical operation that

13 43 consumes energy to carry out a process.

13 44 6. The department shall not require the state,

13 45 state agencies, political subdivisions of the state,
13 46 school districts, area education agencies, and

13 47 community colleges to implement a specific energy

13 48 ~~conservation measure~~ management improvement identified

13 49 in a ~~comprehensive engineering~~ an energy analysis if

13 50 the entity which prepared the analysis demonstrates to



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14 1 the department that the facility which is the subject
14 2 of the energy ~~conservation measure~~ management
14 3 improvement is unlikely to be used or operated for the
14 4 full period of the expected savings payback of all
14 5 costs associated with implementing the energy
14 6 ~~conservation measure~~ management improvement, including
14 7 without limitation, any fees or charges of the
14 8 department, engineering firms, financial advisors,
14 9 attorneys, and other third parties, and all financing
14 10 costs including interest, if financed.
14 11 Sec. 29. Section 473.20, subsection 3, Code 2007,
14 12 is amended by striking the subsection.
14 13 Sec. 30. Section 473.20A, Code 2007, is amended to
14 14 read as follows:
14 15 473.20A SELF=LIQUIDATING FINANCING.
14 16 1. The department of natural resources may ~~enter~~
14 17 ~~into~~ facilitate financing agreements that may be
14 18 entered into with ~~the state, state agencies,~~ political
14 19 subdivisions of the state, school districts, area
14 20 education agencies, community colleges, or nonprofit
14 21 organizations ~~in order to provide the financing to pay~~
14 22 finance the costs of furnishing energy ~~conservation~~
14 23 ~~measures~~ management improvements on a self-liquidating
14 24 basis. The provisions of section 473.20 defining
14 25 eligible energy ~~conservation measures~~ and the method
14 26 ~~of repayment of the loans~~ management improvements
14 27 apply to financings under this section.
14 28 The financing agreement may contain provisions,
14 29 including interest, term, and obligations to make
14 30 payments on the financing agreement beyond the current
14 31 budget year, as may be ~~agreed upon between the~~
14 32 ~~department of natural resources and the state, state~~
14 33 ~~agencies,~~ acceptable to political subdivisions of the
14 34 state, school districts, area education agencies,
14 35 community colleges, or nonprofit organizations.
14 36 2. ~~For the purpose of funding its obligation to~~
14 37 ~~furnish moneys under the financing agreements, or to~~
14 38 ~~fund the energy loan fund created in section 473.20,~~
14 39 ~~the treasurer of state, with the assistance of the~~
14 40 ~~department of natural resources, or the treasurer of~~
14 41 ~~state's duly authorized agents or representatives, may~~
14 42 ~~incur indebtedness or enter into master lease~~
14 43 ~~agreements or other financing arrangements to borrow~~
14 44 ~~to accomplish energy conservation measures, or the~~
14 45 ~~department of natural resources may enter into master~~
14 46 ~~lease agreements or other financing arrangements to~~
14 47 ~~permit the state, state agencies, political~~
14 48 ~~subdivisions of the state, school districts, area~~
14 49 ~~education agencies, community colleges, or nonprofit~~
14 50 ~~organizations to borrow sufficient funds to accomplish~~



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~~House Amendment 8348 continued~~

~~15 1 the energy conservation measure. The obligations may
15 2 be in such form, for such term, bearing such interest
15 3 and containing such provisions as the department of
15 4 natural resources, with the assistance of the
15 5 treasurer of state, deems necessary or appropriate.
15 6 Funds remaining after the payment of all obligations
15 7 have been redeemed shall be paid into the energy loan
15 8 fund. The department shall assist the treasurer of
15 9 state with financing agreements entered into by the
15 10 treasurer of state on behalf of state agencies
15 11 pursuant to section 12.28 to finance energy management
15 12 improvements being implemented by state agencies.~~

15 13 ~~3. 2. The state, state agencies, political~~
15 14 ~~Political~~ subdivisions of the state, school districts,
15 15 area education agencies, community colleges, and
15 16 nonprofit organizations may enter into financing
15 17 agreements and issue obligations necessary to carry
15 18 out the provisions of the chapter. Chapter 75 shall
15 19 not be applicable.

15 20 Sec. 31. Section 476.46, subsection 2, paragraph
15 21 d, subparagraph (2), Code 2007, is amended to read as
15 22 follows:

15 23 (2) A facility shall be eligible for no more than
15 24 ~~two hundred fifty thousand~~ one million dollars in
15 25 loans outstanding at any time under this program.

15 26 Sec. 32. Sections 473.11, 473.13, 473.16, 473.17,
15 27 473.42, and 473.44, Code 2007, are repealed.

15 28 Sec. 33. EFFECTIVE DATE. This Act, being deemed
15 29 of immediate importance, takes effect upon enactment.>

15 30 #2. Title page, by striking lines 1 through 3 and
15 31 inserting the following: <An Act relating to the
15 32 development, management, and efficient use of energy
15 33 resources, making energy-related modifications to the
15 34 state building code, setting fees, making
15 35 appropriations, and providing an effective date.>

15 36 #3. By renumbering as necessary.

15 37

15 38

15 39

15 40 COMMITTEE ON COMMERCE

15 41 PETERSEN of Polk, Chairperson

15 42 SF 517.709 82

15 43 rn/nh/10678



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House Amendment 8349

PAG LIN

1 1 Amend Senate File 2386, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 20 and 21 and
1 4 inserting the following:
1 5 <g. Three individuals representing gas and
1 6 electric public utilities within this state, comprised
1 7 of one individual representing rural electric
1 8 cooperatives, one individual representing municipal
1 9 utilities, and one individual representing
1 10 investor-owned utilities.>
1 11 #2. Page 3, by inserting after line 13 the
1 12 following:
1 13 <Sec. _____. Section 469.4, subsection 4, Code
1 14 Supplement 2007, is amended by adding the following
1 15 new paragraph:
1 16 NEW PARAGRAPH. m. Perform a technical review of
1 17 the maximum cost-effective potential for renewable
1 18 energy generation by 2025, and formulate
1 19 recommendations for developing that potential.>
1 20 #3. Page 4, by inserting after line 11 following:
1 21 <Sec. _____. Section 476.6, subsection 16, Code
1 22 Supplement 2007, is amended by adding the following
1 23 new paragraphs:
1 24 NEW PARAGRAPH. bb. (1) Gas and electric
1 25 utilities that are not required to be rate-regulated
1 26 under this chapter shall assess potential energy and
1 27 capacity savings available from actual and projected
1 28 customer usage through cost-effective energy
1 29 efficiency measures and programs, taking into
1 30 consideration the utility service area's historic
1 31 energy load, its projected demand, its customer base,
1 32 and other relevant factors. Each utility shall
1 33 establish an energy efficiency goal based upon this
1 34 assessment of potential and shall establish
1 35 cost-effective energy efficiency programs designed to
1 36 meet the energy efficiency goal. Separate goals may
1 37 be established for various customer groupings.
1 38 (2) Energy efficiency programs shall include
1 39 activities conducted by a utility intended to enable
1 40 or encourage customers to increase the amount of heat,
1 41 light, cooling, motive power, or other forms of work
1 42 performed per unit of energy used. Energy efficiency
1 43 programs include activities which lessen the amount of
1 44 heating, cooling, or other forms of work which must be
1 45 performed, including but not limited to energy studies
1 46 or audits, general information, financial assistance,
1 47 direct rebates to customers or vendors of
1 48 energy-efficient products, research projects, direct
1 49 installation by the utility of energy-efficient
1 50 equipment, direct and indirect load control,



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2 1 time-of-use rates, tree planting programs, and hot
2 2 water insulation distribution programs.
2 3 (3) Each utility shall commence the process of
2 4 determining its cost-effective energy efficiency goal
2 5 on or before July 1, 2008, shall provide a progress
2 6 report to the board on or before January 1, 2009, and
2 7 complete the process and submit a final report to the
2 8 board on or before July 1, 2009. The report shall
2 9 include the utility's individualized cost-effective
2 10 energy efficiency goal, a detailed description of the
2 11 energy efficiency measures to be offered to meet the
2 12 projected goal, a list of measures considered, and an
2 13 estimate of projected costs. Each utility shall
2 14 include in its report the cost of achieving an energy
2 15 efficiency goal equal to one and one-half percent of
2 16 the utility's annual retail sales, calculated as an
2 17 average of sales for the three previous years.
2 18 Individual utilities or groups of utilities may
2 19 collaborate in conducting the studies required
2 20 hereunder and may file a joint report or reports with
2 21 the board. However, the board may require individual
2 22 information from any utility, even if it participates
2 23 in a joint report.

2 24 (4) On January 1 of each even-numbered year,
2 25 commencing January 1, 2012, gas and electric utilities
2 26 that are not required to be rate-regulated shall file
2 27 a report with the board identifying their progress in
2 28 meeting the energy efficiency goal and any updates or
2 29 amendments to their energy efficiency plans and goals.
2 30 Filings made pursuant to this paragraph "bb" shall be
2 31 deemed to meet the filing requirements of section
2 32 476.1A, subsection 7, and section 476.1B, subsection
2 33 1, paragraph "l".

2 34 NEW PARAGRAPH. bbb. (1) The board shall evaluate
2 35 the reports required to be filed pursuant to paragraph
2 36 "b" by gas and electric utilities required to be
2 37 rate-regulated, and shall submit a report summarizing
2 38 the evaluation to the general assembly on or before
2 39 January 1, 2009.

2 40 (2) The board shall evaluate the reports required
2 41 to be filed pursuant to paragraph "bb" by gas and
2 42 electric utilities that are not required to be
2 43 rate-regulated, and shall submit a report summarizing
2 44 the evaluation to the general assembly on or before
2 45 January 1, 2011.

2 46 (3) The reports submitted by the board to the
2 47 general assembly pursuant to this paragraph "bbb"
2 48 shall include the goals established by each of the
2 49 utilities. The reports shall also include the
2 50 projected costs of achieving the stated goals,



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3 1 potential rate impacts, and a description of the
3 2 programs proposed by each utility. Comparison of
3 3 individual utilities or groups of utilities contained
3 4 in the report may take into account differences in
3 5 system characteristics, including but not limited to
3 6 sales to various customer classes, age of facilities
3 7 of new large customers, and heating fuel type. The
3 8 reports may contain recommendations concerning the
3 9 achievability of certain intermediate and long-term
3 10 energy efficiency goals based upon the results of the
3 11 assessments submitted by the utilities.

3 12 Sec. _____. NEW SECTION. 476.44A TRADING OF
3 13 CREDITS.

3 14 The board may establish or participate in a program
3 15 to track, record, and verify the trading of credits
3 16 for electricity generated from alternative energy
3 17 production facilities or renewable energy sources
3 18 among electric generators, utilities, and other
3 19 interested entities, within this state and with
3 20 similar entities in other states.

3 21 Sec. _____. ENERGY EFFICIENCY INTERIM STUDY
3 22 COMMITTEE == CONSUMER FOCUS == REQUEST TO ESTABLISH.
3 23 The legislative council is requested to establish an
3 24 interim study committee to examine the existence and
3 25 effectiveness of energy efficiency plans and programs
3 26 implemented by gas and electric public utilities, with
3 27 an emphasis on results achieved by current plans and
3 28 programs from the demand, or customer, perspective,
3 29 and to make recommendations for additional
3 30 requirements applicable to energy efficiency plans and
3 31 programs that would improve such results. In
3 32 conducting the study and developing recommendations,
3 33 the committee shall consider testimony from the Iowa
3 34 utilities board, rate and nonrate-regulated gas and
3 35 electric utilities, the consumer advocate, state
3 36 agencies involved with energy efficiency program
3 37 administration, environmental groups and associations,
3 38 and consumers. The committee shall be composed of ten
3 39 members, representing both political parties and both
3 40 houses of the general assembly. Five members shall be
3 41 members of the senate, three of whom shall be
3 42 appointed by the majority leader of the senate and two
3 43 of whom shall be appointed by the minority leader of
3 44 the senate. The other five members shall be members
3 45 of the house of representatives, three of whom shall
3 46 be appointed by the speaker of the house of
3 47 representatives, and two of whom shall be appointed by
3 48 the minority leader of the house of representatives.
3 49 The committee shall issue a report of its
3 50 recommendations to the general assembly by January 15,



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4 1 2009.
4 2 Sec. ____ . EFFECTIVE DATE. This Act, being deemed
4 3 of immediate importance, takes effect upon enactment.>
4 4 #4. Title page, by striking lines 1 through 5 and
4 5 inserting the following: <An Act relating to energy
4 6 efficiency by establishing a commission on energy
4 7 efficiency standards and practices, providing for the
4 8 reporting of energy efficiency results and savings by
4 9 gas and electric public utilities, specifying
4 10 procedures for assessing potential energy and capacity
4 11 savings and developing energy efficiency goals by gas
4 12 and electric utilities not subject to rate regulation,
4 13 providing for the establishment or participation in a
4 14 program to track, record, or verify the trading of
4 15 credits for electricity generated from specified
4 16 sources, and providing for the establishment of an
4 17 interim study committee to conduct an examination of
4 18 energy efficiency plans and programs with an emphasis
4 19 on the demand or customer perspective, and providing
4 20 an effective date.>
4 21 #5. By renumbering as necessary.
4 22
4 23
4 24
4 25 COMMITTEE ON COMMERCE
4 26 PETERSEN of Polk, Chairperson
4 27 SF 2386.202 82
4 28 rn/rj/10676



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House Amendment 8350

PAG LIN

1 1 Amend Senate File 2392, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 5, line 35, by striking the words <a
1 4 plan> and inserting the following: <an act>.
1 5 #2. Page 9, by striking lines 30 through 34.
1 6 #3. Page 15, line 2, by striking the figure
1 7 <508E.14> and inserting the following: <508E.15>.
1 8 #4. Page 16, line 14, by inserting after the word
1 9 <contract> the following: <form>.
1 10 #5. Page 17, line 22, by striking the figures and
1 11 words: <508E.13, and 508.14> and inserting the
1 12 following: <508E.14, and 508E.15>.
1 13 #6. Page 18, line 28, by striking the figure
1 14 <508E.14> and inserting the following: <508E.15>.
1 15 #7. Page 28, line 29, by striking the word <sixty>
1 16 and inserting the following: <thirty>.
1 17 #8. Page 28, line 31, by striking the word
1 18 <thirty> and inserting the following: <fifteen>.
1 19 #9. Page 30, by striking lines 10 through 12, and
1 20 inserting the following: <contracts shall be made
1 21 only by a duly licensed viatical settlement provider
1 22 or by the authorized>.
1 23 #10. Page 30, by striking lines 26 through 28.
1 24 #11. Page 35, by striking lines 26 and 27, and
1 25 inserting the following:
1 26 <A viatical settlement broker, or viatical>.
1 27 #12. Page 35, line 29, by striking the words
1 28 <plan, transaction,> and inserting the following:
1 29 <transaction>.
1 30 #13. Page 36, line 10, by striking the words
1 31 <broker, and> and inserting the following: <broker,
1 32 and, if the policy was issued less than two years from
1 33 the date of application for a viatical settlement
1 34 contract,>.
1 35 #14. Page 37, line 12, by striking the figure
1 36 <508E.16> and inserting the following: <508E.17>.
1 37 #15. Page 38, line 2, by striking the word <sixty>
1 38 and inserting the following: <thirty>.
1 39 #16. Page 38, line 4, by striking the word
1 40 <thirty> and inserting the following: <fifteen>.
1 41 #17. By striking page 40, line 12, through page
1 42 42, line 30, and inserting the following:
1 43 <Sec. ____ . NEW SECTION. 508E.11 PROHIBITED
1 44 PRACTICES.
1 45 1. Except as provided in section 508E.12, it is a
1 46 violation of this chapter for any person to enter into
1 47 a viatical settlement contract at any time prior to
1 48 the application or issuance of a policy which is the
1 49 subject of a viatical settlement contract or within a
1 50 five-year period commencing with the date of issuance



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- 2 1 of the insurance policy or certificate.
- 2 2 2. An insurer shall not, as a condition of
2 3 responding to a request for verification of coverage
2 4 or effecting the transfer of a policy pursuant to a
2 5 viatical settlement contract, require that the viator,
2 6 insured, viatical settlement provider, or viatical
2 7 settlement broker sign any form, disclosure, consent,
2 8 or waiver form that has not been expressly approved by
2 9 the commissioner for use in connection with viatical
2 10 settlement contracts in this state.
- 2 11 3. Upon receipt of a properly completed request
2 12 for change of ownership or beneficiary of a policy,
2 13 the insurer shall respond in writing within twenty
2 14 days, with written acknowledgment confirming that the
2 15 change has been effected or specifying the reasons why
2 16 the requested change cannot be processed. The insurer
2 17 shall not unreasonably delay effecting a change of
2 18 ownership or beneficiary and shall not otherwise seek
2 19 to interfere with any viatical settlement contract
2 20 lawfully entered into in this state.
- 2 21 Sec. ____ . NEW SECTION. 508E.12 PERMITTED
2 22 PRACTICES.
- 2 23 1. Notwithstanding section 508E.11, at any time
2 24 subsequent to the issuance of the policy, a person may
2 25 enter into a viatical settlement contract if the
2 26 viator certifies to the viatical settlement provider
2 27 that one or more of the following conditions have been
2 28 met within the five-year period:
- 2 29 a. The policy was issued upon the viator's
2 30 exercise of conversion rights arising out of a group
2 31 or individual policy, provided the total of the time
2 32 covered under the conversion policy plus the time
2 33 covered under the prior policy is at least sixty
2 34 months. The time covered under a group policy shall
2 35 be calculated without regard to any change in
2 36 insurance carriers, provided the coverage has been
2 37 continuous and under the same group sponsorship.
- 2 38 b. The viator submits an affidavit to the viatical
2 39 settlement provider that one or more of the following
2 40 conditions exists:
- 2 41 (1) The viator or insured is terminally or
2 42 chronically ill.
- 2 43 (2) The viator's spouse or child dies.
- 2 44 (3) The viator divorces the viator's spouse.
- 2 45 (4) The viator retires from full-time employment.
- 2 46 (5) The viator becomes physically or mentally
2 47 disabled and a physician determines that the
2 48 disability prevents the viator from maintaining
2 49 full-time employment.
- 2 50 (6) A final order, judgment, or decree is entered



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3 1 by a court of competent jurisdiction, on the
3 2 application of a creditor of the viator, adjudicating
3 3 the viator bankrupt or insolvent, or approving a
3 4 petition seeking reorganization of the viator or
3 5 appointing a receiver, trustee, or liquidator to all
3 6 or a substantial part of the viator's assets.
3 7 (7) Other circumstances as established as eligible
3 8 exemptions by the commissioner by rule, including but
3 9 not limited to substantial adverse financial
3 10 circumstances or other factors substantially affecting
3 11 the viator.
3 12 2. Notwithstanding section 508E.11, a person may
3 13 enter into a viatical settlement contract if at all
3 14 times prior to the date that is two years after policy
3 15 issuance, all of the following conditions are met with
3 16 respect to the policy:
3 17 a. Policy premiums have been funded exclusively
3 18 with any of the following:
3 19 (1) Unencumbered assets, including an interest in
3 20 the life insurance policy being financed only to the
3 21 extent of its net cash surrender value, provided by a
3 22 person described in section 508E.2, subsection 15,
3 23 paragraph "d".
3 24 (2) Fully recourse liability incurred by the
3 25 insured or a person described in section 508E.2,
3 26 subsection 15, paragraph "d".
3 27 b. There is no agreement or understanding with any
3 28 other person to guarantee any such liability or to
3 29 purchase, or stand ready to purchase, the policy,
3 30 including through an assumption or forgiveness of the
3 31 loan.
3 32 c. Neither the insured nor the policy has been
3 33 evaluated for settlement.
3 34 3. Copies of the affidavits described in this
3 35 section and documents required by section 508E.10,
3 36 subsection 1, shall be requested from and provided by
3 37 the insurer when the viatical settlement provider or
3 38 viatical settlement broker submits a request to the
3 39 insurer for verification of coverage. The copies
3 40 shall be accompanied by a letter of attestation from
3 41 the viatical settlement provider that the copies are
3 42 true and correct copies of the documents received by
3 43 the viatical settlement provider.
3 44 4. If the viatical settlement provider submits to
3 45 the insurer a copy of the owner's or insured's or
3 46 insurer's affidavit described in this section when the
3 47 provider submits a request to the insurer to effect
3 48 the transfer of the policy or certificate to the
3 49 viatical settlement provider, the copy shall be deemed
3 50 to conclusively establish that the viatical settlement



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4 1 contract satisfies the requirement of this section and
4 2 the insurer shall timely respond to the request.>
4 3 #18. Page 42, line 31, by striking the figure
4 4 <508E.12> and inserting the following: <508E.13>.
4 5 #19. Page 43, line 4, by inserting after the word
4 6 <broker> the following: <unless such relationship is
4 7 disclosed to the viator>.
4 8 #20. Page 43, line 14, by inserting after the word
4 9 <contract> the following: <unless such relationship
4 10 is disclosed to the viator>.
4 11 #21. Page 44, line 2, by inserting before the word
4 12 <purpose> the following: <sole>.
4 13 #22. Page 44, line 3, by striking the word <an>
4 14 and inserting the following: <a primary>.
4 15 #23. Page 44, by striking lines 4 through 18 and
4 16 inserting the following:
4 17 <____. A person providing premium financing shall
4 18 not receive any proceeds, fees, or other consideration
4 19 from the policy or owner of the policy that are in
4 20 addition to the amounts required to pay principal,
4 21 interest, and any costs or expenses incurred by the
4 22 lender or borrower in connection with the premium
4 23 finance agreement, except for the event of a default,
4 24 unless either the default on such loan or transfer of
4 25 the policy occurs pursuant to an agreement or
4 26 understanding with any other person for the purpose of
4 27 evading regulation under this chapter. Any payments,
4 28 charges, fees, or other amounts received by a person
4 29 providing premium financing in violation of this
4 30 subsection shall be>.
4 31 #24. Page 45, line 9, by striking the figure
4 32 <508E.13> and inserting the following: <508E.14>.
4 33 #25. Page 50, line 26, by striking the figure
4 34 <508E.14> and inserting the following: <508E.15>.
4 35 #26. Page 55, line 13, by striking the figure
4 36 <508E.15> and inserting the following: <508E.16>.
4 37 #27. Page 56, line 12, by striking the figure
4 38 <508E.16> and inserting the following: <508E.17>.
4 39 #28. Page 56, line 18, by striking the figure
4 40 <508E.17> and inserting the following: <508E.18>.
4 41 #29. Page 57, line 3, by striking the figure
4 42 <508E.18> and inserting the following: <508E.19>.
4 43 #30. By renumbering as necessary.
4 44
4 45
4 46
4 47 COMMITTEE ON COMMERCE
4 48 PETERSEN of Polk, CHAIRPERSON
4 49 SF 2392.505 82
4 50 da/rj/10677



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House Amendment 8351

PAG LIN

1 1 Amend the amendment, H=8325, to Senate File 2132,
 1 2 as amended, passed, and reprinted by the Senate, as
 1 3 follows:
 1 4 #1. Page 1, by inserting after line 2 the
 1 5 following:
 1 6 <#___. Page 1, by striking lines 3 through 7 and
 1 7 inserting the following:
 1 8 1. Seized property ~~which is no longer required as~~
~~1 9 evidence or for use in an investigation shall be~~
~~1 10 returned to the owner, provided that the person's~~
~~1 11 possession of the property is not prohibited by law~~
~~1 12 and there is no forfeiture claim filed on behalf of~~
~~1 13 the state if the property is no longer required as~~
1 14 evidence or the property has been photographed and the
1 15 photograph will be used as evidence in lieu of the
1 16 property, if the property is no longer required for
1 17 use in an investigation, if the owner's possession is
1 18 not prohibited by law, and if a forfeiture claim has
1 19 not been filed on behalf of the state.>
 1 20 #___. Page 1, line 8, by inserting before the word
 1 21 <value> the following: <aggregate replacement>.
 1 22 #___. Page 1, line 21, by inserting before the
 1 23 word <value> the following: <aggregate replacement>.
 1 24 #___. Page 2, line 22, by inserting before the
 1 25 word <value> the following: <aggregate replacement>.>
 1 26 #2. Page 1, by inserting after line 8 the
 1 27 following:
 1 28 <#___. Page 2, line 29, by inserting before the
 1 29 word <value> the following: <aggregate replacement>.>
 1 30 #3. Page 1, line 12, by striking the words <with
 1 31 a> and inserting the following: <with an aggregate
1 32 replacement>.
 1 33
 1 34
 1 35
 1 36 R. OLSON of Polk
 1 37 SF 2132.503 82
 1 38 jm/rj/11424
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House Amendment 8352

PAG LIN

1 1 Amend Senate File 2308, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 1, by inserting before line 1 the
 1 4 following:
 1 5 <Section 1. Section 2C.18, Code 2007, is amended
 1 6 to read as follows:
 1 7 2C.18 ~~REPORT~~ REPORTS TO GENERAL ASSEMBLY.
 1 8 1. The citizens' aide shall by April 1 of each
 1 9 year submit an economically designed and reproduced
 1 10 report to the general assembly and to the governor
 1 11 concerning the exercise of the citizens' aide
 1 12 functions during the preceding calendar year. In
 1 13 discussing matters with which the citizens' aide has
 1 14 been concerned, the citizens' aide shall not identify
 1 15 specific persons if to do so would cause needless
 1 16 hardship. If the annual report criticizes a named
 1 17 agency or official, it shall also include unedited
 1 18 replies made by the agency or official to the
 1 19 criticism, unless excused by the agency or official
 1 20 affected.
 1 21 2. The citizens' aide shall by January 1 of each
 1 22 year submit a report to the general assembly and to
 1 23 the governor concerning all notices received pursuant
 1 24 to section 715C.2, subsection 3A. The report shall
 1 25 not disclose the name or personal information of any
 1 26 affected individual. If the report criticizes a named
 1 27 agency or official, it shall also include unedited
 1 28 replies made by the agency or official to the
 1 29 criticism, unless excused by the agency or official.>
 1 30 #2. Page 3, by inserting after line 35 the
 1 31 following:
 1 32 <3A. Following notification of a breach of
 1 33 security relating to data owned, maintained, or
 1 34 possessed by a government or governmental subdivision,
 1 35 the government or governmental subdivision shall
 1 36 provide written notice of the breach to the citizens'
 1 37 aide. The notice provided to the citizens' aide shall
 1 38 include the same information as required under
 1 39 subsection 5. The citizens' aide shall compile and
 1 40 summarize all notices received under this paragraph
 1 41 and prepare an annual report to the general assembly
 1 42 and the governor pursuant to section 2C.18, subsection
 1 43 2.>
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 1 47 GRANZOW of Hardin
 1 48 SF 2308.505 82
 1 49 rn/nh/11951
 1 50



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House Amendment 8353

PAG LIN

1 1 Amend Senate File 2308, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. NEW SECTION. 714.16D DISCLOSURE OF
1 6 PERSONAL INFORMATION BY A PUBLIC OFFICIAL == CRIMINAL
1 7 PENALTY.
1 8 1. For the purposes of this section:
1 9 a. "Compensation" means any money, thing of value,
1 10 or financial benefit conferred to a public official by
1 11 a person other than the government body that employs
1 12 the public official.
1 13 b. "Personal information" means an individual's
1 14 first name or first initial and last name in
1 15 combination with any one or more of the following data
1 16 elements that relate to the individual if neither the
1 17 name nor the data elements are encrypted, redacted, or
1 18 otherwise altered by any method or technology in such
1 19 a manner that the name or data elements are
1 20 unreadable:
1 21 (1) Social security number.
1 22 (2) Driver's license number or other unique
1 23 identification number created or collected by a
1 24 government body.
1 25 (3) Financial account number, credit card number,
1 26 or debit card number in combination with any required
1 27 security code, access code, or password that would
1 28 permit access to an individual's financial account.
1 29 (4) Unique electronic identifier or routing code,
1 30 in combination with any required security code, access
1 31 code, or password.
1 32 (5) Unique biometric data, such as a fingerprint,
1 33 voice print or recording, retina or iris image, or
1 34 other unique physical representation or digital
1 35 representation of the biometric data.
1 36 c. "Public official" means an official or employee
1 37 of the state or a local government, or an elected
1 38 official of the state or a local government.
1 39 2. Unless otherwise authorized by state or federal
1 40 law, a public official in possession or control of an
1 41 individual's personal information who intentionally
1 42 discloses or releases the personal information for
1 43 compensation is guilty of a class "D" felony.>
1 44 #2. Title page, line 1, by inserting after the
1 45 word <to> the following: <identity determination and
1 46 protection and>.
1 47 #3. Title page, line 3, by inserting after the
1 48 word <information,> the following: <prohibiting
1 49 public officials from intentionally disclosing
1 50 personal information for compensation,>.



**Iowa General Assembly
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House Amendment 8353 continued

2 1 #4. By renumbering as necessary.
2 2
2 3
2 4
2 5 TJEPKES of Webster
2 6 SF 2308.506 82
2 7 rn/nh/11950



Iowa General Assembly
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House Amendment 8354

PAG LIN

1 1 Amend Senate File 2134, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. Section 35A.5, subsection 9, Code
1 6 Supplement 2007, is amended to read as follows:
1 7 9. After consultation with the commission, provide
1 8 certification training to executive directors and
1 9 administrators of county commissions of veteran
1 10 affairs pursuant to section 35B.6. Training provided
1 11 under this subsection shall include accreditation by
1 12 the national association of county veteran service
1 13 officers. Training provided by the department shall
1 14 be certified by the national association of county
1 15 veteran service officers and, in addition, shall
1 16 ensure that each executive director and administrator
1 17 is proficient in the use of electronic mail, general
1 18 computer use, and use of the internet to access
1 19 information regarding facilities, benefits, and
1 20 services available to veterans and their families.
1 21 The department may adopt rules in accordance with
1 22 chapter 17A to provide for training of county veteran
1 23 affairs executive directors and administrators.
1 24 Sec. 2. NEW SECTION. 35A.16 COUNTY COMMISSIONS
1 25 OF VETERAN AFFAIRS FUND == APPROPRIATION.
1 26 1. a. A county commissions of veteran affairs
1 27 fund is created within the state treasury under the
1 28 control of the department. The fund shall consist of
1 29 appropriations made to the fund and any other moneys
1 30 available to and obtained or accepted by the
1 31 department from the federal government or private
1 32 sources for deposit in the fund.
1 33 b. There is appropriated from the general fund of
1 34 the state to the department, for the fiscal year
1 35 beginning July 1, 2009, and for each subsequent fiscal
1 36 year, the sum of one million dollars to be credited to
1 37 the county commissions of veteran affairs fund.
1 38 2. Notwithstanding section 12C.7, interest or
1 39 earnings on moneys in the county commissions of
1 40 veteran affairs fund shall be credited to the county
1 41 commissions of veteran affairs fund. Notwithstanding
1 42 section 8.33, moneys remaining in the county
1 43 commissions of veteran affairs fund at the end of a
1 44 fiscal year shall not revert to the general fund of
1 45 the state.
1 46 3. If sufficient moneys are available, the
1 47 department shall annually allocate ten thousand
1 48 dollars to each county commission of veteran affairs,
1 49 or to each county sharing the services of an executive
1 50 director or administrator pursuant to chapter 28E, to



Iowa General Assembly
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House Amendment 8354 continued

2 1 be used for the employment of an executive director or
2 2 administrator pursuant to section 35B.6.
2 3 4. A county commission of veteran affairs training
2 4 program account shall be established within the county
2 5 commissions of veteran affairs fund. Any moneys
2 6 remaining in the fund after the allocations under
2 7 subsection 3 shall be credited to the account and used
2 8 by the department to fund the county commission of
2 9 veteran affairs training program under section 35A.17.
2 10 Sec. 3. NEW SECTION. 35A.17 COUNTY COMMISSION OF
2 11 VETERAN AFFAIRS TRAINING PROGRAM.
2 12 1. A county commission of veteran affairs training
2 13 program is created under the control of the department
2 14 for the purpose of providing training, certification,
2 15 and accreditation opportunities for county commissions
2 16 of veteran affairs executive directors,
2 17 administrators, and employees.
2 18 2. The department may receive and accept
2 19 donations, grants, gifts, and contributions from any
2 20 public or private source for the purpose of providing
2 21 training opportunities under this section. All funds
2 22 received by the department shall be deposited in the
2 23 county commission of veteran affairs training program
2 24 account established in section 35A.16, subsection 4.
2 25 3. a. The department shall use funds deposited in
2 26 the county commission of veteran affairs training
2 27 program account to organize statewide or regional
2 28 training conferences and provide training,
2 29 certification, and accreditation opportunities for
2 30 county commissions of veteran affairs executive
2 31 directors, administrators, and employees, consistent
2 32 with the requirements of section 35A.5, subsection 9.
2 33 b. During the fiscal year beginning July 1, 2009,
2 34 the department shall use account funds to arrange for
2 35 an accreditation course by the national association of
2 36 county veteran service officers to take place within
2 37 the state.
2 38 c. The department may use account funds to hire an
2 39 agency, organization, or other entity to provide
2 40 training or educational programming, reimburse county
2 41 executive directors, administrators, and employees for
2 42 transportation costs related to a conference or
2 43 program, or both.
2 44 4. The department shall adopt rules, pursuant to
2 45 chapter 17A, deemed necessary for the administration
2 46 of the county commission of veteran affairs training
2 47 program.
2 48 Sec. 4. Section 35B.6, subsection 1, Code 2007, is
2 49 amended to read as follows:
2 50 1. a. The members of the commission shall qualify



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House Amendment 8354 continued

3 1 by taking the usual oath of office, and give bond in
3 2 the sum of five hundred dollars each, conditioned for
3 3 the faithful discharge of their duties with sureties
3 4 to be approved by the county auditor. The commission
3 5 shall organize by the selection of one of their
3 6 members as chairperson, and one as secretary. The
3 7 commission, subject to the approval of the board of
3 8 supervisors, shall ~~have power to~~ employ an executive
3 9 director or administrator and shall have the power to
3 10 employ other necessary employees when needed,
3 11 including administrative or clerical assistants when
~~3 12 needed, the.~~ The compensation of such employees ~~to~~
3 13 shall be fixed by the board of supervisors, but no
3 14 member of the commission shall be so employed. The
3 15 executive director must possess the same
3 16 qualifications as provided in section 35B.3 for
3 17 commission members. However, this qualification
3 18 requirement shall not apply to a person employed as an
3 19 executive director prior to July 1, 1989.
3 20 b. The commission may employ an administrator in
3 21 lieu of an executive director. Administrators shall
3 22 not be required to meet all the qualifications
3 23 provided in section 35B.3 for commissioners. An
3 24 administrator may hold another position within the
3 25 county or other government entity while serving as an
3 26 administrator only if such position does not adversely
3 27 affect the administrator's duties under this chapter.
3 28 ~~b.~~ c. Upon the employment of an executive
3 29 director or administrator, the executive director or
3 30 administrator shall complete a course of initial
3 31 certification training provided by the department of
3 32 veterans affairs pursuant to section 35A.5. If an
3 33 executive director or administrator fails to obtain
3 34 certification within one year of being employed, the
3 35 executive director or administrator shall be removed
3 36 from office. If an executive director is not
~~3 37 appointed, a A commissioner or a clerical assistant~~
~~3 38 shall other commission employee may also complete the~~
3 39 course of certification training. The department
3 40 shall issue the executive director, administrator,
3 41 commissioner, or ~~clerical assistant~~ employee a
3 42 certificate of training after completion of the
3 43 initial certification training course. To maintain
3 44 annual certification, the executive director,
3 45 administrator, commissioner, or ~~clerical assistant~~
3 46 employee shall attend one department training course
~~3 47 each year satisfy the continuing education~~
3 48 requirements established by the national association
3 49 of county veteran service officers. Failure of an
3 50 executive director or administrator to maintain



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House Amendment 8354 continued

4 1 certification ~~may~~ shall be cause for removal from
4 2 office. The expenses of training the executive
4 3 director or administrator shall be paid from the
4 4 appropriation authorized in section 35B.14.

4 5 d. The duties of the executive director,
4 6 administrator, and employees shall include all of the
4 7 following:

4 8 (1) Inform members of the armed forces, veterans,
4 9 and their dependents of all federal, state, and local
4 10 laws enacted for their benefit.

4 11 (2) Assist all residents of the state who served
4 12 in the armed forces of the United States and their
4 13 relatives, beneficiaries, and dependents in receiving
4 14 from the United States and this state any and all
4 15 compensation, pensions, hospitalization, insurance,
4 16 education, employment pay and gratuities, loan
4 17 guarantees, or any other aid or benefit to which they
4 18 may be entitled under any law.

4 19 e. The department of veterans affairs or county
4 20 veteran affairs offices shall not charge for any
4 21 service provided to any individual.

4 22 Sec. 5. Section 35B.6, subsection 2, Code 2007, is
4 23 amended to read as follows:

4 24 2. Two or more boards of supervisors may agree,
4 25 pursuant to chapter 28E, to share the services of an
4 26 executive director or administrator. The agreement
4 27 shall provide for the establishment of a commission of
4 28 veteran affairs office in each of the counties
4 29 participating in the agreement.

4 30 Sec. 6. Section 35B.6, subsection 4, Code 2007, is
4 31 amended by striking the subsection and inserting in
4 32 lieu thereof the following:

4 33 4. a. Each county commission of veteran affairs
4 34 shall maintain an office in a building owned,
4 35 operated, or leased by the county.

4 36 b. An executive director or administrator employed
4 37 pursuant to subsection 1 shall provide veterans
4 38 services for the following minimum number of hours
4 39 each week:

4 40 (1) For a county with a population of thirty
4 41 thousand or less, no fewer than twenty hours per week.

4 42 (2) For a county with a population of more than
4 43 thirty thousand and less than sixty thousand, no fewer
4 44 than thirty hours per week.

4 45 (3) For a county with a population of sixty
4 46 thousand or more, no fewer than forty hours per week.

4 47 c. Counties sharing the services of an executive
4 48 director or administrator shall consider the aggregate
4 49 population of such counties when determining the
4 50 number of hours of service required under paragraph



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House Amendment 8354 continued

5 1 "b". The number of hours shall be allocated between
5 2 the counties in the proportion that the population of
5 3 each county bears to the aggregate population.

5 4 d. The hours that the office established under
5 5 paragraph "a", is open shall be posted in a prominent
5 6 position outside the office.

5 7 Sec. 7. Section 35B.14, Code 2007, is amended to
5 8 read as follows:

5 9 35B.14 COUNTY APPROPRIATION.

5 10 1. The board of supervisors of each county may
5 11 appropriate moneys for training an executive director
5 12 or administrator as provided for in section 35B.6, the

5 13 food, clothing, shelter, utilities, medical benefits,
5 14 and funeral expenses of indigent veterans, as defined
5 15 in section 35.1, and their indigent spouses, surviving
5 16 spouses, and minor children not over eighteen years of
5 17 age, having a legal residence in the county.

5 18 2. The appropriation shall be expended by the
5 19 joint action and control of the board of supervisors
5 20 and the county commission of veteran affairs.

5 21 Sec. 8. STATE MANDATE FUNDING SPECIFIED. In
5 22 accordance with section 25B.2, subsection 3, the state
5 23 cost of requiring compliance with any state mandate
5 24 included in this Act shall be moneys appropriated in
5 25 this Act and shall be deemed to meet all the state
5 26 funding-related requirements of section 25B.2,
5 27 subsection 3, and no specific state funding shall be
5 28 necessary for the full implementation of this Act by
5 29 and enforcement of this Act against all affected
5 30 political subdivisions.

5 31 Sec. 9. EFFECTIVE DATE. This Act takes effect on
5 32 July 1, 2009.>

5 33 #2. Title page, by striking lines 1 through 3 and
5 34 inserting the following:

5 35 <An Act relating to veterans affairs by modifying
5 36 training requirements, requiring executive directors
5 37 and administrators to provide minimum hours of service
5 38 in each county, specifying executive director,
5 39 administrator, and employee duties, creating a county
5 40 commission of veteran affairs training program,
5 41 creating a county commissions of veteran affairs fund,
5 42 providing an appropriation, and providing an effective
5 43 date.>

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5 47 COMMITTEE ON VETERANS AFFAIRS
5 48 ZIRKELBACH of Jones, CHAIRPERSON
5 49 SF 2134.502 82
5 50 md/rj/12247



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House Amendment 8355

PAG LIN

1 1 Amend Senate File 2349, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting after line 22 the
1 4 following:
1 5 <Sec. _____. Section 523A.201, subsections 2 and 3,
1 6 Code Supplement 2007, are amended to read as follows:
1 7 2. If a seller agrees to furnish cemetery
1 8 merchandise, funeral merchandise, funeral services, or
1 9 a combination thereof and performance or delivery may
1 10 be more than one hundred twenty days following the
1 11 initial payment on the account, ~~a minimum of eighty~~
~~1 12 percent of all payments made under the purchase~~
1 13 agreement shall be placed and remain in trust until
1 14 the person for whose benefit the funds were paid dies.
1 15 3. If a purchase agreement for cemetery
1 16 merchandise, funeral merchandise, funeral services, or
1 17 a combination thereof provides that payments are to be
1 18 made in installments, the seller shall deposit ~~eighty~~
~~1 19 percent of each payment~~ all payments made under the
1 20 purchase agreement in the trust fund until the full
1 21 amount required to be placed in trust has been
1 22 deposited. If the purchase agreement is financed with
1 23 or sold to a financial institution, the purchase
1 24 agreement shall be considered paid in full and the
1 25 trust requirements shall be satisfied within fifteen
1 26 days after the seller receives funds from the
1 27 financial institution.
1 28 Sec. _____. Section 523A.201, subsection 5, Code
1 29 Supplement 2007, is stricken.>
1 30 #2. Page 2, by striking lines 1 through 14 and
1 31 inserting the following:
1 32 <Sec. _____. Section 523A.405, subsection 8, Code
1 33 Supplement 2007, is amended to read as follows:
1 34 8. The amount of the surety bond shall equal
1 35 ~~eighty percent the amount~~ of the payments received
1 36 pursuant to purchase agreements, or the applicable
1 37 portion thereof, for cemetery merchandise, funeral
1 38 merchandise, funeral services, or a combination
1 39 thereof and the amount needed to adjust the amount of
1 40 the surety bond for inflation as set by the
1 41 commissioner based on the consumer price index. The
1 42 seller shall review the amount of the surety bond no
1 43 less than annually and shall increase the bond as
1 44 necessary to reflect additional payments. The amount
1 45 needed to adjust for inflation shall be added annually
1 46 to the surety bond during the first quarter of the
1 47 ~~establishment's~~ seller's fiscal year.>
1 48 #3. Page 4, line 4, by striking the words <not
1 49 less than eighty percent> and inserting the following:
1 50 ~~<not less than eighty percent~~ all>.



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House Amendment 8355 continued

- 2 1
- 2 2
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- 2 4 PETTENGILL of Benton
- 2 5 SF 2349.302 82
- 2 6 av/sc/21021



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House Amendment 8356

PAG LIN

1 1 Amend Senate File 2308, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. NEW SECTION. 22.15 PROTECTION OF
1 6 PERSONAL INFORMATION == DESTRUCTION OF PUBLIC RECORDS
1 7 == PENALTY.
1 8 1. "Personal information" means an individual's
1 9 first name or first initial and last name in
1 10 combination with any one or more of the following data
1 11 elements that relate to the individual if neither the
1 12 name nor the data elements are encrypted, redacted, or
1 13 otherwise altered by any method or technology in such
1 14 a manner that the name or data elements are
1 15 unreadable:
1 16 a. Social security number.
1 17 b. Driver's license number or other unique
1 18 identification number created or collected by a
1 19 government body.
1 20 c. Financial account number, credit card number,
1 21 or debit card number in combination with any required
1 22 security code, access code, or password that would
1 23 permit access to an individual's financial account.
1 24 d. Unique electronic identifier or routing code,
1 25 in combination with any required security code, access
1 26 code, or password.
1 27 e. Unique biometric data, such as a fingerprint,
1 28 voice print or recording, retina or iris image, or
1 29 other unique physical representation or digital
1 30 representation of the biometric data.
1 31 2. Unless otherwise required by federal or state
1 32 law, each government body shall take reasonable steps
1 33 to destroy or arrange for the destruction of a public
1 34 record, or portion thereof, containing personal
1 35 information within its control, which is no longer
1 36 required to be retained by the government body.
1 37 Destruction of a public record, or portion thereof,
1 38 shall be in accordance with the following minimum
1 39 standards:
1 40 a. Paper documents containing personal information
1 41 shall be either redacted, burned, pulverized, or
1 42 shredded so that personal information cannot
1 43 practicably be read or reconstructed.
1 44 b. Electronic media and other nonpaper media
1 45 containing personal information shall be destroyed or
1 46 erased so that personal information cannot practicably
1 47 be read, reconstructed, or deciphered through any
1 48 means.
1 49 3. A government body may contract with a third
1 50 party to destroy public records containing personal



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House Amendment 8356 continued

2 1 information in accordance with the requirements of
2 2 this section. Any third party hired to destroy public
2 3 records containing personal information shall
2 4 implement and monitor compliance with policies and
2 5 procedures that prohibit unauthorized access to or
2 6 acquisition of or use of personal information during
2 7 the collection, transportation, and destruction of
2 8 personal information.
2 9 4. A government body or third party that violates
2 10 the provisions of this section shall be subject to a
2 11 civil penalty of not more than one hundred dollars per
2 12 public record affected, provided such penalty shall
2 13 not exceed fifty thousand dollars for each instance of
2 14 improper destruction. The office of attorney general
2 15 or a county attorney may enforce the provisions of
2 16 this section.>
2 17 #2. Page 5, by inserting after line 32 the
2 18 following:
2 19 <Sec. _____. IMPLEMENTATION OF ACT. Section 25B.2,
2 20 subsection 3, shall not apply to the section of this
2 21 Act enacting section 22.15.>
2 22 #3. Title page, line 1, by inserting after the
2 23 word <to> the following: <identity determination and
2 24 protection and>.
2 25 #4. Title page, line 3, by inserting after the
2 26 word <information,> the following: <requiring the
2 27 destruction of certain public records containing
2 28 personal information,>.
2 29 #5. By renumbering as necessary.
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2 33 PETTENGILL of Benton
2 34 SF 2308.504 82
2 35 rn/nh/11949



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House Amendment 8357

PAG LIN

1 1 Amend Senate File 2279, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, line 16, by inserting after the word
1 4 <program.> the following: <A school district or
1 5 accredited nonpublic school shall not reduce
1 6 instructional time for academic courses in order to
1 7 meet the requirements of this paragraph.>
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1 11 PAULSEN of Linn
1 12 SF 2279.507 82
1 13 kh/nh/12179
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House Amendment 8358

PAG LIN

1 1 Amend Senate File 2279, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, by inserting after line 16 the
1 4 following:
1 5 <(4) A student is exempt from the requirements of
1 6 this paragraph "b" if the student's parent or guardian
1 7 annually files a written statement with the school
1 8 principal excusing the student from the requirement.>
1 9 #2. By renumbering as necessary.
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1 12
1 13 PAULSEN of Linn
1 14 SF 2279.211 82
1 15 kh/nh/12180
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**Iowa General Assembly
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House Amendment 8359

PAG LIN

1 1 Amend Senate File 417, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 5, by striking lines 23 through 29.
 1 4 #2. Page 6, by inserting after line 10 the
 1 5 following:
 1 6 <3. In addition to any other penalties provided
 1 7 for in this chapter, the commissioner may, by order,
 1 8 impose a civil penalty upon a person violating any
 1 9 provision of this chapter. Each day of a continuing
 1 10 violation constitutes a separate offense, except that
 1 11 offenses resulting from the same or common facts or
 1 12 circumstances shall be considered a single offense.
 1 13 Before issuing an order under this section, the
 1 14 commissioner shall provide the person written notice
 1 15 and the opportunity to request a hearing on the
 1 16 record. The hearing must be requested within thirty
 1 17 days of the issuance of the notice.
 1 18 a. A person aggrieved by the imposition of a civil
 1 19 penalty under this section may seek judicial review in
 1 20 accordance with section 17A.19.
 1 21 b. If a person fails to pay a civil penalty within
 1 22 thirty days after entry of an order under subsection
 1 23 1, or if the order is stayed pending an appeal within
 1 24 ten days after the court enters a final judgment in
 1 25 favor of the commissioner, the commissioner shall
 1 26 notify the attorney general. The attorney general may
 1 27 commence an action to recover the amount of the
 1 28 penalty, including reasonable attorney fees and costs.
 1 29 c. An action to enforce an order under this
 1 30 section may be joined with an action for an
 1 31 injunction.>
 1 32 #3. By renumbering as necessary.
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 1 36 T. TAYLOR of Linn
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 1 40 TYMESON of Madison
 1 41 SF 417.702 82
 1 42 jr/nh/21011
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House Resolution 137 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.

1 2 BY HEDDENS, VAN FOSSEN, ABDUL-SAMAD, ALONS,

1 3 ANDERSON, ARNOLD, BAILEY, BAUDLER, BELL, BERRY,

1 4 BOAL, BUKTA, CHAMBERS, CLUTE, COHOON, DANDEKAR,

1 5 DAVITT, DE BOEF, DEYOE, DOLECHECK, DRAKE, FOEGE,

1 6 FORD, FORRISTALL, FREVERT, GASKILL, GAYMAN, GIPP,

1 7 GRANZOW, GRASSLEY, GREINER, HEATON, HOFFMAN,

1 8 HORBACH, HUNTER, HUSEMAN, HUSER, JACOBS, JACOBY,

1 9 JOCHUM, KAUFMANN, KELLEY, KRESSIG, KUHN, LENSING,

1 10 LUKAN, LYKAM, MASCHER, MAY, McCARTHY, MERTZ,

1 11 H. MILLER, L. MILLER, MURPHY, OLDSON, D. OLSON,

1 12 R. OLSON, S. OLSON, T. OLSON, PALMER, PAULSEN,

1 13 PETERSEN, PETTENGILL, QUIRK, RAECKER, RANTS,

1 14 RASMUSSEN, RAYHONS, REASONER, REICHERT,

1 15 ROBERTS, SANDS, SCHICKEL, SCHUELLER, SHOMSHOR,

1 16 SMITH, SODERBERG, STAED, STRUYK, SWAIM,

1 17 D. TAYLOR, T. TAYLOR, THOMAS, TJEPKES, TOMENGA,

1 18 TYMESON, UPMEYER, VAN ENGELENHOVEN, WATTS,

1 19 WENDT, WENTHE, WESSEL-KROESCHELL, WHITAKER,

1 20 WHITEAD, WIENCEK, WINCKLER, WINDSCHITL, WISE,

1 21 WORTHAN, and ZIRKELBACH

1 22 A Resolution to honor Iowa's Olympic athletes.

1 23 WHEREAS, the tradition of the Olympic games was

1 24 revived in 1896 in Athens, Greece, with 14 nations

1 25 participating in 43 events; and

1 26 WHEREAS, 112 years later the Olympics includes 35

1 27 sports, nearly 400 events, and thousands of athletes;

1 28 and

1 29 WHEREAS, Iowa has a long and proud Olympic

1 30 tradition, including many gold medal winners; and



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House Resolution 137 - Introduced continued

2 1 WHEREAS, in 2008, Iowa will be represented by the
2 2 following nine athletes, serving as principal
2 3 competitors or as alternates, competing in five
2 4 Olympic sports:
2 5 Haley Dunn, from Eddyville, competing in skeet
2 6 shooting; Lee Fullhart, from Hesper, competing in
2 7 wrestling; Kirk Hinrich, from Sioux City, competing in
2 8 basketball; Shawn Johnson, from West Des Moines,
2 9 competing in gymnastics; Sara McMann, from Iowa City,
2 10 competing in wrestling; Doug Schwab, from Osage,
2 11 competing in wrestling; Tolly Thompson, from
2 12 Janesville, competing in wrestling; Joe Williams, from
2 13 Iowa City, competing in wrestling; and Joey Woody,
2 14 from Iowa City, competing in track and field; and
2 15 WHEREAS, the games of the XXIX Olympiad will be
2 16 held August 8 through 24, 2008, in Beijing, China,
2 17 with the networks of NBC Universal providing an
2 18 unprecedented level of coverage totaling 3,600 hours
2 19 across multiple channels available to Iowans through
2 20 Mediacom Communications; NOW THEREFORE,
2 21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 22 that the House of Representatives honors these young
2 23 Iowans, whose efforts bring honor not only to
2 24 themselves, but also to their communities and all
2 25 Iowa, and wishes them the best of luck in the XXIX
2 26 Olympiad.
2 27 LSB 6513HH 82
2 28 jr/rj/8



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House Resolution 138 - Introduced

PAG LIN

H.R. _____ S.R. _____

1 1 HOUSE RESOLUTION NO.
1 2 BY WHITEAD, FOEGE, SMITH, and GRANZOW
1 3 A Resolution urging implementation of disability=friendly
1 4 principles for Iowa's health care coverage system.
1 5 WHEREAS, a higher proportion of working adult
1 6 Iowans with disabilities do not have health care
1 7 coverage as compared with the general population of
1 8 Iowans; and
1 9 WHEREAS, the lack of portability in health
1 10 insurance benefits often results in persons with
1 11 disabilities either being forced to remain in jobs to
1 12 retain health care coverage or to deliberately become
1 13 impoverished to become eligible for publicly funded
1 14 health care coverage; and
1 15 WHEREAS, as the average age of Iowans continues to
1 16 rise and health care coverage requirements become more
1 17 restrictive, many more Iowans are likely to either
1 18 become afflicted with a disability or otherwise
1 19 experience health care coverage problems now
1 20 experienced by persons with disabilities; and
1 21 WHEREAS, as the needs and challenges relating to
1 22 health care coverage have become increasingly
1 23 difficult to address, it is essential to adopt a set
1 24 of principles for the governor, the general assembly,
1 25 other policymakers, and businesses to apply in
1 26 addressing health care coverage needs of persons with
1 27 disabilities and other Iowans; NOW THEREFORE,
1 28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 29 That the governor, the general assembly, other
1 30 policymakers, and businesses are urged to apply all of



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House Resolution 138 - Introduced continued

2 1 the following principles in addressing the health care
2 2 coverage needs of persons with disabilities and other
2 3 Iowans:

2 4 1. An individual is able to maintain stable health
2 5 care coverage despite changes in employment or
2 6 accumulation of personal assets so that working adults
2 7 with or without disabilities are not dropped from
2 8 coverage due to the extent of a disability or the
2 9 amount of service usage;

2 10 2. Health care coverage is available to
2 11 individuals at an affordable cost by using various
2 12 cost-control strategies which may include pooling to
2 13 share risks and costs over very large groups of
2 14 individuals and the pools include both those who are
2 15 generally healthy and those who have disabilities;

2 16 3. An individual's contributions for the cost of
2 17 health care coverage are based upon both the
2 18 individual's ability to pay and the extent of the
2 19 applicable employer or public contribution to the
2 20 cost;

2 21 4. Health care coverage is made both physically
2 22 and cognitively accessible for all Iowans and the use
2 23 of limitation measures such as exclusions of
2 24 preexisting conditions is curtailed;

2 25 5. The range of available health care coverage is
2 26 made broad enough to cover an appropriate range of
2 27 benefits, including but not limited to medications,
2 28 mental health treatment, preventive services, personal
2 29 health items, and special equipment. Coordination of
2 30 care and benefits among multiple providers is used so



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3 1 that the needs of persons with disabilities are not
3 2 met through a system of second-class care;
3 3 6. The eligibility determination requirements used
3 4 for publicly supported health care available to
3 5 persons with disabilities is separated from the
3 6 requirements for other publicly supported benefits
3 7 available to such persons so that persons with
3 8 disabilities are not forced to become impoverished or
3 9 remain in poverty in order to secure health care
3 10 coverage and can instead purchase health care coverage
3 11 based on sliding fee scales or other flexible buy-in
3 12 options; and
3 13 7. The transition between the health care coverage
3 14 for children with disabilities and the coverage for
3 15 adults with disabilities is coordinated in order to
3 16 prevent gaps in care. The transition between the
3 17 coverage available through publicly supported programs
3 18 and private insurance is made seamless so that persons
3 19 with disabilities are able to pursue productive
3 20 employment and build personal assets; and
3 21 BE IT FURTHER RESOLVED, That the House of
3 22 Representatives finds that applying these principles
3 23 and providing better health care access for persons
3 24 with disabilities and other Iowans will result in
3 25 prevention of new health problems or secondary
3 26 conditions, reduce adverse medication effects, improve
3 27 preventive services and continuity of care, and
3 28 support greater independence for persons with
3 29 disabilities and other Iowans.
3 30 LSB 6605HH 82



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House Resolution 138 - Introduced continued

4 1 jp/nh/14



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House Study Bill 787

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE ON
EDUCATION)

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

A BILL FOR

1 An Act relating to the funding of, the operation of, and
 2 appropriation of moneys to the college student aid commission,
 3 the department for the blind, the department of education, and
 4 the state board of regents, providing for related matters and
 5 including an effective date provision.
 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
 7 TLSB 5005JB 82
 8 kh/mg/5



**Iowa General Assembly
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House Study Bill 787 continued

2 1 \$ 1,070,976
 2 2 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER
 2 3 a. For forgivable loans to Iowa students attending Des
 2 4 Moines university == osteopathic medical center under the
 2 5 forgivable loan program pursuant to section 261.19:
 2 6 \$ 100,000
 2 7 To receive funds appropriated pursuant to this paragraph,
 2 8 Des Moines university == osteopathic medical center shall
 2 9 match the funds with institutional funds on a dollar-for=
 2 10 dollar basis.
 2 11 b. For Des Moines university == osteopathic medical center
 2 12 for an initiative in primary health care to direct primary
 2 13 care physicians to shortage areas in the state:
 2 14 \$ 346,451
 2 15 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
 2 16 For purposes of providing national guard educational
 2 17 assistance under the program established in section 261.86:
 2 18 \$ 3,800,000
 2 19 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
 2 20 For the teacher shortage loan forgiveness program
 2 21 established in section 261.112:
 2 22 \$ 485,400
 2 23 6. ALL IOWA OPPORTUNITY ASSISTANCE PROGRAM
 2 24 For purposes of the all Iowa opportunity assistance
 2 25 program, which includes the all Iowa opportunity foster care
 2 26 grant program established pursuant to section 261.6, and the
 2 27 all Iowa opportunity scholarship program established pursuant
 2 28 to section 261.87:
 2 29 \$ 1,500,000
 2 30 From the funds appropriated pursuant to this subsection, up
 2 31 to \$500,000 shall be used for purposes of the all Iowa
 2 32 opportunity foster care grant program established pursuant to
 2 33 section 261.6, and at least \$500,000 shall be used for
 2 34 purposes of the all Iowa opportunity scholarship program as
 2 35 established in section 261.87.



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House Study Bill 787 continued

3 1 If the funds appropriated by the general assembly to the
3 2 college student aid commission for the 2008=2009 fiscal year
3 3 for purposes of the all Iowa opportunity scholarship program
3 4 exceed \$500,000, "eligible institution" as defined in section
3 5 261.87, shall, during the 2008=2009 fiscal year, include
3 6 accredited private institutions as defined in section 261.9,
3 7 subsection 1.

3 8 7. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS
3 9 PROGRAM

3 10 For purposes of the registered nurse and nurse educator
3 11 loan forgiveness program established pursuant to section
3 12 261.23:

3 13 \$ 100,000

3 14 a. It is the intent of the general assembly that the
3 15 commission continue to consider funds allocated pursuant to
3 16 this subsection as funds that meet the state matching funds
3 17 requirements of the federal leveraging educational assistance
3 18 program and the federal supplemental leveraging educational
3 19 assistance program established under the Higher Education Act
3 20 of 1965, as amended.

3 21 b. It is the intent of the general assembly that
3 22 appropriations made for purposes of the registered nurse and
3 23 nurse educator loan forgiveness program for the fiscal year
3 24 beginning July 1, 2008, and each succeeding fiscal year, be
3 25 distributed under the program created pursuant to section
3 26 261.23, for registered nurses and nurse educators.

3 27 8. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT
3 28 PROGRAM

3 29 For purposes of the barber and cosmetology arts and
3 30 sciences tuition grant program established pursuant to section
3 31 261.18, if enacted by this Act:

3 32 \$ 50,000

3 33 Sec. 3. WORK=STUDY APPROPRIATION FOR FY 2008=2009.

3 34 Notwithstanding section 261.85, for the fiscal year beginning
3 35 July 1, 2008, and ending June 30, 2009, the amount



**Iowa General Assembly
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4 1 appropriated from the general fund of the state to the college
 4 2 student aid commission for the work=study program under
 4 3 section 261.85 shall be \$698,923, and from the moneys
 4 4 appropriated in this section, \$338,958 shall be allocated to
 4 5 institutions of higher education under the state board of
 4 6 regents and community colleges and the remaining dollars
 4 7 appropriated in this section shall be allocated by the college
 4 8 student aid commission on the basis of need as determined by
 4 9 the portion of the federal formula for distribution for work=
 4 10 study funds that relates to the current need of institutions.

4 11 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section
 4 12 261.72, from the funds deposited in the chiropractic loan
 4 13 revolving fund created pursuant to section 261.72, \$100,000
 4 14 shall be used for purposes of the chiropractic loan
 4 15 forgiveness program established in section 261.73, if enacted
 4 16 by this Act.

DEPARTMENT OF EDUCATION

4 17
 4 18 Sec. 5. There is appropriated from the general fund of the
 4 19 state to the department of education for the fiscal year
 4 20 beginning July 1, 2008, and ending June 30, 2009, the
 4 21 following amounts, or so much thereof as may be necessary, to
 4 22 be used for the purposes designated:

4 23 1. GENERAL ADMINISTRATION

4 24 For salaries, support, maintenance, miscellaneous purposes,
 4 25 and for not more than the following full-time equivalent
 4 26 positions:

4 27	\$	8,720,341
4 28	FTEs	89.37

4 29 a. From the funds appropriated in this subsection,
 4 30 \$225,000 shall be allocated for purposes of conducting,
 4 31 supporting, and managing the accreditation of school districts
 4 32 and for purposes of various other duties such as conducting
 4 33 reorganization feasibility studies.

4 34 b. Of the full-time equivalent positions authorized in
 4 35 this subsection, 10.00 full-time equivalent positions are



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House Study Bill 787 continued

5 1 allocated to support management of the community college
5 2 management information system; for the expansion of the state
5 3 board of education model core curriculum; for the development
5 4 and implementation of strategic educational goals; for the
5 5 implementation of the grant request for proposals, technical
5 6 assistance, and monitoring provisions in the student
5 7 advancement policy; for the collection and dissemination of
5 8 resources related to human growth and development curriculum;
5 9 for district sharing incentive purposes; and for the senior
5 10 year plus program study.

5 11 c. Of the full-time equivalent positions authorized in
5 12 this subsection, 1.00 full-time equivalent position is
5 13 allocated for district sharing incentive purposes and 4.00
5 14 full-time equivalent positions are allocated for purposes of
5 15 the student achievement and teacher quality program.

5 16 d. The director of the department of education shall
5 17 ensure that all school districts are aware of the state
5 18 education resources available on the state web site for
5 19 listing teacher job openings and shall make every reasonable
5 20 effort to enable qualified practitioners to post their resumes
5 21 on the state web site. The department shall administer the
5 22 posting of job vacancies for school districts, accredited
5 23 nonpublic schools, and area education agencies on the state
5 24 web site. The department may coordinate this activity with
5 25 the Iowa school board association or other interested
5 26 education associations in the state. The department shall
5 27 strongly encourage school districts to seek direct claiming
5 28 under the medical assistance program for funding of school
5 29 district nursing services for students.

5 30 e. The department shall compile a list of state-funded,
5 31 competitive grant programs administered by the department.
5 32 The department shall provide specific but nonidentifying
5 33 information regarding the children served, money spent per
5 34 program, and the use and availability of private funds to
5 35 support the programs. The department shall submit the list



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House Study Bill 787 continued

6 1 and information to the general assembly by January 15, 2009.

6 2 2. VOCATIONAL EDUCATION ADMINISTRATION

6 3 For salaries, support, maintenance, miscellaneous purposes,
6 4 and for not more than the following full-time equivalent
6 5 positions:

6 6	\$	576,613
6 7	FTEs	13.50

6 8 3. VOCATIONAL REHABILITATION SERVICES DIVISION

6 9 a. For salaries, support, maintenance, miscellaneous
6 10 purposes, and for not more than the following full-time
6 11 equivalent positions:

6 12	\$	5,667,575
6 13	FTEs	273.50

6 14 The division of vocational rehabilitation services shall
6 15 seek funding from other sources, such as local funds, for
6 16 purposes of matching the state's federal vocational
6 17 rehabilitation allocation, as well as for matching other
6 18 federal vocational rehabilitation funding that may become
6 19 available.

6 20 Except where prohibited under federal law, the division of
6 21 vocational rehabilitation services of the department of
6 22 education shall accept client assessments, or assessments of
6 23 potential clients, performed by other agencies in order to
6 24 reduce duplication of effort.

6 25 Notwithstanding the full-time equivalent position limit
6 26 established in this lettered paragraph, for the fiscal year
6 27 ending June 30, 2009, if federal funding is received to pay
6 28 the costs of additional employees for the vocational
6 29 rehabilitation services division who would have duties
6 30 relating to vocational rehabilitation services paid for
6 31 through federal funding, authorization to hire not more than
6 32 4.00 additional full-time equivalent employees shall be
6 33 provided, the full-time equivalent position limit shall be
6 34 exceeded, and the additional employees shall be hired by the
6 35 division.



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7 1 b. For matching funds for programs to enable persons with
7 2 severe physical or mental disabilities to function more
7 3 independently, including salaries and support, and for not
7 4 more than the following full-time equivalent position:
7 5 \$ 55,145
7 6 FTEs 1.00
7 7 The highest priority use for the moneys appropriated under
7 8 this lettered paragraph shall be for programs that emphasize
7 9 employment and assist persons with severe physical or mental
7 10 disabilities to find and maintain employment to enable them to
7 11 function more independently.

7 12 c. For the entrepreneurs with disabilities program
7 13 pursuant to section 259.4, subsection 9, if enacted by 2008
7 14 Iowa Acts, House File 2214:
7 15 \$ 200,000

7 16 4. STATE LIBRARY

7 17 a. For salaries, support, maintenance, miscellaneous
7 18 purposes, and for not more than the following full-time
7 19 equivalent positions:
7 20 \$ 1,879,827
7 21 FTEs 19.00

7 22 b. For the enrich Iowa program:
7 23 \$ 1,823,432

7 24 5. LIBRARY SERVICE AREA SYSTEM

7 25 For state aid:
7 26 \$ 1,586,000

7 27 6. PUBLIC BROADCASTING DIVISION

7 28 For salaries, support, maintenance, capital expenditures,
7 29 miscellaneous purposes, and for not more than the following
7 30 full-time equivalent positions:
7 31 \$ 8,804,620
7 32 FTEs 84.00

7 33 The number of full-time equivalent positions authorized for
7 34 the division pursuant to this subsection reflects a reduction
7 35 to account for the transfer of four individuals currently



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8 1 providing Iowa communications network classroom maintenance
 8 2 from the division to the Iowa communications network.
 8 3 7. REGIONAL TELECOMMUNICATIONS COUNCILS
 8 4 For state aid:
 8 5 \$ 1,364,525
 8 6 The regional telecommunications councils established in
 8 7 section 8D.5 shall use the funds appropriated in this
 8 8 subsection to provide technical assistance for network
 8 9 classrooms, planning and troubleshooting for local area
 8 10 networks, scheduling of video sites, and other related support
 8 11 activities.
 8 12 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
 8 13 For reimbursement for vocational education expenditures
 8 14 made by secondary schools:
 8 15 \$ 2,936,904
 8 16 Funds appropriated in this subsection shall be used for
 8 17 expenditures made by school districts to meet the standards
 8 18 set in sections 256.11, 258.4, and 260C.14 as a result of the
 8 19 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used
 8 20 as reimbursement for vocational education expenditures made by
 8 21 secondary schools in the manner provided by the department of
 8 22 education for implementation of the standards set in 1989 Iowa
 8 23 Acts, chapter 278.
 8 24 9. SCHOOL FOOD SERVICE
 8 25 For use as state matching funds for federal programs that
 8 26 shall be disbursed according to federal regulations, including
 8 27 salaries, support, maintenance, miscellaneous purposes, and
 8 28 for not more than the following full-time equivalent
 8 29 positions:
 8 30 \$ 2,509,683
 8 31 FTEs 17.43
 8 32 10. IOWA EMPOWERMENT FUND
 8 33 For deposit in the school ready children grants account of
 8 34 the Iowa empowerment fund created in section 28.9:
 8 35 \$ 21,904,357



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9 1 a. From the moneys deposited in the school ready children
9 2 grants account for the fiscal year beginning July 1, 2008, and
9 3 ending June 30, 2009, not more than \$300,000 is allocated for
9 4 the community empowerment office and other technical
9 5 assistance activities, and of that amount not more than
9 6 \$50,000 shall be used to administer the early childhood
9 7 coordinator's position pursuant to section 28.3, subsection 7,
9 8 and not more than \$50,000 shall be used to promote and provide
9 9 ongoing support to the parent web site and to support and
9 10 coordinate a network of web sites that provide support and
9 11 resources to parents and the general public. It is the intent
9 12 of the general assembly that regional technical assistance
9 13 teams will be established and will include staff from various
9 14 agencies, as appropriate, including the area education
9 15 agencies, community colleges, and the Iowa state university of
9 16 science and technology cooperative extension service in
9 17 agriculture and home economics. The Iowa empowerment board
9 18 shall direct staff to work with the advisory council to
9 19 inventory technical assistance needs. Funds allocated under
9 20 this lettered paragraph may be used by the Iowa empowerment
9 21 board for the purpose of skills development and support for
9 22 ongoing training of the regional technical assistance teams.
9 23 However, funds shall not be used for additional staff or for
9 24 the reimbursement of staff.

9 25 b. The Iowa empowerment board shall conduct a study of the
9 26 role that community empowerment can play in strengthening
9 27 family, friend, and neighbor care to help achieve empowerment
9 28 goals. In conducting the study, the board may do any or all
9 29 of the following:

9 30 (1) Review national models and identify best practices in
9 31 providing information, networking, and learning opportunities
9 32 and activities for family, friend, and neighbor caregivers.

9 33 (2) Examine and highlight current efforts of local
9 34 empowerment boards to strengthen family, friend, and neighbor
9 35 caregiving.



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10 1 (3) Convene a working group, including representatives
10 2 from child care resource and referral centers, libraries,
10 3 community centers, and family, friend, and neighbor
10 4 caregivers, to provide advice to the board on family, friend,
10 5 and neighbor care.

10 6 (4) Articulate the ways that community empowerment boards
10 7 can use school ready children grants account funds to support
10 8 family, friend, and neighbor care.

10 9 (5) Host a state summit on family, friend, and neighbor
10 10 care.

10 11 (6) Examine potential public and private partnerships to
10 12 provide information, networking, and learning opportunities
10 13 for family, friend, and neighbor caregivers.

10 14 The Iowa empowerment board shall submit its findings and
10 15 recommendations in a report to the governor and general
10 16 assembly by January 15, 2009. For purposes of this paragraph,
10 17 "family, friend, and neighbor care" means child care, usually
10 18 provided without cost and on a voluntary basis, by a family
10 19 member, a friend, or a neighbor whose reason for providing
10 20 that care is a strong existing personal relationship with the
10 21 parent and the parent's child or children. Particular
10 22 attention shall be given to grandparents providing such care,
10 23 including grandparents who may be the primary caregivers for
10 24 their grandchildren.

10 25 c. As a condition of receiving funding appropriated in
10 26 this subsection, each community empowerment area board shall
10 27 report to the Iowa empowerment board progress on each of the
10 28 state indicators approved by the state board, as well as
10 29 progress on local indicators. The community empowerment area
10 30 board must also submit a written plan amendment extending by
10 31 one year the area's comprehensive school ready children grant
10 32 plan developed for providing services for children from birth
10 33 through five years of age and provide other information
10 34 specified by the Iowa empowerment board. The amendment may
10 35 also provide for changes in the programs and services provided



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11 1 under the plan. The Iowa empowerment board shall establish a
11 2 submission deadline for the plan amendment that allows a
11 3 reasonable period of time for preparation of the plan
11 4 amendment and for review and approval or request for
11 5 modification of the plan amendment by the Iowa empowerment
11 6 board. In addition, the community empowerment board must
11 7 continue to comply with reporting provisions and other
11 8 requirements adopted by the Iowa empowerment board in
11 9 implementing section 28.8.

11 10 d. Of the amount appropriated in this subsection for
11 11 deposit in the school ready children grants account of the
11 12 Iowa empowerment fund that is used for distribution to areas,
11 13 \$4,650,000 shall be used to assist low-income parents with
11 14 preschool tuition.

11 15 e. Of the amount appropriated in this subsection for
11 16 deposit in the school ready children grants account of the
11 17 Iowa empowerment fund, \$1,000,000 shall be used for support of
11 18 professional development and training activities for persons
11 19 working in early care, health, and education by the Iowa
11 20 empowerment board in collaboration with representation from
11 21 the Iowa state university of science and technology
11 22 cooperative extension service in agriculture and home
11 23 economics, area education agencies, community colleges, child
11 24 care resource and referral services, and community empowerment
11 25 area boards. Expenditures shall be limited to professional
11 26 development and training activities agreed upon by the parties
11 27 participating in the collaboration.

11 28 f. Of the amount appropriated in this subsection for
11 29 deposit in the school ready children grants account of the
11 30 Iowa empowerment fund, \$100,000 shall be allocated to the
11 31 public broadcasting division of the department of education
11 32 for support of community empowerment as a ready-to-learn
11 33 coordinator.

11 34 g. The school ready children grant amount awarded for the
11 35 fiscal year beginning July 1, 2008, to a community empowerment



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12 1 area that received a school ready children grant award in the
12 2 fiscal year beginning July 1, 2007, shall be equivalent to the
12 3 amount awarded in the fiscal year beginning July 1, 2007,
12 4 minus the amount of the community empowerment area's fiscal
12 5 year 2006=2007 ending balance exceeding 20 percent of the
12 6 area's fiscal year 2006=2007 allocation.

12 7 h. Notwithstanding section 8.33 or any provision to the
12 8 contrary, any moneys remaining unencumbered or unobligated
12 9 from the moneys appropriated to the school ready children
12 10 grants account of the Iowa empowerment fund for the fiscal
12 11 year beginning July 1, 2007, shall be used to develop and
12 12 implement a plan to strengthen the fiscal accountability of
12 13 local areas. The plan shall not include hiring additional
12 14 staff or for ongoing expenses, but may provide for a contract
12 15 for services. The plan shall address fiscal accountability
12 16 for community empowerment area boards, including but not
12 17 limited to training for board members and coordinators, and
12 18 shall address contractual arrangements with and fiscal
12 19 oversight of program providers. The plan shall provide for
12 20 assistance to the community empowerment office and the
12 21 community empowerment assistance team to improve state fiscal
12 22 oversight of local boards and ongoing training for community
12 23 empowerment area boards and coordinators. The Iowa
12 24 empowerment board and the community empowerment office shall
12 25 submit a plan progress report to the general assembly and the
12 26 legislative services agency by January 1, 2009. The Iowa
12 27 empowerment board and the community empowerment office shall
12 28 submit a final report to the general assembly by March 15,
12 29 2010. Notwithstanding section 28.9, subsection 1, any moneys
12 30 remaining unencumbered or unobligated from the moneys
12 31 allocated to the school ready children grants account of the
12 32 Iowa empowerment fund for the fiscal year beginning July 1,
12 33 2007, at the end of the 2009=2010 fiscal year shall revert to
12 34 the general fund of the state.

12 35 11. BIRTH TO AGE THREE SERVICES



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House Study Bill 787 continued

13 1 For expansion of the federal Individuals With Disabilities
 13 2 Education Improvement Act of 2004, Pub. L. No. 108=446, as
 13 3 amended to January 1, 2008, birth through age three services
 13 4 due to increased numbers of children qualifying for those
 13 5 services:
 13 6 \$ 1,721,400
 13 7 From the funds appropriated in this subsection, \$421,400
 13 8 shall be allocated to the child health specialty clinic at the
 13 9 state university of Iowa to provide additional support for
 13 10 infants and toddlers who are born prematurely, drug=exposed,
 13 11 or medically fragile.
 13 12 12. FOUR=YEAR=OLD PRESCHOOL PROGRAM
 13 13 For allocation to eligible school districts for the
 13 14 four=year=old preschool program under chapter 256C, and for
 13 15 not more than the following full=time equivalent positions:
 13 16 \$ 15,000,000
 13 17 FTEs 3.00
 13 18 From the moneys appropriated pursuant to this subsection,
 13 19 not more than \$330,000 shall be used by the department for
 13 20 administration of the four=year=old preschool program
 13 21 established pursuant to chapter 256C.
 13 22 13. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 13 23 To provide funds for costs of providing textbooks to each
 13 24 resident pupil who attends a nonpublic school as authorized by
 13 25 section 301.1:
 13 26 \$ 690,165
 13 27 Funding under this subsection is limited to \$20 per pupil
 13 28 and shall not exceed the comparable services offered to
 13 29 resident public school pupils.
 13 30 14. JOBS FOR AMERICA'S GRADUATES
 13 31 For school districts to provide direct services to the most
 13 32 at=risk senior high school students enrolled in school
 13 33 districts through direct intervention by a jobs for America's
 13 34 graduates specialist:
 13 35 \$ 600,000



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14 1 15. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION
 14 2 PROGRAM
 14 3 For purposes of administering the beginning administrator
 14 4 mentoring and induction program established pursuant to
 14 5 chapter 284A:
 14 6 \$ 250,000
 14 7 16. CORE CURRICULUM AND CAREER INFORMATION AND
 14 8 DECISION-MAKING SYSTEM.
 14 9 For purposes of implementing the statewide core curriculum
 14 10 for school districts and accredited nonpublic schools and a
 14 11 state-designated career information and decision-making system
 14 12 as provided in 2008 Iowa Acts, Senate File 2216, if enacted:
 14 13 \$ 2,590,000
 14 14 17. COMMUNITY COLLEGES
 14 15 For general state financial aid to merged areas as defined
 14 16 in section 260C.2 in accordance with chapters 258 and 260C:
 14 17 \$180,462,414
 14 18 Notwithstanding the allocation formula in section 260C.18C,
 14 19 the funds appropriated in this subsection shall be allocated
 14 20 as follows:
 14 21 a. Merged Area I \$ 8,947,645
 14 22 b. Merged Area II \$ 9,708,909
 14 23 c. Merged Area III \$ 8,924,638
 14 24 d. Merged Area IV \$ 4,389,764
 14 25 e. Merged Area V \$ 9,847,840
 14 26 f. Merged Area VI \$ 8,540,462
 14 27 g. Merged Area VII \$ 12,653,914
 14 28 h. Merged Area IX \$ 15,747,282
 14 29 i. Merged Area X \$ 27,220,417
 14 30 j. Merged Area XI \$ 27,182,315
 14 31 k. Merged Area XII \$ 10,380,925
 14 32 l. Merged Area XIII \$ 10,535,801
 14 33 m. Merged Area XIV \$ 4,445,124
 14 34 n. Merged Area XV \$ 13,958,524
 14 35 o. Merged Area XVI \$ 7,978,854



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15 1 Sec. 6. COMMUNITY COLLEGE SALARIES. There is appropriated
 15 2 from the general fund of the state to the department of
 15 3 education for the fiscal year beginning July 1, 2008, and
 15 4 ending June 30, 2009, the following amount, or so much thereof
 15 5 as is necessary, to be used for the purpose designated:
 15 6 For distribution to community colleges to supplement
 15 7 faculty salaries:
 15 8 \$ 1,000,000
 15 9 Sec. 7. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.
 15 10 Notwithstanding section 272.10, subsection 2, in addition to
 15 11 the percentage of licensing fees required to be deposited with
 15 12 the treasurer of state and credited to the general fund of the
 15 13 state pursuant to section 272.10, subsection 2, the executive
 15 14 director of the board of educational examiners shall, at the
 15 15 close of the fiscal year beginning July 1, 2007, transfer the
 15 16 amount of \$300,000 to the department of education. The
 15 17 department shall use the transferred funds during the fiscal
 15 18 year beginning July 1, 2008, for implementation of early head
 15 19 start projects addressing the comprehensive cognitive, social,
 15 20 emotional, and developmental needs of children from birth to
 15 21 age three, including prenatal support for qualified families.
 15 22 The early head start projects shall promote healthy prenatal
 15 23 outcomes, healthy family functioning, and strengthen the
 15 24 development of infants and toddlers in low-income families.
 15 25 Sec. 8. SCHOOL DISTRICT TEACHER BACKGROUND CHECKS == FY
 15 26 2007=2008. A school district that requested a background
 15 27 check of a teacher applicant in the fiscal year beginning July
 15 28 1, 2007, in accordance with section 279.13, subsection 1,
 15 29 paragraph "b", from an entity other than the division of
 15 30 criminal investigation shall meet the requirements of section
 15 31 279.13, subsection 1, paragraph "b", as amended by this Act,
 15 32 if enacted, for the teacher applicant for whom the background
 15 33 check was conducted in the fiscal year beginning July 1, 2007.
 15 34 Sec. 9. DEPARTMENT OF EDUCATION == COMMUNITY COLLEGE
 15 35 ACCREDITATION AND ACCOUNTABILITY WORKING GROUP.



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16 1 1. The department of education shall convene a working
16 2 group to study the community college accreditation process and
16 3 the accountability provisions contained in those accreditation
16 4 process components. The working group shall consider measures
16 5 to ensure consistency in quality statewide and in definitions
16 6 for information and data requirements, ensure adequate
16 7 oversight of community college programming by the state board
16 8 of education, identify barriers to providing quality
16 9 programming, ensure community college faculty compensation is
16 10 competitive nationally, and identify system performance
16 11 measures that adequately respond to identified needs and
16 12 concerns. The department shall review community college
16 13 accreditation processes and system performance measures from
16 14 other states and regions and shall provide the working group
16 15 with the results of the review by January 15, 2009.

16 16 2. The working group shall include but is not limited to
16 17 community college faculty and administrators. The director of
16 18 the department of education may appoint additional education
16 19 stakeholders as appropriate. The Iowa association of
16 20 community college trustees shall appoint one community college
16 21 administrator to the working group and the Iowa state
16 22 education association shall appoint one college faculty member
16 23 to the working group.

16 24 3. The working group shall submit its findings and
16 25 recommendations in a report to the general assembly by January
16 26 15, 2010.

16 27 STATE BOARD OF REGENTS

16 28 Sec. 10. There is appropriated from the general fund of
16 29 the state to the state board of regents for the fiscal year
16 30 beginning July 1, 2008, and ending June 30, 2009, the
16 31 following amounts, or so much thereof as may be necessary, to
16 32 be used for the purposes designated:

16 33 1. OFFICE OF STATE BOARD OF REGENTS

16 34 a. For salaries, support, maintenance, miscellaneous
16 35 purposes, and for not more than the following full-time



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17 1 equivalent positions:
 17 2 \$ 1,263,437
 17 3 FTEs 16.00
 17 4 The state board of regents shall submit a monthly financial
 17 5 report in a format agreed upon by the state board of regents
 17 6 office and the legislative services agency.
 17 7 The state board of regents shall not circumvent the
 17 8 requirements of section 270.10 and, as the board develops any
 17 9 plan regarding the Iowa braille and sight saving school, it
 17 10 shall comply with the requirements of section 270.10.
 17 11 b. For funds to be allocated to the southwest Iowa
 17 12 graduate studies center:
 17 13 \$ 108,698
 17 14 c. For funds to be allocated to the siouxland interstate
 17 15 metropolitan planning council for the tristate graduate center
 17 16 under section 262.9, subsection 21:
 17 17 \$ 80,467
 17 18 d. For funds to be allocated to the quad=cities graduate
 17 19 studies center:
 17 20 \$ 160,806
 17 21 e. For funds to be distributed to the midwestern higher
 17 22 education compact to pay Iowa's member state annual
 17 23 obligation:
 17 24 \$ 90,000
 17 25 2. STATE UNIVERSITY OF IOWA
 17 26 a. General university, including lakeside laboratory
 17 27 For salaries, support, maintenance, equipment,
 17 28 miscellaneous purposes, and for not more than the following
 17 29 full=time equivalent positions:
 17 30 \$258,011,947
 17 31 FTEs 5,058.55
 17 32 b. Center for disabilities and development
 17 33 For salaries, support, maintenance, miscellaneous purposes,
 17 34 and for not more than the following full=time equivalent
 17 35 positions:



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18	1	\$	6,726,227
18	2	FTEs	130.37
18	3	From the funds appropriated in this lettered paragraph,		
18	4	\$200,000 shall be allocated for purposes of the employment		
18	5	policy group.		
18	6	c. Oakdale campus		
18	7	For salaries, support, maintenance, miscellaneous purposes,		
18	8	and for not more than the following full-time equivalent		
18	9	positions:		
18	10	.....	\$	2,726,485
18	11	.....	FTEs	38.25
18	12	d. State hygienic laboratory		
18	13	For salaries, support, maintenance, miscellaneous purposes,		
18	14	and for not more than the following full-time equivalent		
18	15	positions:		
18	16	.....	\$	4,182,151
18	17	.....	FTEs	102.50
18	18	e. Family practice program		
18	19	For allocation by the dean of the college of medicine, with		
18	20	approval of the advisory board, to qualified participants to		
18	21	carry out the provisions of chapter 148D for the family		
18	22	practice program, including salaries and support, and for not		
18	23	more than the following full-time equivalent positions:		
18	24	.....	\$	2,179,043
18	25	.....	FTEs	190.40
18	26	f. Child health care services		
18	27	For specialized child health care services, including		
18	28	childhood cancer diagnostic and treatment network programs,		
18	29	rural comprehensive care for hemophilia patients, and the Iowa		
18	30	high-risk infant follow-up program, including salaries and		
18	31	support, and for not more than the following full-time		
18	32	equivalent positions:		
18	33	\$	732,388
18	34	FTEs	57.97
18	35	g. Statewide cancer registry		



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19 1 For the statewide cancer registry, and for not more than
 19 2 the following full-time equivalent positions:
 19 3 \$ 184,578
 19 4 FTEs 2.10
 19 5 h. Substance abuse consortium
 19 6 For funds to be allocated to the Iowa consortium for
 19 7 substance abuse research and evaluation, and for not more than
 19 8 the following full-time equivalent position:
 19 9 \$ 67,877
 19 10 FTEs 1.00
 19 11 i. Center for biocatalysis
 19 12 For the center for biocatalysis, and for not more than the
 19 13 following full-time equivalent positions:
 19 14 \$ 902,687
 19 15 FTEs 6.28
 19 16 j. Primary health care initiative
 19 17 For the primary health care initiative in the college of
 19 18 medicine, and for not more than the following full-time
 19 19 equivalent positions:
 19 20 \$ 793,920
 19 21 FTEs 5.89
 19 22 From the funds appropriated in this lettered paragraph,
 19 23 \$330,000 shall be allocated to the department of family
 19 24 practice at the state university of Iowa college of medicine
 19 25 for family practice faculty and support staff.
 19 26 k. Birth defects registry
 19 27 For the birth defects registry, and for not more than the
 19 28 following full-time equivalent position:
 19 29 \$ 46,685
 19 30 FTEs 1.00
 19 31 l. Larned A. Waterman Iowa nonprofit resource center
 19 32 For the Larned A. Waterman Iowa nonprofit resource center:
 19 33 \$ 200,000
 19 34 m. Agricultural health and safety programs
 19 35 For a program for farmers with disabilities:



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20 1 \$ 130,000
 20 2 Funds appropriated for purposes of this lettered paragraph
 20 3 shall be used for a grant to a national nonprofit organization
 20 4 with over 80 years of experience in assisting children and
 20 5 adults with disabilities and special needs. The funds shall
 20 6 be used for a nationally recognized program that began in 1986
 20 7 and has been replicated in at least 30 other states, but which
 20 8 is not available through any other entity in this state, that
 20 9 provides assistance to farmers with disabilities in all 99
 20 10 counties to allow the farmers to remain in their own homes and
 20 11 be gainfully engaged in farming through provision of
 20 12 agricultural worksite and home modification consultations,
 20 13 peer support services, services to families, information and
 20 14 referral, and equipment loan services.
 20 15 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
 20 16 a. General university
 20 17 For salaries, support, maintenance, equipment,
 20 18 miscellaneous purposes, and for not more than the following
 20 19 full-time equivalent positions:
 20 20 \$204,145,406
 20 21 FTEs 3,647.42
 20 22 b. Agricultural experiment station
 20 23 For salaries, support, maintenance, miscellaneous purposes,
 20 24 and for not more than the following full-time equivalent
 20 25 positions:
 20 26 \$ 34,493,006
 20 27 FTEs 546.98
 20 28 c. Cooperative extension service in agriculture and home
 20 29 economics
 20 30 For salaries, support, maintenance, miscellaneous purposes,
 20 31 and for not more than the following full-time equivalent
 20 32 positions:
 20 33 \$ 21,900,084
 20 34 FTEs 383.34
 20 35 d. Leopold center



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21 1 For agricultural research grants at Iowa state university
 21 2 of science and technology under section 266.39B, and for not
 21 3 more than the following full-time equivalent positions:
 21 4 \$ 490,572
 21 5 FTEs 11.25
 21 6 e. Livestock disease research
 21 7 For deposit in and the use of the livestock disease
 21 8 research fund under section 267.8:
 21 9 \$ 220,708
 21 10 f. Veterinary diagnostic laboratory
 21 11 For purposes of supporting the college of veterinary
 21 12 medicine for the operation of the veterinary diagnostic
 21 13 laboratory:
 21 14 \$ 1,000,000
 21 15 (1) Iowa state university shall not reduce the amount that
 21 16 it allocates to support the college of veterinary medicine
 21 17 from any other source due to the appropriation made in this
 21 18 lettered paragraph.
 21 19 (2) If by the end of the fiscal year Iowa state university
 21 20 fails to allocate the moneys appropriated in this lettered
 21 21 paragraph to the college of veterinary medicine in accordance
 21 22 with this lettered paragraph, the moneys appropriated in this
 21 23 lettered paragraph for that fiscal year shall revert to the
 21 24 general fund.
 21 25 (3) It is the intent of the general assembly that a future
 21 26 general assembly appropriate moneys to Iowa state university
 21 27 of science and technology for the designated fiscal year, or
 21 28 so much thereof as is necessary, to be used for the purposes
 21 29 designated:
 21 30 For purposes of supporting the college of veterinary
 21 31 medicine for the operation of the veterinary diagnostic
 21 32 laboratory:
 21 33 FY 2009=2010 \$ 4,000,000
 21 34 4. UNIVERSITY OF NORTHERN IOWA
 21 35 a. General university



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22 1 For salaries, support, maintenance, equipment,
 22 2 miscellaneous purposes, and for not more than the following
 22 3 full-time equivalent positions:
 22 4 \$ 92,495,485
 22 5 FTEs 1,449.48
 22 6 b. Recycling and reuse center
 22 7 For purposes of the recycling and reuse center, and for not
 22 8 more than the following full-time equivalent positions:
 22 9 \$ 219,279
 22 10 FTEs 3.00
 22 11 5. STATE SCHOOL FOR THE DEAF
 22 12 For salaries, support, maintenance, miscellaneous purposes,
 22 13 and for not more than the following full-time equivalent
 22 14 positions:
 22 15 \$ 9,883,399
 22 16 FTEs 126.60
 22 17 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 22 18 For salaries, support, maintenance, miscellaneous purposes,
 22 19 and for not more than the following full-time equivalent
 22 20 positions:
 22 21 \$ 5,565,229
 22 22 FTEs 62.87
 22 23 7. TUITION AND TRANSPORTATION COSTS
 22 24 For payment to local school boards for the tuition and
 22 25 transportation costs of students residing in the Iowa braille
 22 26 and sight saving school and the state school for the deaf
 22 27 pursuant to section 262.43 and for payment of certain
 22 28 clothing, prescription, and transportation costs for students
 22 29 at these schools pursuant to section 270.5:
 22 30 \$ 15,020
 22 31 Sec. 11. BOARD OF REGENTS UNIVERSITY STUDY == WOMEN AND
 22 32 MINORITIES IN STEM PROGRAMS AND COLLEGES.
 22 33 1. The state board of regents shall require the
 22 34 universities it governs to collect data and report on the
 22 35 proportion of women and minorities enrolled in science,



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23 1 technology, engineering, and mathematics programs and
23 2 colleges, including high school programs such as project lead
23 3 the way. The state board of regents shall submit the data and
23 4 its findings and recommendations in a report to the general
23 5 assembly by January 15, 2009.

23 6 2. The state board of regents shall direct the
23 7 universities it governs to take every reasonable measure to
23 8 improve the proportion of women and minorities in university
23 9 science, technology, engineering, and mathematics programs and
23 10 colleges.

23 11 Sec. 12. BABY BOOM GENERATION WORKFORCE STUDY. If
23 12 sufficient funding is approved or appropriated by the general
23 13 assembly, or if a local political subdivision provides
23 14 sufficient funding, or if sufficient private funding becomes
23 15 available to the state board of regents for such purpose, the
23 16 department of sociology at Iowa state university of science
23 17 and technology, in coordination with Iowa state university
23 18 extension, shall conduct a study regarding current and
23 19 potential efforts to retain Iowans of the baby boom generation
23 20 and attract those who have emigrated from the state as well as
23 21 potential new Iowans of the baby boom generation. Such
23 22 efforts may include but are not limited to community
23 23 attractions, recreation, health and wellness opportunities,
23 24 and other quality of life measures. The study shall also
23 25 consider those who reside in other states for part of the
23 26 year, the career opportunities available to baby boomers, the
23 27 educational needs of baby boomers and the career experiences
23 28 and productivity benefits that baby boomers bring to Iowa's
23 29 workforce. For purposes of this section, "baby boom
23 30 generation" and "baby boomers" includes people born no earlier
23 31 than 1946 and no later than 1964. The results of the study
23 32 shall be made available in a report to the governor and the
23 33 general assembly by January 15, 2009.

23 34 Sec. 13. For the fiscal year beginning July 1, 2008, and
23 35 ending June 30, 2009, the state board of regents may use



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24 1 notes, bonds, or other evidences of indebtedness issued under
24 2 section 262.48 to finance projects that will result in energy
24 3 cost savings in an amount that will cause the state board to
24 4 recover the cost of the projects within an average of six
24 5 years.

24 6 Sec. 14. Notwithstanding section 270.7, the department of
24 7 administrative services shall pay the state school for the
24 8 deaf and the Iowa braille and sight saving school the moneys
24 9 collected from the counties during the fiscal year beginning
24 10 July 1, 2008, for expenses relating to prescription drug costs
24 11 for students attending the state school for the deaf and the
24 12 Iowa braille and sight saving school.

24 13 Sec. 15. Section 28.8, subsection 3, Code 2007, is amended
24 14 by adding the following new paragraph:

24 15 NEW PARAGRAPH. d. Support services for child care
24 16 facilities registered or licensed under chapter 237A to
24 17 prevent the spread of infectious diseases, prevent child
24 18 injuries, develop health emergency protocols, help with
24 19 medication, and care for children with special health needs.

24 20 Sec. 16. Section 28.8, subsection 5, paragraphs a and e,
24 21 Code 2007, are amended to read as follows:

24 22 a. A school ready children grant shall be awarded to a
24 23 community board ~~for a three-year period, with annual payments~~
~~24 24 made to the community board annually.~~ The Iowa empowerment
24 25 board may grant an extension from the award date and any
24 26 application deadlines based upon the award date, to allow for
24 27 a later implementation date in the initial year in which a
24 28 community board submits a comprehensive school ready grant
24 29 plan to the Iowa empowerment board. However, receipt of
24 30 continued funding is subject to submission of the required
24 31 annual report and the Iowa board's determination that the
24 32 community board is measuring, through the use of performance
24 33 and results indicators developed by the Iowa board with input
24 34 from community boards, progress toward and is achieving the
24 35 desired results identified in the grant plan. If progress is



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25 1 not measured through the use of performance and results
25 2 indicators toward achieving the identified results, the Iowa
25 3 board may request a plan of corrective action, withhold any
25 4 increase in funding, or withdraw grant funding.
25 5 e. The amount of school ready children grant funding the
25 6 Iowa empowerment board shall identify and apply limitations on
~~25 7 the carryforward of school ready children grant funding may~~
~~25 8 carry forward annually shall not exceed twenty percent. The~~
~~25 9 limitations shall address an unusually high percentage of a~~
~~25 10 grant being carried forward, the number of years a grant has~~
~~25 11 been carried forward which shall not exceed three years, and~~
~~25 12 other objective criteria. The limitations shall make~~
~~25 13 allowances for special circumstances such as the carryforward~~
~~25 14 of funding that is designated for a particular purpose and is~~
~~25 15 scheduled in the grant plan. The board may provide for~~
~~25 16 redistribution or other redirection of the funding that meets~~
~~25 17 the criteria. School ready children grant funds received by a~~
25 18 community empowerment board in a fiscal year shall be carried
25 19 forward to the following fiscal year. However, any funds
25 20 which remain unencumbered and unobligated in excess of twenty
25 21 percent of the funds received in a fiscal year shall be
25 22 subtracted by the Iowa empowerment board from the allocation
25 23 to the community empowerment board for the following fiscal
25 24 year.

25 25 Sec. 17. Section 256.26, subsection 6, Code Supplement
25 26 2007, is amended by striking the subsection and inserting in
25 27 lieu thereof the following:

25 28 6. An applicant serving middle and high school-age youth
25 29 is eligible for funding under this section if the applicant
25 30 demonstrates that the applicant is serving youth at least once
25 31 a week or a minimum of two hours per week.

25 32 Sec. 18. Section 256.26, Code Supplement 2007, is amended
25 33 by adding the following new subsection:

25 34 NEW SUBSECTION. 7. Grant funding may be used for
25 35 programming for multiple fiscal years as proposed by the



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26 1 applicant and approved by the department.

26 2 Sec. 19. Section 256B.15, subsection 7, Code 2007, is

26 3 amended to read as follows:

~~26 4 7. a. The treasurer of the state shall credit receipts
26 5 received under this section to the department of human
26 6 services to pay contractual fees incurred by the department to
26 7 maximize federal funding for special education services. All
26 8 remaining receipts in excess of the amount necessary to pay
26 9 contractual fees shall be credited to the department of human
26 10 services medical assistance account.~~

26 11 b. The area education agencies shall, after determining
~~26 12 the administrative costs associated with the implementation of
26 13 medical assistance reimbursement for the eligible services, be
26 14 permitted to retain up to twenty-five percent of the federal
26 15 portion of the total amount reimbursed to pay for the
26 16 administrative costs transfer to the department of education
26 17 an amount equal to eighty-four percent of the payments
26 18 received from the medical assistance program provided pursuant
26 19 to chapter 249A. This limitation requirement does not apply
26 20 to medical assistance reimbursement for services provided by
26 21 an area education agency under part C of the federal
26 22 Individuals With Disabilities Education Act. Funds received
26 23 under this section shall not be considered or included as part
26 24 of the area education agencies' budgets when calculating funds
26 25 that are to be received by area education agencies during a
26 26 fiscal year.~~

26 27 Sec. 20. Section 257B.1B, subsection 1, Code 2007, is
26 28 amended to read as follows:

~~26 29 1. For the fiscal year beginning July 1, 2004, and each
26 30 succeeding fiscal year, fifty-five percent of the moneys
26 31 deposited in the fund to the department of education for
26 32 allocation to the Iowa reading recovery council university of
26 33 northern Iowa to assist school districts in developing reading
26 34 recovery and literacy programs. The Iowa reading recovery
26 35 council shall use the area education agency unified budget as~~



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~~27 1 its fiscal agent for grant moneys and for other moneys
27 2 administered by the council.~~

27 3 Sec. 21. Section 260C.18C, subsection 2, unnumbered
27 4 paragraph 1, Code 2007, is amended to read as follows:

27 5 As used in this section and section 260C.18D, unless the
27 6 context otherwise requires:

27 7 Sec. 22. NEW SECTION. 260C.18D INSTRUCTOR SALARY
27 8 DISTRIBUTION FORMULA.

27 9 1. DISTRIBUTION FORMULA. Moneys appropriated by the
27 10 general assembly to the department for community college
27 11 instructor salaries shall be distributed among each community
27 12 college based on the proportion that the number of full-time
27 13 equivalent instructors employed by a community college bears
27 14 to the sum of the number of full-time equivalent eligible
27 15 instructors who are employed by all community colleges in the
27 16 state for the base year. The state board shall define
27 17 "eligible full-time equivalent instructor" by rule.

27 18 2. BASE FUNDING ALLOCATION. Moneys distributed to each
27 19 community college under subsection 1 shall be included in the
27 20 base funding allocation for all future years. The use of the
27 21 funds shall remain as described in this section for all future
27 22 years.

27 23 3. PURPOSES SUPPLEMENTAL. Moneys appropriated and
27 24 distributed to community colleges under this section shall be
27 25 used to supplement and not supplant any approved faculty
27 26 salary increases or negotiated agreements, excluding the
27 27 distribution of the funds in this section.

27 28 4. ELIGIBLE INSTRUCTORS. Moneys distributed to a
27 29 community college under this section shall be allocated to all
27 30 full-time, nonadministrative instructors and part-time
27 31 instructors covered by a collective bargaining agreement. The
27 32 moneys shall be allocated by negotiated agreements according
27 33 to chapter 20. If no language exists, the moneys shall be
27 34 allocated equally to all full-time, nonadministrative
27 35 instructors with part-time instructors covered by a collective



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28 1 bargaining agreement receiving a prorated share of the fund.
28 2 Sec. 23. Section 260C.36, subsection 1, Code Supplement
28 3 2007, is amended by adding the following new paragraph:
28 4 NEW PARAGRAPH. j. Determination of the faculty that will
28 5 be included in the plan including but not limited to all
28 6 instructors, counselors, and media specialists. The plan
28 7 requirements may be differentiated for each type of employee.
28 8 Sec. 24. Section 260C.36, Code Supplement 2007, is amended
28 9 by adding the following new subsection:
28 10 NEW SUBSECTION. 4. The department of education shall
28 11 establish the following committees:
28 12 a. An ad hoc accreditation quality faculty plan protocol
28 13 committee to advise the department in the development of
28 14 protocols related to the quality faculty planning process to
28 15 be used by the accreditation teams during site visits. The
28 16 committee shall, at a minimum, determine what types of
28 17 evidence need to be provided, develop interview procedures and
28 18 visit goals, and propose accreditation protocol revisions.
28 19 b. An ongoing quality faculty plan professional
28 20 development committee. The committee shall, at a minimum, do
28 21 the following:
28 22 (1) Develop systemic, ongoing, and sustainable statewide
28 23 professional development opportunities that support
28 24 institutional development as well as individual development
28 25 and support of the quality faculty plans. The opportunities
28 26 may include web-based systems to share promising practices.
28 27 (2) Determine future professional development needs.
28 28 (3) Develop or identify training and assistance relating
28 29 to the quality faculty plan process and requirements.
28 30 (4) Assist the department and community colleges in
28 31 developing professional development consortia.
28 32 (5) Review and identify best practices in each community
28 33 college quality faculty plan, including best practices
28 34 regarding adjunct faculty.
28 35 c. A community college faculty advisory committee



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29 1 consisting of one member and one alternate from each community
29 2 college, appointed by the committee established pursuant to
29 3 subsection 1. The committee membership shall be equally
29 4 represented by individuals from the liberal arts and sciences
29 5 faculty and the career and technical faculty. The committee
29 6 shall, at a minimum, keep faculty informed of higher education
29 7 issues, facilitate communication between the faculty and the
29 8 department on an ongoing basis, and serve as an advisory
29 9 committee to the department and community colleges on faculty
29 10 issues.

29 11 Sec. 25. Section 260C.48, subsection 1, unnumbered
29 12 paragraph 1, Code Supplement 2007, is amended to read as
29 13 follows:

29 14 The state board shall develop standards and rules for the
29 15 accreditation of community college programs. Except as
29 16 provided in this subsection and subsection 4, standards
29 17 developed shall be general in nature so as to apply to more
29 18 than one specific program of instruction. With regard to
29 19 community college=employed instructors, the standards adopted
29 20 shall at a minimum require that community college instructors
29 21 ~~who are under contract for at least half-time or more~~ meet the
29 22 following requirements:

29 23 Sec. 26. Section 260C.48, subsection 1, paragraph b,
29 24 subparagraph (2), Code Supplement 2007, is amended to read as
29 25 follows:

29 26 (2) ~~Has~~ Have two or more years of successful experience in
29 27 a professional field or area in which the instructor is
29 28 teaching classes and in which postbaccalaureate recognition or
29 29 professional licensure is necessary for practice, including
29 30 but not limited to the fields or areas of accounting,
29 31 engineering, law, law enforcement, and medicine.

29 32 Sec. 27. Section 261.2, Code Supplement 2007, is amended
29 33 by adding the following new subsection:

29 34 NEW SUBSECTION. 9. Submit by January 15 annually a report
29 35 to the general assembly which provides, by program, the number



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30 1 of individuals who received loan forgiveness in the previous
30 2 fiscal year, the amount paid to individuals under section
30 3 261.19A, 261.23, 261.73, and 261.112, and the institutions
30 4 from which individuals graduated, and that includes any
30 5 proposed statutory changes and the commission's findings and
30 6 recommendations.

30 7 Sec. 28. NEW SECTION. 261.18 BARBER AND COSMETOLOGY ARTS
30 8 AND SCIENCES TUITION GRANT PROGRAM.

30 9 1. A barber and cosmetology arts and sciences tuition
30 10 grant may be awarded to any resident of Iowa who establishes
30 11 financial need and is admitted and in attendance as a
30 12 full-time or part-time student in a course of study at an
30 13 eligible school.

30 14 2. All classes identified by the barber school or school
30 15 of cosmetology arts and sciences as required for completion of
30 16 a course of study required for licensure as provided in
30 17 section 158.8 or required for licensure as provided in section
30 18 157.10, shall be considered a part of the student's barber or
30 19 cosmetology course of study for the purpose of determining the
30 20 student's eligibility for a grant. Notwithstanding subsection
30 21 3, if a student is making satisfactory academic progress but
30 22 the student cannot complete the course of study in the time
30 23 frame allowed for a student to receive a barber and
30 24 cosmetology arts and sciences tuition grant as provided in
30 25 subsection 3 because additional classes are required to
30 26 complete the course of study, the student may continue to
30 27 receive a barber and cosmetology arts and sciences tuition
30 28 grant for not more than one additional enrollment period.

30 29 3. A qualified full-time student may receive a barber and
30 30 cosmetology arts and sciences tuition grant for not more than
30 31 four semesters or the trimester or quarter equivalent of two
30 32 full years of study. A qualified part-time student enrolled
30 33 in a course of study including at least three semester hours
30 34 but fewer than twelve semester hours or the trimester or
30 35 quarter equivalent may receive barber and cosmetology arts and



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31 1 sciences tuition grants for not more than eight semesters or
31 2 the trimester or quarter equivalent of two full years of
31 3 full-time study. However, if a student resumes study after at
31 4 least a two-year absence, the student may again be eligible
31 5 for the specified amount of time, except that the student
31 6 shall not receive assistance for courses for which credit was
31 7 previously received.

31 8 4. a. The amount of a barber and cosmetology arts and
31 9 sciences tuition grant to a qualified full-time student shall
31 10 not exceed the lesser of one thousand two hundred dollars per
31 11 year or the amount of the student's established financial
31 12 need.

31 13 b. The amount of a barber and cosmetology arts and
31 14 sciences tuition grant to a qualified part-time student
31 15 enrolled in a course of study including at least three
31 16 semester hours but fewer than twelve semester hours or the
31 17 trimester or quarter equivalent shall be equal to the amount
31 18 of a barber and cosmetology arts and sciences tuition grant
31 19 that would be paid to a full-time student, except that the
31 20 commission shall prorate the amount in a manner consistent
31 21 with the federal Pell grant program proration.

31 22 5. A barber and cosmetology arts and sciences tuition
31 23 grant shall be awarded on an annual basis, requiring
31 24 reapplication by the student for each year. Payments under
31 25 the grant shall be allocated equally among the semesters or
31 26 quarters of the year upon certification by the institution
31 27 that the student is in full-time or part-time attendance in a
31 28 course of study at a licensed barber school or school of
31 29 cosmetology arts and sciences. If the student discontinues
31 30 attendance before the end of any term after receiving payment
31 31 of the grant, the entire amount of any refund due that
31 32 student, up to the amount of any payments made under the
31 33 annual grant, shall be paid by the institution to the state.

31 34 6. If a student receives financial aid under any other
31 35 program, the full amount of that financial aid shall be



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32 1 considered part of the student's financial resources available
32 2 in determining the amount of the student's financial need for
32 3 that period.

32 4 7. The commission shall administer this program and shall:

32 5 a. Provide application forms for distribution to students
32 6 by Iowa high schools, licensed barber schools and schools of
32 7 cosmetology arts and sciences, and community colleges.

32 8 b. Adopt rules for determining financial need, defining
32 9 residence for the purposes of this section, processing and
32 10 approving applications for grants and determining priority for
32 11 grants.

32 12 c. Approve and award grants on an annual basis.

32 13 d. Make an annual report to the governor and general
32 14 assembly. The report shall include the number of students
32 15 receiving assistance under this section.

32 16 8. Each applicant, in accordance with the rules
32 17 established by the commission, shall:

32 18 a. Complete and file an application for a barber and
32 19 cosmetology arts and sciences tuition grant.

32 20 b. Be responsible for the submission of the financial
32 21 information required for evaluation of the applicant's need
32 22 for a grant, on forms determined by the commission.

32 23 c. Report promptly to the commission any information
32 24 requested.

32 25 d. Submit a new application and financial statement for
32 26 reevaluation of the applicant's eligibility to receive a
32 27 second-year renewal of the grant.

32 28 9. For purposes of this section, "eligible school" means a
32 29 barber school licensed under section 158.7 or a school of
32 30 cosmetology arts and sciences licensed under chapter 157. An
32 31 eligible school shall be accredited by a national accrediting
32 32 agency recognized by the United States department of education
32 33 and shall meet the criteria in section 261.9, subsection 1,
32 34 paragraphs "d" through "g". An eligible school shall report
32 35 promptly to the commission any information requested.



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33 1 Sec. 29. Section 261.25, subsections 1 and 2, Code
33 2 Supplement 2007, are amended to read as follows:
33 3 1. There is appropriated from the general fund of the
33 4 state to the commission for each fiscal year the sum of
33 5 ~~forty-eight~~ fifty million ~~three hundred~~ seventy-three thousand
33 6 seven hundred eighteen dollars for tuition grants.
33 7 2. There is appropriated from the general fund of the
33 8 state to the commission for each fiscal year the sum of five
33 9 million ~~three five hundred~~ seventy-four ~~twenty-four~~ thousand
33 10 eight hundred fifty-eight dollars for tuition grants for
33 11 students attending for-profit accredited private institutions
33 12 located in Iowa. A for-profit institution which, effective
33 13 March 9, 2005, purchased an accredited private institution
33 14 that was exempt from taxation under section 501(c) of the
33 15 Internal Revenue Code, shall be an eligible institution under
33 16 the tuition grant program. In the case of a qualified student
33 17 who was enrolled in such accredited private institution that
33 18 was purchased by the for-profit institution effective March 9,
33 19 2005, and who continues to be enrolled in the eligible
33 20 institution in succeeding years, the amount the student
33 21 qualifies for under this subsection shall be not less than the
33 22 amount the student qualified for in the fiscal year beginning
33 23 July 1, 2004. For purposes of the tuition grant program,
33 24 "for-profit accredited private institution" means an
33 25 accredited private institution which is not exempt from
33 26 taxation under section 501(c)(3) of the Internal Revenue Code
33 27 but which otherwise meets the requirements of section 261.9,
33 28 subsection 1, paragraph "b", and whose students were eligible
33 29 to receive tuition grants in the fiscal year beginning July 1,
33 30 2003.
33 31 Sec. 30. NEW SECTION. 261.73 CHIROPRACTIC LOAN
33 32 FORGIVENESS PROGRAM.
33 33 1. A chiropractic loan forgiveness program is established
33 34 to be administered by the commission. A chiropractor is
33 35 eligible for the program if the chiropractor is a resident of



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34 1 this state, is licensed to practice under chapter 151, and is
34 2 engaged in the practice of chiropractic in this state.
34 3 2. Each applicant for loan forgiveness shall, in
34 4 accordance with the rules of the commission, do the following:
34 5 a. Complete and file an application for chiropractic loan
34 6 forgiveness. The individual shall be responsible for the
34 7 prompt submission of any information required by the
34 8 commission.
34 9 b. File a new application and submit information as
34 10 required by the commission annually on the basis of which the
34 11 applicant's eligibility for the renewed loan forgiveness will
34 12 be evaluated and determined.
34 13 c. Complete and return on a form approved by the
34 14 commission an affidavit of practice verifying that the
34 15 applicant meets the eligibility requirements of subsection 1.
34 16 3. The annual amount of chiropractic loan forgiveness
34 17 shall not exceed the resident tuition rate established for
34 18 institutions of higher learning governed by the state board of
34 19 regents for the first year following the chiropractor's
34 20 graduation from a college of chiropractic approved by the
34 21 board of chiropractic in accordance with section 151.4, or
34 22 twenty percent of the chiropractor's total federally
34 23 guaranteed Stafford loan amount under the federal family
34 24 education loan program or the federal direct loan program,
34 25 including principal and interest, whichever amount is less. A
34 26 chiropractor shall be eligible for the loan forgiveness
34 27 program for not more than five consecutive years.
34 28 4. A chiropractic loan forgiveness repayment fund is
34 29 created for deposit of moneys appropriated to or received by
34 30 the commission for use under the program. Notwithstanding
34 31 section 8.33, moneys deposited in the fund shall not revert to
34 32 any fund of the state at the end of any fiscal year but shall
34 33 remain in the chiropractic loan forgiveness repayment fund and
34 34 be continuously available for loan forgiveness under the
34 35 program. Notwithstanding section 12C.7, subsection 2,



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35 1 interest or earnings on moneys deposited in the fund shall be
35 2 credited to the fund.

35 3 5. The commission shall adopt rules pursuant to chapter
35 4 17A to administer this section.

35 5 Sec. 31. Section 279.13, subsection 1, paragraph b,
35 6 subparagraphs (1) and (2), Code Supplement 2007, are amended
35 7 by striking the subparagraphs and inserting the following:

35 8 (1) Prior to entering into an initial contract with a
35 9 teacher who holds a license other than an initial license
35 10 issued by the board of educational examiners under chapter
35 11 272, the school district shall initiate a state criminal
35 12 history record check of the applicant through the division of
35 13 criminal investigation of the department of public safety,
35 14 submit the applicant's fingerprints to the division for
35 15 submission to the federal bureau of investigation for a
35 16 national criminal history record check, and review the sex
35 17 offender registry information under section 692A.13, the
35 18 central registry for child abuse information established under
35 19 section 235A.14, and the central registry for dependent adult
35 20 abuse information established under section 235B.5 for
35 21 information regarding applicants for employment as a teacher.

35 22 (2) The school district may charge the applicant a fee not
35 23 to exceed the actual cost charged the school district for the
35 24 state and national criminal history checks and registry checks
35 25 conducted pursuant to subparagraph (1).

35 26 Sec. 32. Section 279.13, subsection 1, paragraph b,
35 27 subparagraphs (3) and (4), Code Supplement 2007, are amended
35 28 by striking the subparagraphs.

35 29 Sec. 33. Section 331.653, subsection 27, Code 2007, is
35 30 amended to read as follows:

35 31 27. Give notice of the time and place of making an
35 32 appraisal of unneeded school land as provided in ~~sections~~
35 33 section 297.17 and 297.28.

35 34 Sec. 34. 2006 Iowa Acts, chapter 1157, section 18, as
35 35 amended by 2007 Iowa Acts, chapter 214, section 41, is amended



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36 1 to read as follows:

36 2 SEC. 18. EARLY CARE, HEALTH, AND EDUCATION PROGRAMS == FY
36 3 2007=2008 AND 2008=2009.

36 4 1. There is appropriated from the general fund of the
36 5 state to the department of education for deposit in the school
36 6 ready children grants account of the Iowa empowerment fund for
36 7 each fiscal year of the fiscal period beginning July 1, 2007,
36 8 and ending June 30, 2009, the following amount, or so much
36 9 thereof as is necessary, to be used for the purposes
36 10 designated:

36 11 For early care, health, and education and preschool
36 12 programs, to continue programs and initiatives developed
36 13 pursuant to the appropriation made in this division of this
36 14 Act for this purpose for the fiscal year beginning July 1,
36 15 2006:

36 16 \$ 10,000,000

36 17 2. Funds appropriated in this section shall be allocated
36 18 in the same manner as provided in section 17 except as
36 19 provided in subsection 3.

36 20 3. The amount allocated under section 17, subsection 4,
36 21 paragraph "a", for the fiscal year beginning July 1, 2008,
36 22 shall be distributed as follows:

36 23 a. For deposit in the community empowerment gifts and
36 24 grants account created in section 28.9, subsection 5, as
36 25 enacted in this Act, the sum of \$250,000.

36 26 b. For purposes of the before and after school grant
36 27 program established pursuant to section 256.26, as enacted by
36 28 2007 Iowa Acts, chapter 214, section 19, the sum of \$595,000.

36 29 c. For implementation of early head start projects
36 30 addressing the comprehensive cognitive, social, emotional, and
36 31 developmental needs of children from birth to age three,
36 32 including prenatal support for qualified families, the sum of
36 33 \$100,000.

36 34 Early head start projects shall promote healthy prenatal
36 35 outcomes, healthy family functioning, and strengthen the



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37 1 development of infants and toddlers in low-income families.

37 2 d. To assist a vocational agriculture youth organization
 37 3 sponsored by the schools to support the foundation established
 37 4 by that vocational agriculture youth organization and for
 37 5 other youth activities, the sum of \$50,000. Funds
 37 6 appropriated in this paragraph shall be allocated only to the
 37 7 extent that the state moneys are matched from other sources by
 37 8 the organization on a dollar-for-dollar basis.

37 9 e. For purposes of the work-study program established
 37 10 pursuant to section 261.81, the sum of \$5,000.

37 11 Sec. 35. 2006 Iowa Acts, chapter 1180, section 6,
 37 12 subsection 14, as amended by 2007 Iowa Acts, chapter 214,
 37 13 section 42, is amended to read as follows:

37 14 14. READING INSTRUCTION PILOT PROJECT GRANT PROGRAM

37 15 For the implementation of the reading instruction pilot
 37 16 project grant program, if enacted by this Act:

37 17 \$ 250,000

37 18 From the funds appropriated pursuant to this subsection,
 37 19 ~~\$62,500~~ \$12,500 shall be allocated equally amongst five pilot
 37 20 projects for purposes of teacher training in descubriendo la
 37 21 lectura, the reconstruction of reading recovery in Spanish,
 37 22 including books and materials for teaching, travel expenses,
 37 23 and professional development; \$50,000 shall be allocated to
 37 24 the university of northern Iowa for reading recovery; and
 37 25 \$187,500 shall be allocated to the Iowa empowerment fund for
 37 26 implementation of the business community investment advisory
 37 27 council report and recommendations. Notwithstanding section
 37 28 8.33, moneys allocated to the university of northern Iowa in
 37 29 this subsection that remain unencumbered or unobligated at the
 37 30 close of the fiscal year shall not revert but shall remain
 37 31 available for expenditure for the purpose designated until the
 37 32 close of the following fiscal year.

37 33 Sec. 36. Sections 297.26 through 297.32, Code 2007, are
 37 34 repealed.

37 35 Sec. 37. Section 279.65, Code Supplement 2007, is



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38 1 repealed.

38 2 Sec. 38. EFFECTIVE DATE. The section of this division of
38 3 this Act amending 2006 Iowa Acts, chapter 1180, section 6,
38 4 subsection 14, as amended by 2007 Iowa Acts, chapter 214,
38 5 section 42, being deemed of immediate importance, takes effect
38 6 upon enactment.

38 7

DIVISION II

38 8

SENIOR YEAR PLUS PROGRAM

38 9 Sec. 39. Section 11.6, subsection 1, paragraph a,
38 10 unnumbered paragraph 1, Code 2007, is amended to read as
38 11 follows:

38 12 The financial condition and transactions of all cities and
38 13 city offices, counties, county hospitals organized under
38 14 chapters 347 and 347A, memorial hospitals organized under
38 15 chapter 37, entities organized under chapter 28E having gross
38 16 receipts in excess of one hundred thousand dollars in a fiscal
38 17 year, merged areas, area education agencies, and all school
38 18 offices in school districts, shall be examined at least once
38 19 each year, except that cities having a population of seven
38 20 hundred or more but less than two thousand shall be examined
38 21 at least once every four years, and cities having a population
38 22 of less than seven hundred may be examined as otherwise
38 23 provided in this section. The examination shall cover the
38 24 fiscal year next preceding the year in which the audit is
38 25 conducted. The examination of school offices shall include an
38 26 audit of all school funds including categorical funding
38 27 provided by the state, the certified annual financial report,
38 28 the certified enrollment as provided in section 257.6,
38 29 supplementary weighting as provided in section 257.11, and the
38 30 revenues and expenditures of any nonprofit school organization
38 31 established pursuant to section 279.62. Differences in
38 32 certified enrollment shall be reported to the department of
38 33 management. The examination of school offices shall include
38 34 at a minimum a determination that the laws of the state are
38 35 being followed, that categorical funding is not used to



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39 1 supplant other funding except as otherwise provided, that
39 2 supplementary weighting is pursuant to an eligible sharing
39 3 condition, and that postsecondary courses provided in
39 4 accordance with section 257.11 and chapter 261E supplement,
39 5 rather than supplant, school district courses. The
39 6 examination of a city that owns or operates a municipal
39 7 utility providing local exchange services pursuant to chapter
39 8 476 shall include an audit of the city's compliance with
39 9 section 388.10. The examination of a city that owns or
39 10 operates a municipal utility providing telecommunications
39 11 services pursuant to section 388.10 shall include an audit of
39 12 the city's compliance with section 388.10.

39 13 Sec. 40. Section 85.61, subsection 2, unnumbered paragraph
39 14 2, Code Supplement 2007, is amended to read as follows:
39 15 "Employer" also includes and applies to an eligible
39 16 postsecondary institution as defined in section ~~261C.3,~~
~~39 17 subsection 1 261E.2,~~ a school corporation, or an accredited
39 18 nonpublic school if a student enrolled in the eligible
39 19 postsecondary institution, school corporation, or accredited
39 20 nonpublic school is providing unpaid services under a
39 21 school-to-work program that includes, but is not limited to,
39 22 the components provided for in section 258.10, subsection 2,
39 23 paragraphs "a" through "f". However, if a student
39 24 participating in a school-to-work program is participating in
39 25 open enrollment under section 282.18, "employer" means the
39 26 receiving district. "Employer" also includes and applies to a
39 27 community college as defined in section 260C.2, if a student
39 28 enrolled in the community college is providing unpaid services
39 29 under a school-to-work program that includes but is not
39 30 limited to the components provided for in section 258.10,
39 31 subsection 2, paragraphs "a" through "f", and that is offered
39 32 by the community college pursuant to a contractual agreement
39 33 with a school corporation or accredited nonpublic school to
39 34 provide the program. If a student participating in a
39 35 school-to-work program that includes but is not limited to the



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40 1 components provided for in section 258.10, subsection 2,
40 2 paragraphs "a" through "f", is paid for services provided
40 3 under the program, "employer" means any entity otherwise
40 4 defined as an employer under this subsection which pays the
40 5 student for providing services under the program.
40 6 Sec. 41. NEW SECTION. 256.17 POSTSECONDARY COURSE AUDIT
40 7 COMMITTEE.
40 8 1. The department shall establish and facilitate a
40 9 postsecondary course audit committee which shall annually
40 10 audit postsecondary courses offered to high school students in
40 11 accordance with chapter 261E.
40 12 2. The committee shall include but not be limited to
40 13 representatives from the kindergarten through grade twelve
40 14 education community, community colleges, and regents
40 15 universities.
40 16 3. The committee shall establish a sampling technique that
40 17 randomly selects courses for audit. The audit shall include
40 18 but not be limited to a review of the course syllabus, teacher
40 19 qualifications, examples of student products, and results on
40 20 student assessments. Standards for review shall be
40 21 established by the committee and approved by the department.
40 22 Audit findings shall be submitted to the institutions
40 23 providing the classes audited and shall be posted on the
40 24 department's internet site.
40 25 4. If the committee determines that a postsecondary course
40 26 offered to high school students in accordance with chapter
40 27 261E does not meet the standards established by the committee
40 28 pursuant to subsection 3, the course shall not be eligible for
40 29 future supplementary weighting under section 257.11. If the
40 30 institution makes changes to the course sufficient to cause
40 31 the course to meet the standards of the committee, the
40 32 committee may reinstate the eligibility of the course for
40 33 future supplementary weighting under section 257.11.
40 34 Sec. 42. Section 257.6, subsection 1, paragraph a, Code
40 35 Supplement 2007, is amended by adding the following new



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41 1 subparagraph:

41 2 NEW SUBPARAGRAPH. (7) A student attending an accredited
41 3 nonpublic school or receiving competent private instruction
41 4 under chapter 299A, who is participating in a program under
41 5 chapter 261E, shall be counted as a shared-time student in the
41 6 school district in which the nonpublic school of attendance is
41 7 located for state foundation aid purposes.

41 8 Sec. 43. Section 257.6, subsection 6, unnumbered paragraph
41 9 1, Code Supplement 2007, is amended to read as follows:

41 10 For the school year beginning July 1, ~~2001~~ 2008, and each
41 11 succeeding school year, a student shall not be included in a
41 12 district's enrollment for purposes of this chapter or
41 13 considered an eligible pupil under ~~chapter 261C~~ section 261E.5
41 14 if the student meets all of the following:

41 15 Sec. 44. Section 257.6, subsection 6, paragraph b, Code
41 16 Supplement 2007, is amended to read as follows:

41 17 b. Continues enrollment in the district to take courses
41 18 either provided by the district, offered by community colleges
41 19 under the provisions of section 257.11, or to take courses
41 20 under the provisions of ~~chapter 261C~~ section 261E.5.

41 21 Sec. 45. Section 257.11, subsection 2, Code Supplement
41 22 2007, is amended by adding the following new paragraph:

41 23 NEW PARAGRAPH. d. A school district which hosts a
41 24 regional academy shall be eligible to assign its resident
41 25 students attending classes at the academy a weighting of
41 26 one-tenth of the percentage of the student's school day during
41 27 which the student attends classes at the regional academy.
41 28 The maximum amount of additional weighting for which a school
41 29 district hosting a regional academy shall be eligible is an
41 30 amount corresponding to thirty additional students. The
41 31 minimum amount of additional weighting for which a school
41 32 district establishing a regional academy shall be eligible is
41 33 an amount corresponding to fifteen additional students if the
41 34 academy provides both advanced-level courses and career and
41 35 technical courses.



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42 1 Sec. 46. Section 257.11, subsection 3, Code Supplement
42 2 2007, is amended to read as follows:

42 3 3. DISTRICT-TO-COMMUNITY COLLEGE SHARING AND CONCURRENT
42 4 ENROLLMENT PROGRAMS.

42 5 a. In order to provide additional funds for school
42 6 districts which send their resident high school pupils to a
42 7 community college for college-level classes, a supplementary
42 8 weighting plan for determining enrollment is adopted.

42 9 b. If the school budget review committee certifies to the
42 10 department of management that the class would not otherwise be
42 11 implemented without the assignment of additional weighting,
42 12 pupils attending a community college-offered class or
42 13 attending a class taught by a community college-employed
42 14 instructor are assigned a weighting of ~~forty-eight hundredths~~
42 15 of the percentage of the pupil's school day during which the
42 16 pupil attends class in the community college or attends a
42 17 class taught by a community college-employed instructor of
42 18 seventy hundredths for career and technical courses and
42 19 forty-six hundredths for liberal arts and sciences courses.

42 20 The following requirements shall be met for the purposes of
42 21 assigning an additional weighting for classes offered through
42 22 a sharing agreement between a school district and community
42 23 college. The class must be:

42 24 (1) Supplementing, not supplanting, high school courses
42 25 required to be offered pursuant to section 256.11, subsection
42 26 5.

42 27 (2) Included in the community college catalog or an
42 28 amendment or addendum to the catalog.

42 29 (3) Open to all registered community college students, not
42 30 just high school students. The class may be offered in a high
42 31 school attendance center.

42 32 (4) For college credit and the credit must apply toward an
42 33 associate of arts or associate of science degree, or toward an
42 34 associate of applied arts or associate of applied science
42 35 degree, or toward completion of a college diploma program.



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43 1 (5) Taught by a ~~community college=employed~~ an instructor
43 2 employed or contracted by a community college who meets the
43 3 requirements of section 261E.3, subsection 2.

43 4 (6) Taught utilizing the community college course
43 5 syllabus.

43 6 (7) ~~Of the same quality as a course offered on a community~~
43 7 ~~college campus~~ Taught in such a manner as to result in student
43 8 work and student assessment which meet college-level
43 9 expectations.

43 10 Sec. 47. Section 260C.14, subsection 2, Code 2007, is
43 11 amended to read as follows:

43 12 2. Have authority to determine tuition rates for
43 13 instruction. Tuition for residents of Iowa shall not exceed
43 14 the lowest tuition rate per semester, or the equivalent,
43 15 charged by an institution of higher education under the state
43 16 board of regents for a full-time resident student. However,
43 17 except for students enrolled under ~~chapter 261C~~ section
43 18 261E.5, if a local school district pays tuition for a resident
43 19 pupil of high school age, the limitation on tuition for
43 20 residents of Iowa shall not apply, the amount of tuition shall
43 21 be determined by the board of directors of the community
43 22 college with the consent of the local school board, and the
43 23 pupil shall not be included in the full-time equivalent
43 24 enrollment of the community college for the purpose of
43 25 computing general aid to the community college. Tuition for
43 26 nonresidents of Iowa shall not be less than the marginal cost
43 27 of instruction of a student attending the college. A lower
43 28 tuition for nonresidents may be permitted under a reciprocal
43 29 tuition agreement between a merged area and an educational
43 30 institution in another state, if the agreement is approved by
43 31 the director. The board may designate that a portion of the
43 32 tuition moneys collected from students be used for student aid
43 33 purposes.

43 34 Sec. 48. NEW SECTION. 261E.1 SENIOR YEAR PLUS PROGRAM.

43 35 1. A senior year plus program is established to be



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44 1 administered by the department of education to provide Iowa
44 2 high school students increased access to college credit or
44 3 advanced placement coursework. The program shall consist of
44 4 the following elements:
44 5 a. Advanced placement classes, including on-site,
44 6 consortium, and online opportunities and courses delivered via
44 7 the Iowa communications network.
44 8 b. Community college credit courses offered through
44 9 written agreements between school districts and community
44 10 colleges.
44 11 c. College and university credit courses offered to
44 12 individual high school students through the postsecondary
44 13 enrollment options program in accordance with section 261E.5.
44 14 d. Courses offered through regional and career academies
44 15 for college credit.
44 16 e. Internet-based courses offered for college credit,
44 17 including but not limited to courses within the Iowa learning
44 18 online initiative.
44 19 2. The senior year plus programming provided by a school
44 20 district pursuant to sections 261E.4 and 261E.5 may be
44 21 available to students on a year-round basis.
44 22 Sec. 49. NEW SECTION. 261E.2 DEFINITIONS.
44 23 As used in this chapter, unless the context otherwise
44 24 requires:
44 25 1. "Concurrent enrollment" means any course offered to
44 26 students in grades nine through twelve during the regular
44 27 school year approved by the board of directors of a school
44 28 district through a contractual agreement between a community
44 29 college and the school district that meets the provisions of
44 30 section 257.11, subsection 3.
44 31 2. "Department" means the department of education.
44 32 3. "Director" means the director of the department of
44 33 education.
44 34 4. "Eligible postsecondary institution" means an
44 35 institution of higher learning under the control of the state



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45 1 board of regents, a community college established under
45 2 chapter 260C, or an accredited private institution as defined
45 3 in section 261.9.
45 4 5. "Institution" means a school district or eligible
45 5 postsecondary institution delivering the instruction in a
45 6 given program as authorized by this chapter.
45 7 6. "School board" means the board of directors of a school
45 8 district or a collaboration of boards of directors of school
45 9 districts.
45 10 7. "State board" means the state board of education.
45 11 8. "Student" means any individual enrolled in grades nine
45 12 through twelve in a school district who meets the criteria in
45 13 section 261E.3, subsection 1. "Student" includes an
45 14 individual attending an accredited nonpublic school or the
45 15 Iowa school for the deaf or the Iowa braille and sight saving
45 16 school for purposes of sections 261E.4 and 261E.5.
45 17 Sec. 50. NEW SECTION. 261E.3 ELIGIBILITY.
45 18 1. STUDENT ELIGIBILITY. In order to ensure student
45 19 readiness for postsecondary coursework, the student shall meet
45 20 the following criteria:
45 21 a. The student shall meet the enrollment requirements of
45 22 the eligible postsecondary institution providing the course
45 23 credit.
45 24 b. The student shall meet or exceed the minimum
45 25 performance measures on any academic assessments that may be
45 26 required by the eligible postsecondary institution.
45 27 c. The student shall have taken the appropriate course
45 28 prerequisites, if any, prior to enrollment in the eligible
45 29 postsecondary course, as determined by the eligible
45 30 postsecondary institution delivering the course.
45 31 d. The student shall have attained the approval of the
45 32 school board or its designee and the eligible postsecondary
45 33 institution to register for the postsecondary course.
45 34 e. The student shall have demonstrated proficiency in
45 35 reading, mathematics, and science as evidenced by achievement



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46 1 scores on the latest administration of the state assessment
46 2 for which scores are available and as defined by the
46 3 department. If a student is not proficient in one or more of
46 4 the content areas listed in this paragraph, the school board
46 5 may establish alternative but equivalent qualifying
46 6 performance measures including but not limited to additional
46 7 administrations of the state assessment, portfolios of student
46 8 work, student performance rubric, or end-of-course
46 9 assessments.

46 10 f. The student shall meet the definition of eligible
46 11 student under section 261E.5, subsection 6, in order to
46 12 participate in the postsecondary enrollment options program.

46 13 2. TEACHER AND INSTRUCTOR ELIGIBILITY.

46 14 a. A teacher or instructor employed to provide instruction
46 15 under this chapter shall meet the following criteria:

46 16 (1) The teacher shall be appropriately licensed to teach
46 17 the subject the institution is employing the teacher to teach
46 18 and shall meet the standards and requirements set forth which
46 19 other full-time instructors teaching within the academic
46 20 department are required to meet and which are approved by the
46 21 appropriate postsecondary administration.

46 22 (2) The teacher shall collaborate with other secondary and
46 23 postsecondary faculty in the subject area.

46 24 (3) The teacher or instructor shall provide ongoing
46 25 communication about course expectations, including a syllabus
46 26 that describes the content, teaching strategies, performance
46 27 measures, and resource materials used in the course, and
46 28 academic progress to the student and in the case of students
46 29 of minor age, to the parent or legal guardian of the student.

46 30 (4) The teacher or instructor shall provide curriculum and
46 31 instruction that is accepted as college-level work as
46 32 determined by the institution.

46 33 (5) The teacher or instructor shall use valid and reliable
46 34 student assessment measures, to the extent available.

46 35 (6) The teacher or instructor shall have successfully



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47 1 passed a background investigation conducted in accordance with
47 2 section 272.2, subsection 17, prior to providing instruction
47 3 for any program authorized by this chapter.

47 4 b. The teacher or instructor shall be provided with
47 5 appropriate orientation and training in secondary and
47 6 postsecondary professional development related to curriculum,
47 7 pedagogy, assessment, policy implementation, technology, and
47 8 discipline issues.

47 9 c. The eligible postsecondary institution shall provide
47 10 the teacher or instructor with ongoing communication and
47 11 access to instructional resources and support, and shall
47 12 encourage the teacher or instructor to participate in the
47 13 postsecondary institution's academic departmental activities.

47 14 d. The teacher or instructor shall receive adequate
47 15 notification of an assignment to teach a course under this
47 16 chapter and shall be provided adequate preparation time to
47 17 ensure that the course is taught at the college-level.

47 18 e. An individual under suspension or revocation of an
47 19 educational license or statement of professional recognition
47 20 issued by the board of educational examiners shall not be
47 21 allowed to provide instruction for any program authorized by
47 22 this chapter.

47 23 3. INSTITUTIONAL ELIGIBILITY. An institution, in
47 24 collaboration with the school district, providing instruction
47 25 pursuant to this chapter shall meet the following criteria:

47 26 a. The institution shall ensure that students and, in the
47 27 case of minor students, parents or legal guardians, receive
47 28 appropriate course orientation and information, including but
47 29 not limited to a summary of applicable policies and
47 30 procedures, the establishment of a permanent transcript,
47 31 policies on dropping courses, a student handbook, information
47 32 describing student responsibilities, and institutional
47 33 procedures for academic credit transfer.

47 34 b. The institution shall ensure that students have access
47 35 to student support services, including but not limited to



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48 1 tutoring, counseling, advising, library, writing and math
48 2 labs, and computer labs, and student activities, excluding
48 3 postsecondary intercollegiate athletics.
48 4 c. The institution shall ensure that students are properly
48 5 enrolled in courses that will carry college credit.
48 6 d. The institution shall ensure that teachers and students
48 7 receive appropriate orientation and information about the
48 8 institution's expectations.
48 9 e. The institution shall ensure that the courses provided
48 10 achieve the same learning outcomes as similar courses offered
48 11 in the subject area and are accepted as college-level work.
48 12 f. The institution shall review the course on an annual
48 13 basis for continuous improvement, shall follow up with
48 14 students in order to use information gained from the students
48 15 to improve course delivery and content, and shall share data
48 16 on course progress and outcomes with the collaborative
48 17 partners involved with the delivery of the programming and
48 18 with the department, as needed.
48 19 g. The school district shall certify annually to the
48 20 department that the course provided to a high school student
48 21 for postsecondary credit in accordance with this chapter does
48 22 not supplant a course provided by the school district in which
48 23 the student is enrolled.
48 24 h. The institution shall not require a minimum or a
48 25 maximum number of postsecondary credits to be earned by a high
48 26 school student under this chapter.
48 27 i. The institution shall not place restrictions on
48 28 participation in senior year plus programming beyond that
48 29 which is specified in statute or administrative rule.
48 30 j. All eligible postsecondary institutions providing
48 31 programming under this chapter shall include the unique
48 32 student identifier assigned to students while in the
48 33 kindergarten through grade twelve system as a part of the
48 34 institution's student data management system. Eligible
48 35 postsecondary institutions providing programming under this



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49 1 chapter shall cooperate with the department on data requests
49 2 related to the programming.
49 3 Sec. 51. NEW SECTION. 261E.4 ADVANCED PLACEMENT PROGRAM.
49 4 1. A school district shall make available advanced
49 5 placement courses to its resident students through direct
49 6 instruction on-site, collaboration with another school
49 7 district, or by using the online Iowa advanced placement
49 8 academy.
49 9 2. A school district shall provide descriptions of the
49 10 advanced placement courses available to students using a
49 11 course registration handbook.
49 12 3. A school district shall ensure that advanced placement
49 13 course teachers or instructors are appropriately licensed by
49 14 the board of educational examiners in accordance with chapter
49 15 272 and meet the minimum certification requirements of the
49 16 national organization that administers the advanced placement
49 17 program.
49 18 4. A school district shall establish prerequisite
49 19 coursework for each advanced placement course offered and
49 20 shall describe the prerequisites in the course registration
49 21 handbook, which shall be provided to every junior high school
49 22 or middle school student prior to the development of a core
49 23 curriculum plan pursuant to section 279.61.
49 24 Sec. 52. NEW SECTION. 261E.5 POSTSECONDARY ENROLLMENT
49 25 OPTIONS PROGRAM.
49 26 1. PROGRAM ESTABLISHED. The postsecondary enrollment
49 27 options program is established to promote rigorous academic or
49 28 career and technical pursuits and to provide a wider variety
49 29 of options to high school students by enabling ninth and tenth
49 30 grade students who have been identified by the school district
49 31 as gifted and talented, and eleventh and twelfth grade
49 32 students, to enroll in eligible courses at an eligible
49 33 postsecondary institution of higher learning as a part-time
49 34 student.
49 35 2. NOTIFICATION. The availability and requirements of



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50 1 this program shall be included in each school district's
50 2 student registration handbook. Information about the program
50 3 shall be provided to the student and the student's parent or
50 4 guardian prior to the development of the student's core
50 5 curriculum plan under section 279.61. The school district
50 6 shall establish a process by which students may indicate
50 7 interest in and apply for enrollment in the program.

50 8 3. AUTHORIZATION. To participate in this program, an
50 9 eligible student shall make application to an eligible
50 10 postsecondary institution to allow the eligible student to
50 11 enroll for college credit in a nonsectarian course offered at
50 12 the institution. A comparable course, as defined in rules
50 13 adopted by the board of directors of the school district
50 14 consistent with department administrative rule, must not be
50 15 offered by the school district or accredited nonpublic school
50 16 the student attends. If the postsecondary institution accepts
50 17 an eligible student for enrollment under this section, the
50 18 institution shall send written notice to the student, the
50 19 student's parent or legal guardian in the case of a minor
50 20 child, and the student's school district or accredited
50 21 nonpublic school and the school district in the case of a
50 22 nonpublic school student, or the Iowa school for the deaf or
50 23 the Iowa braille and sight saving school. The notice shall
50 24 list the course, the clock hours the student will be attending
50 25 the course, and the number of hours of college credit that the
50 26 eligible student will receive from the eligible postsecondary
50 27 institution upon successful completion of the course.

50 28 4. CREDITS.

50 29 a. A school district, the Iowa school for the deaf, the
50 30 Iowa braille and sight saving school, or accredited nonpublic
50 31 school shall grant high school credit to an eligible student
50 32 enrolled in a course under this chapter if the eligible
50 33 student successfully completes the course as determined by the
50 34 eligible postsecondary institution. The board of directors of
50 35 the school district, the board of regents for the Iowa school



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51 1 for the deaf and the Iowa braille and sight saving school, or
51 2 authorities in charge of an accredited nonpublic school shall
51 3 determine the number of high school credits that shall be
51 4 granted to an eligible student who successfully completes a
51 5 course. Eligible students may take up to seven semester hours
51 6 of credit during the summer months when school is not in
51 7 session and receive credit for that attendance, if the student
51 8 pays the cost of attendance for those summer credit hours.

51 9 b. The high school credits granted to an eligible student
51 10 under this section shall count toward the graduation
51 11 requirements and subject area requirements of the school
51 12 district of residence, the Iowa school for the deaf, the Iowa
51 13 braille and sight saving school, or accredited nonpublic
51 14 school of the eligible student. Evidence of successful
51 15 completion of each course and high school credits and college
51 16 credits received shall be included in the student's high
51 17 school transcript.

51 18 5. TRANSPORTATION. The parent or legal guardian of an
51 19 eligible student who has enrolled in and is attending an
51 20 eligible postsecondary institution under this chapter shall
51 21 furnish transportation to and from the postsecondary
51 22 institution for the student.

51 23 6. DEFINITION. For purposes of this section and section
51 24 261E.6, unless the context otherwise requires, "eligible
51 25 student" means a student classified by the board of directors
51 26 of a school district, by the state board of regents for pupils
51 27 of the school for the deaf and the Iowa braille and sight
51 28 saving school, or by the authorities in charge of an
51 29 accredited nonpublic school as a ninth or tenth grade student
51 30 who is identified according to the school district's gifted
51 31 and talented criteria and procedures, pursuant to section
51 32 257.43, as a gifted and talented child, or an eleventh or
51 33 twelfth grade student, during the period the student is
51 34 participating in the postsecondary enrollment options program.

51 35 Sec. 53. NEW SECTION. 261E.6 POSTSECONDARY ENROLLMENT



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52 1 OPTIONS PROGRAM PAYMENTS == CLAIMS == REIMBURSEMENTS.
52 2 1. Not later than June 30 of each year, a school district
52 3 shall pay a tuition reimbursement amount to a postsecondary
52 4 institution that has enrolled its resident eligible students
52 5 under this chapter, unless the eligible student is
52 6 participating in open enrollment under section 282.18, in
52 7 which case, the tuition reimbursement amount shall be paid by
52 8 the receiving district. However, if a child's residency
52 9 changes during a school year, the tuition shall be paid by the
52 10 district in which the child was enrolled as of the date
52 11 specified in section 257.6, subsection 1, or the district in
52 12 which the child was counted under section 257.6, subsection 1,
52 13 paragraph "a", subparagraph (6). For students enrolled at the
52 14 school for the deaf and the Iowa braille and sight saving
52 15 school, the state board of regents shall pay a tuition
52 16 reimbursement amount by June 30 of each year. The amount of
52 17 tuition reimbursement for each separate course shall equal the
52 18 lesser of:
52 19 a. The actual and customary costs of tuition, textbooks,
52 20 materials, and fees directly related to the course taken by
52 21 the eligible student.
52 22 b. Two hundred fifty dollars.
52 23 2. A student participating in the postsecondary enrollment
52 24 options act program is not eligible to enroll on a full-time
52 25 basis in an eligible postsecondary institution. A student
52 26 enrolled on such a full-time basis shall not receive any
52 27 payments under this section.
52 28 3. An eligible postsecondary institution that enrolls an
52 29 eligible student under this section shall not charge that
52 30 student for tuition, textbooks, materials, or fees directly
52 31 related to the course in which the student is enrolled except
52 32 that the student may be required to purchase equipment that
52 33 becomes the property of the student. For the purposes of this
52 34 subsection, equipment shall not include textbooks. However,
52 35 if the student fails to complete and receive credit for the



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53 1 course, the student is responsible for all district costs
53 2 directly related to the course as provided in subsection 1 and
53 3 shall reimburse the school district for its costs. If the
53 4 student is under eighteen years of age, the student's parent
53 5 or legal guardian shall sign the student registration form
53 6 indicating that the parent or legal guardian is responsible
53 7 for all costs directly related to the course if the student
53 8 fails to complete and receive credit for the course. If
53 9 documentation is submitted to the school district that
53 10 verifies the student was unable to complete the course for
53 11 reasons including but not limited to the student's physical
53 12 incapacity, a death in the student's immediate family, or the
53 13 student's move to another school district, that verification
53 14 shall constitute a waiver to the requirement that the student
53 15 or parent or legal guardian pay the costs of the course to the
53 16 school district.

53 17 4. An eligible postsecondary institution shall make pro
53 18 rata adjustments to tuition reimbursement amounts based upon
53 19 federal guidelines established pursuant to 20 U.S.C. } 1091b.

53 20 Sec. 54. NEW SECTION. 261E.7 DISTRICT=TO=COMMUNITY
53 21 COLLEGE SHARING OR CONCURRENT ENROLLMENT PROGRAM.

53 22 1. A district=to=community college sharing or concurrent
53 23 enrollment program is established to be administered by the
53 24 department to promote rigorous academic or career and
53 25 technical pursuits and to provide a wider variety of options
53 26 to high school students to enroll part=time in eligible
53 27 nonsectarian courses at or through community colleges
53 28 established under chapter 260C. The program shall be made
53 29 available to all resident students in grades nine through
53 30 twelve. Notice of the availability of the program shall be
53 31 included in a school district's student registration handbook
53 32 and the handbook shall identify which courses, if successfully
53 33 completed, generate college credit under the program. A
53 34 student and the student's parent or legal guardian shall also
53 35 be made aware of this program as a part of the development of



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54 1 the student's core curriculum plan in accordance with section
54 2 279.61.

54 3 2. Students from accredited nonpublic schools and students
54 4 receiving competent private instruction under chapter 299A may
54 5 access the program through the school district in which the
54 6 accredited nonpublic school or private institution is located.

54 7 3. A student may make application to a community college
54 8 and the school district to allow the student to enroll for
54 9 college credit in a nonsectarian course offered by the
54 10 community college. A comparable course, as defined in rules
54 11 made by the board of directors of the school district, must
54 12 not be offered by the school district or accredited nonpublic
54 13 school which the student attends. The school board shall
54 14 annually approve courses to be made available for high school
54 15 credit using locally developed criteria that establishes which
54 16 courses will provide the student with academic rigor and will
54 17 prepare the student adequately for transition to a
54 18 postsecondary institution. If an eligible postsecondary
54 19 institution accepts a student for enrollment under this
54 20 section, the school district, in collaboration with the
54 21 community college, shall send written notice to the student,
54 22 the student's parent or legal guardian in the case of a minor
54 23 child, and the student's school district. The notice shall
54 24 list the course, the clock hours the student will be attending
54 25 the course, and the number of hours of college credit that the
54 26 student will receive from the community college upon
54 27 successful completion of the course.

54 28 4. A school district shall grant high school credit to a
54 29 student enrolled in a course under this chapter if the student
54 30 successfully completes the course as determined by the
54 31 community college and the course was previously approved by
54 32 the school board pursuant to subsection 3. The board of
54 33 directors of the school district shall determine the number of
54 34 high school credits that shall be granted to a student who
54 35 successfully completes a course.



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55 1 5. The parent or legal guardian of a student who has
55 2 enrolled in and is attending a community college under this
55 3 section shall furnish transportation to and from the community
55 4 college for the student.

55 5 6. District-to-community college sharing agreements or
55 6 concurrent enrollment programs that meet the requirements of
55 7 section 257.11, subsection 3, are eligible for funding under
55 8 that provision.

55 9 7. Community colleges shall comply with the data
55 10 collection requirements of 2006 Iowa Acts, chapter 1180,
55 11 section 17.

55 12 8. The state board, in collaboration with the board of
55 13 directors of each community college, shall adopt rules that
55 14 clearly define data and information elements to be collected
55 15 related to the senior year plus programming, including
55 16 concurrent enrollment courses. The data elements shall
55 17 include but not be limited to the following:

55 18 a. The course title and whether the course supplements,
55 19 rather than supplants, a school district course.

55 20 b. An unduplicated enrollment count of eligible students
55 21 participating in the program.

55 22 c. The actual costs and revenues generated for concurrent
55 23 enrollment. An aligned unique student identifier system shall
55 24 be established by the department for students in kindergarten
55 25 through grade twelve and community college.

55 26 Sec. 55. NEW SECTION. 261E.8 REGIONAL ACADEMIES.

55 27 1. A regional academy is a program established by a school
55 28 district to which multiple school districts send students in
55 29 grades nine through twelve, and which may include
55 30 internet-based coursework and courses delivered via the Iowa
55 31 communications network. A regional academy shall include in
55 32 its curriculum advanced level courses and may include in its
55 33 curriculum career and technical courses.

55 34 2. A regional academy course shall not qualify as a
55 35 concurrent enrollment course.



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56 1 3. School districts participating in regional academies
56 2 are eligible for supplementary weighting as provided in
56 3 section 257.11, subsection 2.

56 4 4. Information regarding regional academies shall be
56 5 provided to a student and the student's parent or guardian
56 6 prior to the development of the student's core curriculum plan
56 7 under section 279.61.

56 8 Sec. 56. NEW SECTION. 261E.9 CAREER ACADEMIES.

56 9 1. As used in this section, "career academy" means the
56 10 same as defined in section 260C.18A, subsection 2, paragraph
56 11 "c".

56 12 2. A career academy course may qualify as a concurrent
56 13 enrollment course if it meets the requirements of section
56 14 261E.7.

56 15 3. The school district providing secondary education under
56 16 this section shall be eligible for supplementary weighting
56 17 under section 257.11, subsection 2, and the community college
56 18 shall be eligible for funds allocated pursuant to section
56 19 260C.18A.

56 20 4. Information regarding career academies shall be
56 21 provided by the school district to a student and the student's
56 22 parent or guardian prior to the development of the student's
56 23 core curriculum plan under section 279.61.

56 24 Sec. 57. NEW SECTION. 261E.10 INTERNET=BASED AND IOWA
56 25 COMMUNICATIONS NETWORK COURSEWORK.

56 26 1. The Iowa communications network may be used to deliver
56 27 coursework for the programming provided under this chapter
56 28 subject to an appropriation by the general assembly for that
56 29 purpose. A school district that provides courses delivered
56 30 via the Iowa communications network shall receive supplemental
56 31 funding as provided in section 257.11, subsection 7.

56 32 2. The programming in this chapter may be delivered via
56 33 internet-based technologies including but not limited to the
56 34 Iowa learning online program. An internet-based course may
56 35 qualify for additional supplemental weighting if it meets the



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57 1 requirements of section 261E.7 or section 261E.9.
57 2 3. To qualify as a senior year plus course, an
57 3 internet-based course or course offered through the Iowa
57 4 communications network must comply with the appropriate
57 5 provisions of this chapter.
57 6 Sec. 58. NEW SECTION. 261E.11 INTERNET-BASED
57 7 CLEARINGHOUSE.
57 8 The department shall develop and make available to
57 9 secondary and postsecondary students, parents or legal
57 10 guardians, school districts, accredited nonpublic schools, and
57 11 eligible postsecondary institutions an internet-based
57 12 clearinghouse of information that allows students to identify
57 13 participation options within the senior year plus program and
57 14 transferability between educational systems, subject to an
57 15 appropriation by the general assembly for this purpose. The
57 16 internet-based resource shall provide links to other similar
57 17 resources available through various Iowa postsecondary
57 18 institution systems. The internet-based resource shall also
57 19 identify course transferability and articulation between the
57 20 secondary and postsecondary systems in Iowa and between the
57 21 various Iowa postsecondary systems.
57 22 Sec. 59. NEW SECTION. 261E.12 STATE PROGRAM ALLOCATION.
57 23 1. For each fiscal year in which moneys are appropriated
57 24 by the general assembly for purposes of the senior year plus
57 25 program, the moneys shall be allocated as follows in the
57 26 following priority order:
57 27 a. For the fiscal year beginning July 1, 2008, and
57 28 succeeding fiscal years, an amount up to five hundred thousand
57 29 dollars to the department to implement the internet-based
57 30 clearinghouse pursuant to section 261E.11.
57 31 b. For the fiscal year beginning July 1, 2008, and
57 32 succeeding fiscal years, an amount up to five hundred thousand
57 33 dollars to the department for the development of a data
57 34 management system, including the development of a transcript
57 35 repository, for senior year plus programming provided under



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58 1 this chapter. The data management system shall include
58 2 information generated by the provisions of section 279.61,
58 3 data on courses taken by Iowa's students, and the
58 4 transferability of course credit.
58 5 c. For the fiscal year beginning July 1, 2008, and
58 6 succeeding fiscal years, an amount up to four hundred thousand
58 7 dollars to the department for the development of additional
58 8 internet-based educational courses that comply with the
58 9 provisions of this chapter.
58 10 2. Notwithstanding section 8.33, any moneys remaining
58 11 unencumbered or unobligated from the moneys allocated under
58 12 this section shall not revert but shall remain available in
58 13 the succeeding fiscal year for expenditure for the purposes
58 14 designated. The department shall annually inform the general
58 15 assembly of the amount of moneys allocated, but unspent. The
58 16 provisions of section 8.39 shall not apply to the funds
58 17 allocated pursuant to this section.
58 18 Sec. 60. Section 282.18, subsection 7, Code 2007, is
58 19 amended to read as follows:
58 20 7. A pupil participating in open enrollment shall be
58 21 counted, for state school foundation aid purposes, in the
58 22 pupil's district of residence. A pupil's residence, for
58 23 purposes of this section, means a residence under section
58 24 282.1. The board of directors of the district of residence
58 25 shall pay to the receiving district the state cost per pupil
58 26 for the previous school year, plus any moneys received for the
58 27 pupil as a result of the non-English speaking weighting under
58 28 section 280.4, subsection 3, for the previous school year
58 29 multiplied by the state cost per pupil for the previous year.
58 30 If the pupil participating in open enrollment is also an
58 31 eligible pupil under ~~chapter 261C~~ section 261E.5, the
58 32 receiving district shall pay the tuition reimbursement amount
58 33 to an eligible postsecondary institution as provided in
58 34 ~~section 261C.6~~ 261E.6.
58 35 Sec. 61. Chapter 261C, Code and Code Supplement 2007, is



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60 1 assistance program.

60 2 The division reduces the \$2,750,000 standing appropriation
60 3 for the Iowa work=study program for fiscal year 2008=2009 to
60 4 \$698,923. The division reallocates funds for chiropractic
60 5 loan forgiveness. The division creates and funds a barber and
60 6 cosmetology arts and sciences tuition grant, an osteopathic
60 7 loan forgiveness program, and a chiropractic loan forgiveness
60 8 program. The division permits the commission to renegotiate
60 9 all agreements with student loan lenders who signed agreements
60 10 on or before September 15, 2007, in order to implement the
60 11 most current U.S. department of education regulations.

60 12 The division appropriates moneys to the department of
60 13 education for purposes of the department's general
60 14 administration, vocational education administration, division
60 15 of vocational rehabilitation services including the
60 16 entrepreneurs with disabilities program, independent living,
60 17 state library for general administration and the enrich Iowa
60 18 program, library service area system, public broadcasting
60 19 division, regional telecommunications councils, vocational
60 20 education to secondary schools, school food service, Iowa
60 21 empowerment fund, textbooks for nonpublic school pupils, jobs
60 22 for America's graduates specialist, and community colleges.

60 23 The division also appropriates money for a four=year=old
60 24 preschool program, expansion of the federal Individuals With
60 25 Disabilities Education Improvement Act birth through age three
60 26 services, a before and after school grant program, community
60 27 college salaries, the core curriculum and career information
60 28 and decision=making system, and a beginning administrator
60 29 mentoring and induction program.

60 30 The division requires the department to conduct a study of
60 31 state=funded, competitive grant programs; the feasibility of
60 32 an instructor quality pay equity plan; and the community
60 33 college accreditation process.

60 34 The division requires the Iowa empowerment board to conduct
60 35 a study regarding family, friend, and neighbor care, and



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House Study Bill 787 continued

61 1 limits the amount of fund carryover for the Iowa and community
61 2 empowerment boards.

61 3 The division requires the board of educational examiners to
61 4 deposit \$300,000 from licensing fees in the general fund of
61 5 the state for early head start projects.

61 6 The division requires that school districts use the
61 7 division of criminal investigation for criminal history checks
61 8 and requires those school districts which used an entity other
61 9 than the division in FY 2007=2008 to have the background
61 10 checks done by the division.

61 11 The bill amends statute to provide that the portion of the
61 12 interest for Iowa schools fund which is currently appropriated
61 13 to the department of education is instead appropriated to the
61 14 university of northern Iowa for use in assisting school
61 15 districts to develop reading recovery and literacy programs.

61 16 The division appropriates moneys to the state board of
61 17 regents for the board office, universities' general operating
61 18 budgets, the southwest Iowa graduate studies center, the
61 19 tristate graduate center, the quad=cities graduate studies
61 20 center, Iowa's obligation as a member of the midwestern higher
61 21 education compact, the state university of Iowa, Iowa state
61 22 university of science and technology, the university of
61 23 northern Iowa, the Iowa school for the deaf, the Iowa braille
61 24 and sight saving school, and for tuition and transportation
61 25 costs for students residing in the Iowa Braille and sight
61 26 saving school and the Iowa school for the deaf. The division
61 27 also provides funds for the Iowa state university veterinary
61 28 diagnostic laboratory.

61 29 The division amends 2006 Iowa Acts, as amended by 2007 Iowa
61 30 Acts, to reallocate \$750,000 of the \$10 million appropriated
61 31 for early care, health, and education and preschool programs
61 32 and initiatives for FY 2008=2009 to be deposited in the
61 33 community empowerment gifts and grants fund, and to be used
61 34 for before and after school programs, early head start
61 35 projects, vocational agriculture youth organizations, and for



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House Study Bill 787 continued

62 1 the Iowa college work=study program; and to reallocate \$50,000
62 2 of the funds appropriated for teacher training and the
62 3 reconstruction of reading recovery in Spanish to the
62 4 university of northern Iowa for its reading recovery program.
62 5 Provisions amending 2006 Iowa Acts take effect upon enactment.

62 6 Division I repeals Code sections relating to supplemental
62 7 strategies and educational services and a fund for the
62 8 services and to mining camp schools.

62 9 Division II of the bill establishes a senior year plus
62 10 program to be administered by the department of education to
62 11 provide Iowa high school students with increased access to
62 12 college credit or advanced placement coursework. The program
62 13 consists of advanced placement classes, community college
62 14 credit courses offered through written agreements between
62 15 school districts and community colleges, a postsecondary
62 16 enrollment options program, courses offered through regional
62 17 and career academies for college credit, and internet-based
62 18 courses offered for college credit. The division requires
62 19 that students be made aware of the opportunities offered by
62 20 the program as part of the curriculum development plan school
62 21 districts develop with eighth grade students. Division II
62 22 also provides for the following:

62 23 AUDITOR OF STATE. The division requires that the auditor
62 24 of state include in its examination of school offices an audit
62 25 of state categorical funding and supplementary weighting
62 26 dollars as well as a determination that the laws of the state
62 27 are being followed, that categorical funding is not used to
62 28 supplant other funding, that supplementary weighting is
62 29 pursuant to an eligible sharing condition, and that
62 30 postsecondary courses provided in accordance with this
62 31 division supplement, rather than supplant, school district
62 32 courses.

62 33 POSTSECONDARY COURSE AUDIT COMMITTEE. The division
62 34 requires the department of education to establish and
62 35 facilitate a postsecondary course audit committee which shall



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House Study Bill 787 continued

63 1 annually audit postsecondary courses offered to high school
63 2 students. The committee must establish a sampling technique
63 3 that randomly selects courses for audit. Standards for review
63 4 shall be established by the committee. If the committee
63 5 determines that a postsecondary course offered to high school
63 6 students does not meet its standards, the course shall not be
63 7 eligible for future supplementary weighting. However, if the
63 8 institution makes changes to the course sufficient to cause
63 9 the course to meet the standards of the committee, the
63 10 committee may reinstate the eligibility of the course for
63 11 future supplementary weighting.

63 12 SUPPLEMENTARY WEIGHTING. The division allows a school
63 13 district which hosts a regional academy be eligible to assign
63 14 its resident students attending classes at the academy a
63 15 weighting of one-tenth of the percentage of the student's
63 16 school day during which the student attends classes at the
63 17 regional academy, up to a maximum amount of additional
63 18 weighting corresponding to 30 additional students and a
63 19 minimum amount of additional weighting corresponding to 15
63 20 additional students if the academy provides both advanced
63 21 level courses and career and technical courses.

63 22 The division also changes the assigned additional weighting
63 23 of forty-eight hundredths for pupils attending a
63 24 community-college-offered class or attending a class taught by
63 25 a community-college-employed instructor by assigning a
63 26 weighting of seventy hundredths for career and technical
63 27 courses and forty-six hundredths for liberal arts and sciences
63 28 courses. In addition, under the division, a student attending
63 29 an accredited nonpublic school or receiving competent private
63 30 instruction under Code chapter 299A and who is participating
63 31 in senior year plus programming shall be counted as a
63 32 shared-time student in the school district in which the
63 33 nonpublic school of attendance is located for state foundation
63 34 aid purposes.

63 35 STUDENT ELIGIBILITY. The student shall meet the enrollment



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House Study Bill 787 continued

64 1 requirements of the eligible postsecondary institution
64 2 providing the course credit; shall meet or exceed the minimum
64 3 performance on any academic assessments that may be required
64 4 by the eligible postsecondary institution; shall have taken
64 5 any appropriate course prerequisites; shall have attained the
64 6 approval of the school board and the eligible postsecondary
64 7 institution to register for the postsecondary course; and
64 8 shall have demonstrated proficiency in reading, mathematics,
64 9 and science and, if a student is not proficient in one or more
64 10 of the content areas, the school board may establish
64 11 alternative but equivalent qualifying performance measures. A
64 12 student enrolled in career or vocational courses is exempt
64 13 from the proficiency requirement.

64 14 In addition, if the student wishes to participate in the
64 15 postsecondary enrollment options program, the student must be
64 16 a ninth or 10th grade student who is identified as a gifted
64 17 and talented child, or an 11th or 12th grade student.

64 18 **TEACHER ELIGIBILITY.** A teacher or instructor employed to
64 19 provide instruction under the program must be appropriately
64 20 licensed to teach the subject the teacher or instructor is
64 21 employed to teach; collaborate with other secondary and
64 22 postsecondary faculty in the subject area; provide ongoing
64 23 communication about course expectations and academic progress
64 24 to the student and in the case of a minor student, the parent
64 25 or legal guardian of the student; provide curriculum and
64 26 instruction that is accepted as college-level work; use valid
64 27 and reliable student assessment measures; and have
64 28 successfully passed a background investigation.

64 29 The postsecondary institution shall provide the teacher or
64 30 instructor with ongoing communication and access to resources
64 31 and support. The teacher or instructor shall receive adequate
64 32 notification of an assignment to teach and adequate
64 33 preparation time.

64 34 **INSTITUTIONAL ELIGIBILITY.** An institution providing
64 35 instruction shall ensure that students and, in the case of



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65 1 minor students, parents or legal guardians receive appropriate
65 2 course orientation and information, including information
65 3 describing student responsibilities and institutional
65 4 procedures for academic credit transfer; ensure that students
65 5 have access to student support services, including but not
65 6 limited to tutoring, counseling, advising, library, writing
65 7 and math labs, and computer labs, and student activities,
65 8 excluding postsecondary intercollegiate athletics; ensure that
65 9 students are properly enrolled in courses that will directly
65 10 earn college credit; ensure that teachers and students receive
65 11 appropriate orientation and information about the
65 12 institution's expectations; ensure that the courses provided
65 13 achieve the same learning outcomes as similar courses offered
65 14 in the subject area and are accepted as college-level work;
65 15 review the course on an annual basis for continuous
65 16 improvement; and share data on course progress and outcomes
65 17 with the collaborative partners involved with the delivery of
65 18 the programming and with the department.

65 19 The institution shall not place restrictions on
65 20 participation in senior year plus programming beyond that
65 21 which is specified in statute or administrative rule; shall
65 22 annually certify to the department that the course does not
65 23 supplant a school district course; and shall not require the
65 24 student to take a specific number of postsecondary credits.
65 25 ADVANCED PLACEMENT PROGRAM. The division requires school
65 26 districts to make advanced placement courses available to its
65 27 resident students through direct instruction on-site,
65 28 collaboration with another school district, or by using the
65 29 online Iowa advanced placement academy. The school district
65 30 must provide descriptions of the courses available to students
65 31 using a course registration handbook, ensure that advanced
65 32 placement course instructors are appropriately licensed and
65 33 meet the minimum certification requirements of the national
65 34 organization that administers the advanced placement program,
65 35 and establish prerequisite coursework for each advanced



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66 1 placement course offered. The handbook must be provided to
66 2 every junior high school or middle school student prior to the
66 3 development of their core curriculum plans.

66 4 POSTSECONDARY ENROLLMENT OPTIONS PROGRAM. The division
66 5 repeals the postsecondary enrollment options Act and
66 6 substantially moves the language of the Act to the Code
66 7 chapter establishing the senior year plus program. Under the
66 8 division, the definition of an "eligible student" is not
66 9 changed. The division requires that the availability and
66 10 requirements of the program be included in each school
66 11 district's student registration handbook and provided to each
66 12 student and parent or guardian prior to development of the
66 13 student's core curriculum plan. School districts must also
66 14 establish a process by which students may indicate interest in
66 15 and apply for enrollment in the program.

66 16 POSTSECONDARY ENROLLMENT OPTIONS PROGRAM PAYMENTS. As
66 17 under the postsecondary enrollment options Act, a school
66 18 district is responsible for paying a tuition reimbursement
66 19 amount to a postsecondary institution that has enrolled its
66 20 resident eligible students under this Code chapter, unless the
66 21 eligible student is participating in open enrollment under
66 22 Code section 282.18, in which case, the tuition reimbursement
66 23 amount shall be paid by the receiving district. If the
66 24 student fails to complete and receive credit for the course,
66 25 the student is responsible for all district costs and shall
66 26 reimburse the school district for its costs.

66 27 DISTRICT-TO-COMMUNITY COLLEGE SHARING OR CONCURRENT
66 28 ENROLLMENT PROGRAM. Current law provides supplementary
66 29 weighting for district-to-community college sharing. The
66 30 division establishes a district-to-community college sharing
66 31 or concurrent enrollment program to be administered by the
66 32 department of education to promote rigorous academic or career
66 33 and technical pursuits and to provide a wider variety of
66 34 options to high school students to enroll part-time in
66 35 eligible nonsectarian courses at or through community



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67 1 colleges. The program shall be made available to all Iowa
67 2 students in grades nine through 12, and notice of the
67 3 availability of this program shall be included in each school
67 4 district's student registration handbook and in the student's
67 5 core curriculum plan. Students from accredited nonpublic
67 6 schools and students receiving competent private instruction
67 7 may access the program through the school district in which
67 8 the accredited nonpublic school or private instruction is
67 9 located.

67 10 A student may apply to a community college and the school
67 11 district to allow the student to enroll for college credit in
67 12 a nonsectarian course offered by the community college. A
67 13 comparable course must not be offered by the school the
67 14 student attends. The school board must annually approve
67 15 courses to be made available for high school credit. A school
67 16 district shall grant high school credit to a student enrolled
67 17 in a course if the student successfully completes the course
67 18 as determined by the community college.

67 19 The parent or legal guardian of a student who is attending
67 20 the community college under the program shall furnish
67 21 transportation to and from the community college for the
67 22 student.

67 23 Community colleges and school districts must provide the
67 24 department with information about the course and course
67 25 enrollment in a format approved by the department which aligns
67 26 community college and school district data. The department is
67 27 directed to establish an aligned unique student identifier
67 28 system for students in kindergarten through grade 12 and
67 29 community college.

67 30 REGIONAL AND CAREER ACADEMIES. Current law provides
67 31 supplementary weighting for regional and career academies.
67 32 The division provides that a regional academy is a program
67 33 established by a school district to which multiple schools
67 34 send students in grades nine through 12, and which may include
67 35 internet-based coursework and courses delivered via the Iowa



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68 1 communications network. A regional academy must include in
68 2 its curriculum advanced level courses and may include career
68 3 and technical courses. A regional academy course does not
68 4 qualify as a concurrent enrollment course.

68 5 The Code currently defines "career academy" to mean a
68 6 program of study that combines a minimum of two years of
68 7 secondary education with an associate degree, or the
68 8 equivalent, career preparatory program in a nonduplicative,
68 9 sequential course of study that is standards-based, integrates
68 10 academic and technical instruction, utilizes work-based and
68 11 worksite learning where appropriate and available, utilizes an
68 12 individual career planning process with parent involvement,
68 13 and leads to an associate degree or postsecondary diploma or
68 14 certificate in a career field that prepares an individual for
68 15 entry and advancement in a high-skill and reward career field
68 16 and further education. A career academy course may qualify as
68 17 a concurrent enrollment course if it meets the requirements of
68 18 this division.

68 19 Information regarding regional and career academies shall
68 20 be provided to a student and parent or guardian prior to
68 21 development of the student's core curriculum plan.

68 22 INTERNET-BASED AND IOWA COMMUNICATIONS NETWORK COURSEWORK.
68 23 The Iowa communications network may be used to deliver
68 24 coursework for the senior year plus programming, and school
68 25 districts that do so may receive supplemental funding.
68 26 Internet-based technologies may also be used and may qualify
68 27 for additional supplemental weighting if the internet-based
68 28 technology is used by a career academy, under a
68 29 district-to-community college sharing agreement, or concurrent
68 30 enrollment program.

68 31 INTERNET-BASED CLEARINGHOUSE. The department of education
68 32 is directed to develop and make available to secondary and
68 33 postsecondary students, parents or legal guardians, school
68 34 districts, accredited nonpublic schools, and eligible
68 35 postsecondary institutions an internet-based clearinghouse of



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House Study Bill 787 continued

69 1 information that allows students to identify participation
69 2 options within the senior year plus program and
69 3 transferability between educational systems.
69 4 STATE PROGRAM ALLOCATIONS. The division provides for the
69 5 allocation of funds if funds are appropriated.
69 6 DEPARTMENT OF EDUCATION == SENIOR YEAR PLUS PROGRAM STUDY.
69 7 The division directs the department of education, in
69 8 collaboration with other educational institutions, to conduct
69 9 a study of the measures necessary for the successful
69 10 implementation of the senior year plus program and to submit
69 11 its findings and recommendations to the general assembly by
69 12 November 14, 2008.
69 13 YEAR=ROUND REQUIREMENT. The division requires school
69 14 districts to provide advanced placement, postsecondary
69 15 enrollment, and internet-based and Iowa communications network
69 16 coursework year-round.
69 17 REPEAL. The division repeals the postsecondary enrollment
69 18 options Act, Code chapter 261C, and makes corresponding
69 19 changes to references to the Code chapter throughout the Code.
69 20 LSB 5005JB 82
69 21 kh/mg/5



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Senate Amendment 5239

PAG LIN

1 1 Amend House File 2612, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 4, by inserting after line 35 the
 1 4 following:
 1 5 <DIVISION
 1 6 WATER SAFETY
 1 7 Sec. _____. Section 462A.12, Code Supplement 2007,
 1 8 is amended by adding the following new subsection:
 1 9 NEW SUBSECTION. 15. A person shall not operate a
 1 10 vessel on the waters of this state under the
 1 11 jurisdiction of the commission unless every person on
 1 12 board the vessel who is under thirteen years of age is
 1 13 wearing a type I, II, III, or V personal flotation
 1 14 device, including "float coats" that meet this
 1 15 definition, that is approved by the United States
 1 16 coast guard, while the vessel is under way. This
 1 17 subsection does not apply when the person under
 1 18 thirteen years of age is in an enclosed cabin or below
 1 19 deck, or is a passenger on a commercial vessel with a
 1 20 passenger capacity of twenty-five persons or more.
 1 21 Sec. _____. Section 462A.14, subsection 1, paragraph
 1 22 b, Code Supplement 2007, is amended to read as
 1 23 follows:
 1 24 b. While having an alcohol concentration of ~~.10~~
 1 25 .08 or more.
 1 26 Sec. _____. WARNING CITATIONS == TWELVE=MONTH
 1 27 PERIOD. During the twelve=month period beginning on
 1 28 the effective date of section 462A.12, subsection 15,
 1 29 as enacted in this division of this Act, peace
 1 30 officers shall issue only warning citations for a
 1 31 violation of such subsection.
 1 32 Sec. _____. EFFECTIVE DATE. Section 462A.12,
 1 33 subsection 15, as enacted in this division of this
 1 34 Act, and the section of this division providing for
 1 35 the issuance of warning citations for violations of
 1 36 such subsection, being deemed of immediate importance,
 1 37 take effect upon enactment.>
 1 38 #2. Title page, line 3, by inserting after the
 1 39 word <lands> the following: <, waters,>.
 1 40 #3. Title page, line 5, by inserting after the
 1 41 word <applicable> the following: <and providing an
 1 42 effective date>.
 1 43 #4. By renumbering as necessary.
 1 44
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 1 46
 1 47 COMMITTEE ON NATURAL RESOURCES
 1 48 AND ENVIRONMENT
 1 49 DENNIS H. BLACK, CHAIRPERSON
 1 50 HF 2612.205 82



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Senate Amendment 5239 continued

2 1 av/nh/12248



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Senate Amendment 5240

PAG LIN

1 1 Amend House File 2266, as passed by the House, as
 1 2 follows:
 1 3 #1. Page 1, by inserting after line 34 the
 1 4 following:
 1 5 <Sec. _____. Section 321.279, subsection 1, Code
 1 6 2007, is amended to read as follows:
 1 7 1. The driver of a motor vehicle commits a serious
 1 8 misdemeanor if the driver willfully fails to bring the
 1 9 motor vehicle to a stop or otherwise eludes or
 1 10 attempts to elude a marked official law enforcement
 1 11 vehicle driven by a uniformed peace officer after
 1 12 being given a visual and audible signal to stop. The
 1 13 signal given by the peace officer shall be by flashing
 1 14 red light, or by flashing red and blue lights, and
 1 15 siren. For purposes of this section, "peace officer"
 1 16 means those officers designated under section 801.4,
 1 17 subsection 11, paragraphs "a", "b", "c", "f", "g", and
 1 18 "h".>
 1 19 #2. Title page, by striking lines 1 and 2 and
 1 20 inserting the following: <An Act relating to the
 1 21 criminal offenses of eluding or attempting to elude a
 1 22 law enforcement vehicle and the possession of an
 1 23 incendiary or explosive device or material, and the
 1 24 regulation of explosives,>.
 1 25
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 1 27
 1 28 KEITH A. KREIMAN
 1 29 HF 2266.701 82
 1 30 jm/nh/21019
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Senate Amendment 5241

PAG LIN

1 1 Amend House File 2103, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by striking lines 3 through 14 and
1 4 inserting the following:
1 5 <3. a. A member of the senate to be appointed by
1 6 the president of the senate, after consultation with
1 7 the majority leader and the minority leader of the
1 8 senate, to serve as an ex officio nonvoting member ~~for~~
~~1 9 a term of four years beginning on July 1 of the year~~
~~1 10 of appointment.~~
1 11 ~~4.~~ b. A member of the house of representatives to
1 12 be appointed by the speaker of the house to serve as
1 13 an ex officio nonvoting member ~~for a term of four~~
~~1 14 years beginning on July 1 of the year of appointment.>~~
1 15
1 16
1 17
1 18 DAVID JOHNSON
1 19 HF 2103.201 82
1 20 jp/rj/11897
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Senate Amendment 5242

PAG LIN

1 1 Amend House File 2651, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 9, by inserting after line 8 the
 1 4 following:
 1 5 <Sec. _____. Section 321J.13, subsection 6,
 1 6 paragraph c, Code 2007, is amended to read as follows:
 1 7 c. Such a holding by the court in the criminal
 1 8 action is binding on the department, and the
 1 9 department shall rescind the revocation. If the
 1 10 person has been disqualified from operating a
 1 11 commercial motor vehicle in connection with the same
 1 12 circumstances that resulted in the administrative
 1 13 revocation being challenged, the department shall
 1 14 rescind the disqualification, except for a
 1 15 disqualification under section 321.208, subsection 1,
 1 16 paragraph "a".>
 1 17 #2. Page 14, line 9, by inserting after the word
 1 18 <construction.> the following: <If costs for
 1 19 construction of improvements according to a city's
 1 20 standards exceed the costs for such construction
 1 21 according to county standards, the petitioner shall
 1 22 pay the difference in the costs.>
 1 23 #3. Page 16, line 21, by striking the word
 1 24 <district,> and inserting the following: <district>.
 1 25 #4. Page 16, line 24, by inserting after the word
 1 26 <highway,> the following: <other than roads
 1 27 identified under section 357I.2, subsection 3,>.
 1 28 #5. Page 19, by striking lines 26 through 32.
 1 29 #6. By renumbering as necessary.
 1 30
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 1 33 COMMITTEE ON TRANSPORTATION
 1 34 THOMAS RIELLY, CHAIRPERSON
 1 35 HF 2651.302 82
 1 36 dea/nh/12264
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Senate File 2405 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND
MEANS

(SUCCESSOR TO SF 2223)
(SUCCESSOR TO SF 2077)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to renewable energy, providing for state bank
2 acquisition of equity interests in wind energy production
3 facilities, providing for qualification for specified tax
4 credits and refunds by state banks and by owners or
5 manufacturing facilities generating wind energy for on-site
6 consumption rather than sale, providing for the establishment
7 or participation in a program to track, record, or verify the
8 trading of credits for electricity generated from specified
9 sources, and providing effective and retroactive applicability
10 dates.
11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
12 TL5B 5589SZ 82
13 rn/rj/24



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Senate File 2405 - Introduced continued

PAG LIN

1 1 DIVISION I
1 2 BANK WIND ENERGY INVESTMENT
1 3 Section 1. Section 524.802, Code 2007, is amended by
1 4 adding the following new subsection:
1 5 NEW SUBSECTION. 13A. Provide customer financing for wind
1 6 energy production facilities eligible for production tax
1 7 credits pursuant to chapter 476B in a manner that maximizes
1 8 the availability of production tax credits to the state bank,
1 9 including structuring such financing as a membership
1 10 investment whereby the state bank as equity investor may take
1 11 a majority financial position, but not a management position,
1 12 in each such facility, subject to the following:
1 13 a. Prior to providing financing, a creditworthiness review
1 14 shall be conducted pursuant to the state bank's standard loan
1 15 underwriting criteria.
1 16 b. The state bank shall not participate in the operation
1 17 of the facility, the production of wind energy, or the sale of
1 18 wind energy if such sale is contemplated by the customer.
1 19 c. If the facility does not perform as projected in the
1 20 equity investment agreement, the state bank may either sell
1 21 its interest in the facility or pursue liquidation.
1 22 d. The state bank shall not share in any appreciation in
1 23 value of its interest in the facility or in any of the
1 24 customer's real or personal assets.
1 25 e. At the end of any applicable holding period, the state
1 26 bank shall sell at book value its ownership interest in the
1 27 facility.
1 28 DIVISION II
1 29 WIND ENERGY PRODUCTION TAX CREDITS AND REFUNDS
1 30 Sec. 2. Section 423.4, subsection 4, Code Supplement 2007,
1 31 is amended to read as follows:
1 32 4. A person in possession of a wind energy production tax
1 33 credit certificate pursuant to chapter 476B or a renewable
1 34 energy tax credit certificate issued pursuant to chapter 476C
1 35 may apply to the director for refund of the amount of sales or



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Senate File 2405 - Introduced continued

2 1 use tax imposed and paid upon purchases made by the applicant.

2 2 a. The refunds may be obtained only in the following
2 3 manner and under the following conditions:

2 4 (1) On forms furnished by the department and filed by
2 5 January 31 after the end of the calendar year in which the tax
2 6 credit certificate is to be applied, the applicant shall
2 7 report to the department the total amount of sales and use tax
2 8 paid during the reporting period on purchases made by the
2 9 applicant.

2 10 (2) The applicant shall separately list the amounts of
2 11 sales and use tax paid during the reporting period.

2 12 (3) If required by the department, the applicant shall
2 13 prove that the person making the sales has included the amount
2 14 thereof in the computation of the sales price of such person
2 15 and that such person has paid the tax levied by this
2 16 subchapter or subchapter III, based upon such computation of
2 17 the sales price.

2 18 (4) The applicant shall provide the tax credit
2 19 certificates issued pursuant to chapter 476B or 476C to the
2 20 department with the forms required by this paragraph "a".

2 21 b. If satisfied that the foregoing conditions and
2 22 requirements have been complied with, the director shall
2 23 refund the amount claimed by the applicant for an amount not
2 24 greater than the amount of tax credits issued in tax credit
2 25 certificates pursuant to chapter 476B or 476C.

2 26 Sec. 3. Section 437A.17B, Code 2007, is amended to read as
2 27 follows:

2 28 437A.17B REIMBURSEMENT FOR RENEWABLE ENERGY.

2 29 A person in possession of a wind energy tax credit
2 30 certificate issued pursuant to chapter 476B or a renewable
2 31 energy tax credit certificate issued pursuant to chapter 476C
2 32 may apply to the director for a reimbursement of the amount of
2 33 taxes imposed and paid by the person pursuant to this chapter
2 34 in an amount not more than the person received in wind energy
2 35 tax credit certificates pursuant to chapter 476B or renewable



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3 1 energy tax credit certificates pursuant to chapter 476C. To
3 2 obtain the reimbursement, the person shall attach to the
3 3 return required under section 437A.8 the wind energy tax
3 4 credit certificates issued to the person pursuant to chapter
3 5 476B, or the renewable energy tax credit certificates issued
3 6 to the person pursuant to chapter 476C, and provide any other
3 7 information the director may require. The director shall
3 8 direct a warrant to be issued to the person for an amount
3 9 equal to the tax imposed and paid by the person pursuant to
3 10 this chapter but for not more than the amount of the wind
3 11 energy tax credit certificates or renewable energy tax credit
3 12 certificates attached to the return.

3 13 Sec. 4. Section 476B.1, subsection 4, paragraph c, Code
3 14 2007, is amended to read as follows:

3 15 c. Was originally placed in service on or after July 1,
3 16 2005, but before July 1, ~~2009~~ 2012.

3 17 Sec. 5. Section 476B.1, subsection 4, Code 2007, is
3 18 amended by adding the following new paragraph:

3 19 NEW PARAGRAPH. d. For applications filed on or after
3 20 March 1, 2008, consists of one or more wind turbines connected
3 21 to a common gathering line which have a combined nameplate
3 22 capacity of no less than two megawatts.

3 23 Sec. 6. Section 476B.2, Code 2007, is amended to read as
3 24 follows:

3 25 476B.2 GENERAL RULE.

3 26 The owner of a qualified facility shall, for each
3 27 kilowatt-hour of qualified electricity that the owner sells or
3 28 uses for on-site consumption during the ten-year period
3 29 beginning on the date the qualified facility was originally
3 30 placed in service, be allowed a wind energy production tax
3 31 credit to the extent provided in this chapter against the tax
3 32 imposed in chapter 422, divisions II, III, and V, and chapter
3 33 432, and may claim a refund of tax imposed by chapter 423 or
3 34 437A for any tax year within the time period set forth in
3 35 section 423.47 or 437A.14.



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4 1 Sec. 7. Section 476B.3, Code 2007, is amended to read as
4 2 follows:

4 3 476B.3 CREDIT AMOUNT.

4 4 The wind energy production tax credit allowed under this
4 5 chapter equals the product of one cent multiplied by the
4 6 number of kilowatt=hours of qualified electricity sold or used
4 7 for on=site consumption by the owner during the taxable year.

4 8 Sec. 8. Section 476B.5, subsection 1, paragraph e, Code
4 9 2007, is amended to read as follows:

4 10 e. A Except when electricity is used for on=site
4 11 consumption, a copy of an executed power purchase agreement or
4 12 other agreement to purchase electricity upon completion of the
4 13 project. An executed interconnection agreement or
4 14 transmission service agreement shall be accepted by the board
4 15 under this paragraph if the owner of the facility has agreed
4 16 to sell electricity from the facility directly or indirectly
4 17 to a wholesale power pool market.

4 18 Sec. 9. Section 476B.6, subsection 2, Code 2007, is
4 19 amended by adding the following new paragraph:

4 20 NEW PARAGRAPH. f. For a facility in which electricity is
4 21 used for on=site consumption, the requirements of paragraphs
4 22 "c" and "d" shall not be applicable. For such facilities, the
4 23 owner must submit a certification under penalty of perjury
4 24 that the claimed amount of electricity was generated by the
4 25 qualified facility and consumed by the owner.

4 26 Sec. 10. Section 476B.6, subsection 3, Code 2007, is
4 27 amended to read as follows:

4 28 3. The board shall notify the department of the amount of
4 29 kilowatt=hours generated and purchased from a qualified
4 30 facility or generated and used on=site by a qualified
4 31 facility. The department shall calculate the amount of the
4 32 tax credit for which the applicant is eligible and shall issue
4 33 the tax credit certificate for that amount or notify the
4 34 applicant in writing of its refusal to do so. An applicant
4 35 whose application is denied may file an appeal with the



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5 1 department within sixty days from the date of the denial
5 2 pursuant to the provisions of chapter 17A.
5 3 Sec. 11. Section 476B.6, subsection 5, paragraph d, Code
5 4 2007, is amended to read as follows:
5 5 d. If the tax credit application is filed by a
5 6 partnership, limited liability company, S corporation, estate,
5 7 trust, or other reporting entity, all of whose income is taxed
5 8 directly to its equity holders or beneficiaries for the taxes
5 9 imposed under chapter 422, division V, or under chapter 423,
5 10 432, or 437A, the tax credit certificate shall be issued
5 11 directly to the partnership, limited liability company, S
5 12 corporation, estate, trust, or other reporting entity.
5 13 Sec. 12. Section 476B.7, Code 2007, is amended to read as
5 14 follows:
5 15 476B.7 TRANSFER OF TAX CREDIT CERTIFICATES.
5 16 Wind energy production tax credit certificates issued under
5 17 this chapter may be transferred to any person or entity.
5 18 Within thirty days of transfer, the transferee must submit the
5 19 transferred tax credit certificate to the department along
5 20 with a statement containing the transferee's name, tax
5 21 identification number, and address, and the denomination that
5 22 each replacement tax credit certificate is to carry and any
5 23 other information required by the department. Within thirty
5 24 days of receiving the transferred tax credit certificate and
5 25 the transferee's statement, the department shall issue one or
5 26 more replacement tax credit certificates to the transferee.
5 27 Each replacement certificate must contain the information
5 28 required under section 476B.6 and must have the same effective
5 29 taxable year and the same expiration date that appeared in the
5 30 transferred tax credit certificate. Tax credit certificate
5 31 amounts of less than the minimum amount established by rule of
5 32 the board shall not be transferable. A tax credit shall not
5 33 be claimed by a transferee under this chapter until a
5 34 replacement tax credit certificate identifying the transferee
5 35 as the proper holder has been issued. A replacement tax



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6 1 credit certificate may reflect a different type of tax than
6 2 the type of tax noted on the original tax credit certificate.
6 3 ~~The tax credit shall only be transferred once~~ be freely
6 4 transferable. The transferee may use the amount of the tax
6 5 credit transferred against the taxes imposed under chapter
6 6 422, divisions II, III, and V, and chapter 432 for any tax
6 7 year the original transferor could have claimed the tax
6 8 credit. The transferee may claim a refund under chapter 423
6 9 or 437A for any tax year within the time period set forth in
6 10 section 423.47 or 437A.14 for which the original transferor
6 11 could have claimed a refund. Any consideration received for
6 12 the transfer of the tax credit shall not be included as income
6 13 under chapter 422, divisions II, III, and V. Any
6 14 consideration paid for the transfer of the tax credit shall
6 15 not be deducted from income under chapter 422, divisions II,
6 16 III, and V.
6 17 Sec. 13. Section 476B.8, Code 2007, is amended to read as
6 18 follows:
6 19 476B.8 USE OF TAX CREDIT CERTIFICATES.
6 20 To claim a wind energy production tax credit under this
6 21 chapter, a taxpayer must attach one or more tax credit
6 22 certificates to the taxpayer's tax return, or if used against
6 23 taxes imposed under chapter 423, the taxpayer shall comply
6 24 with section 423.4, subsection 4, or if used against taxes
6 25 imposed under chapter 437A, the taxpayer shall comply with
6 26 section 437A.17B. A tax credit certificate shall not be used
6 27 or attached to a return filed for a taxable year beginning
6 28 prior to July 1, 2006. The tax credit certificate or
6 29 certificates attached to the taxpayer's tax return shall be
6 30 issued in the taxpayer's name, expire on or after the last day
6 31 of the taxable year for which the taxpayer is claiming the tax
6 32 credit, and show a tax credit amount equal to or greater than
6 33 the tax credit claimed on the taxpayer's tax return. Any tax
6 34 credit in excess of the taxpayer's tax liability for the
6 35 taxable year may be credited to the taxpayer's tax liability



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7 1 for the following seven taxable years or until depleted,
7 2 whichever is the earlier. If the tax credit is applied
7 3 against the taxes imposed under chapter 423 or 437A, any
7 4 credit in excess of the taxpayer's tax liability is carried
7 5 over and can be filed with the refund claim for the following
7 6 seven tax years or until depleted, whichever is earlier.
7 7 However, the certificate shall not be used to reduce tax
7 8 liability for a tax period ending after the expiration date of
7 9 the certificate.

7 10 DIVISION III

7 11 MISCELLANEOUS

7 12 Sec. 14. NEW SECTION. 476.44A TRADING OF CREDITS.

7 13 The board may establish or participate in a program to
7 14 track, record, and verify the trading of credits for
7 15 electricity generated from alternate energy production
7 16 facilities or renewable energy sources among electric
7 17 generators, utilities, and other interested entities, within
7 18 this state and with similar entities in other states.

7 19 Sec. 15. EFFECTIVE AND APPLICABILITY DATES. This Act,
7 20 being deemed of immediate importance, takes effect upon
7 21 enactment and is retroactively applicable to taxable years
7 22 beginning on or after January 1, 2008, for tax credits issued
7 23 pursuant to this Act.

7 24 EXPLANATION

7 25 This bill provides for acquisition of equity interests in
7 26 wind energy production facilities by state banks financing
7 27 such facilities for customers, and relates to qualification
7 28 for specified wind energy tax credits.

7 29 The bill specifies procedures and requirements applicable
7 30 to a state bank structuring the financing of wind energy
7 31 production facilities as a membership investment with the
7 32 state bank as an equity investor acquiring ownership in the
7 33 facility.

7 34 The bill modifies provisions applicable to qualification
7 35 for the wind energy production tax credit pursuant to Code



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8 1 chapter 476B consistent with state bank ownership, adds that a
8 2 person in possession of a wind energy tax credit certificate
8 3 can qualify for a refund of sales or use taxes and of
8 4 generation, transmission, or delivery taxes, and provides that
8 5 projects can qualify for the tax credit whether the
8 6 electricity is sold, as is currently the case, or utilized for
8 7 on-site consumption. The time period during which projects
8 8 placed in service may qualify for tax credits is extended from
8 9 July 1, 2009, to July 1, 2012. The bill adds to the
8 10 definition of a qualified wind energy production facility that
8 11 the facility consists of one or more wind turbines connected
8 12 to a common gathering line which have a combined nameplate
8 13 capacity of no less than two megawatts.
8 14 The bill changes a current restriction on transferability
8 15 of credit certificates on a one-time basis to an unlimited
8 16 number of transfers, and provides that a replacement tax
8 17 credit certificate may reflect a different type of tax than
8 18 noted on the original certificate.
8 19 Additionally, the bill provides for the establishment or
8 20 participation by the Iowa utilities board in a program to
8 21 track, record, or verify the trading of credits for
8 22 electricity generated from specified sources.
8 23 The bill takes effect upon enactment and applies
8 24 retroactively to taxable years beginning on or after January
8 25 1, 2008, with respect to tax credits issued pursuant to the
8 26 bill.
8 27 LSB 5589SZ 82
8 28 rn/rj/24



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SENATE FILE
BY GRONSTAL

(COMPANION TO LSB 6434HH
BY MCCARTHY)

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

A BILL FOR

- 1 An Act relating to appointments by members of the general
- 2 assembly to statutory boards, commissions, councils, and
- 3 committees, abolishing certain related entities, and including
- 4 effective date and applicability provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 6 TL5B 6434SS 82
- 7 jp/rj/5



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PAG LIN

1 1 Section 1. NEW SECTION. 2.32A APPOINTMENTS BY MEMBERS OF
1 2 THE GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS,
1 3 COUNCILS, AND COMMITTEES == PER DIEM AND EXPENSES.

1 4 1. A member of the general assembly who is charged with
1 5 making an appointment to a statutory board, commission,
1 6 council, or committee shall make the appointment prior to the
1 7 fourth Monday in January of the first regular session of each
1 8 general assembly and in accordance with section 69.16B. If
1 9 multiple appointing members are charged with making
1 10 appointments of public members to the same board, commission,
1 11 council, or committee, including as provided in section
1 12 333A.2, the appointing members shall consult with one another
1 13 in making the appointments. If the senate appointing member
1 14 for a legislative appointment is the president, majority
1 15 leader, or the minority leader, the appointing authority shall
1 16 consult with the other two leaders in making the appointment.
1 17 If the house of representatives appointing member is the
1 18 speaker, majority leader, or minority leader, the appointing
1 19 member shall consult with the other two leaders in making the
1 20 appointment.

1 21 2. Each appointing member shall inform the director of the
1 22 legislative services agency of the appointment and of the term
1 23 of the appointment. The legislative services agency shall
1 24 maintain an up-to-date listing of all appointments made or to
1 25 be made by members of the general assembly.

1 26 3. The legislative services agency shall inform each
1 27 appointee and each affected board, commission, council, or
1 28 committee of the appointment and of the term of the
1 29 appointment.

1 30 4. Unless otherwise specifically provided by law, a member
1 31 of the general assembly shall be paid, in accordance with
1 32 section 2.10, per diem and necessary travel and actual
1 33 expenses incurred in attending meetings of a statutory board,
1 34 commission, council, or committee to which the member is
1 35 appointed by a member of the general assembly.



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2 1 Sec. 2. Section 2.41, Code 2007, is amended to read as
2 2 follows:
2 3 2.41 LEGISLATIVE COUNCIL CREATED.
2 4 A continuing legislative council of twenty-four members is
2 5 created. The council is composed of the president and
2 6 president pro tempore of the senate, the speaker and speaker
2 7 pro tempore of the house of representatives, the majority and
2 8 minority floor leaders of the senate, the chairperson of the
2 9 senate committee on appropriations, the minority party ranking
2 10 member of the senate committee on appropriations, ~~six~~ three
2 11 members of the senate appointed by the majority leader of the
2 12 senate, three members of the senate appointed by the minority
2 13 leader of the senate, the majority and minority floor leaders
2 14 of the house of representatives, the chairperson of the house
2 15 committee on appropriations, the minority party ranking member
2 16 of the house committee on appropriations, and ~~six~~ three
2 17 members of the house of representatives appointed by the
2 18 speaker of the house of representatives, and three members of
2 19 the house of representatives appointed by the minority leader
2 20 of the house of representatives. ~~Of the six members appointed~~
~~2 21 by the majority leader of the senate and speaker of the house,~~
~~2 22 three from each house shall be appointed from the majority~~
~~2 23 party and three from each house shall be appointed from the~~
~~2 24 minority party.~~ Members shall be appointed prior to the
2 25 fourth Monday in January of the first regular session of each
2 26 general assembly and shall serve for two-year terms ending
2 27 upon the convening of the following general assembly or when
2 28 their successors are appointed. Vacancies on the council,
2 29 including vacancies which occur when a member of the council
2 30 ceases to be a member of the general assembly, shall be filled
2 31 by the ~~majority leader of the senate and the speaker of the~~
~~2 32 house respectively~~ appointing authority who made the original
2 33 appointment. Insofar as possible at least two members of the
2 34 council from each house shall be reappointed. The council
2 35 shall hold regular meetings at a time and place fixed by the



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3 1 chairperson of the council and shall meet at any other time
3 2 and place as the council deems necessary.

3 3 Sec. 3. Section 2A.4, Code 2007, is amended by adding the
3 4 following new subsection:

3 5 NEW SUBSECTION. 12. Maintenance of an up-to-date listing
3 6 of all appointments made or to be made by members of the
3 7 general assembly as required by section 2.32A and in
3 8 accordance with section 69.16B. The legislative services
3 9 agency may post on the general assembly's internet site
3 10 information regarding the organization and activities of
3 11 boards, commissions, councils, and committees to which members
3 12 of the general assembly make appointments.

3 13 Sec. 4. Section 2D.3, Code 2007, is amended to read as
3 14 follows:

3 15 2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.

3 16 The legislative services agency shall employ a legislative
3 17 branch protocol officer to coordinate activities related to
3 18 state, national, and international visitors to the state
3 19 capitol or with an interest in the general assembly, and
3 20 related to travel of members of the general assembly abroad.

~~3 21 The protocol officer shall serve in a consultative capacity
3 22 and shall provide staff support to the international relations
3 23 advisory council.~~ The protocol officer shall also work with

3 24 the executive branch protocol officer to coordinate state,
3 25 national, and international relations activities. The
3 26 legislative branch protocol officer shall submit periodic
3 27 reports to the international relations committee of the
3 28 legislative council regarding the visits of state, national,
3 29 and international visitors and regarding international
3 30 activities.

3 31 Sec. 5. Section 2D.4, Code 2007, is amended to read as
3 32 follows:

3 33 2D.4 EXECUTIVE BRANCH PROTOCOL OFFICER.

3 34 The lieutenant governor, or the lieutenant governor's
3 35 designee, shall be the executive branch protocol officer. ~~The~~



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~~4 1 protocol officer shall serve in a consultative capacity to the~~
~~4 2 international relations advisory council. The protocol~~
4 3 officer shall work with the international relations committee
4 4 of the legislative council and the legislative branch protocol
4 5 officer in developing and implementing protocol for state,
4 6 national, and international visitors to the state capitol and
4 7 in improving coordination between the legislative and
4 8 executive branches in international relations activities.
4 9 Sec. 6. Section 7E.7, subsection 1, Code Supplement 2007,
4 10 is amended by striking the subsection.
4 11 Sec. 7. Section 7K.1, subsection 3, Code 2007, is amended
4 12 by striking the subsection and inserting in lieu thereof the
4 13 following:
4 14 3. MEMBERSHIP.
4 15 a. The board of directors of the foundation shall consist
4 16 of fifteen members who shall be appointed as follows:
4 17 (1) Five members shall be appointed by the governor.
4 18 (2) Three members shall be appointed by the president of
4 19 the senate.
4 20 (3) Two members shall be appointed by the minority leader
4 21 of the senate.
4 22 (4) Three members shall be appointed by the speaker of the
4 23 of the house of representatives.
4 24 (5) Two members shall be appointed by the minority leader
4 25 of the house of representatives.
4 26 b. The appointing authorities shall endeavor to make
4 27 appointments so that there is a balance between appointees
4 28 with educational expertise and business expertise and, to the
4 29 extent feasible, that as many as possible of the following
4 30 membership categories are represented among the appointees:
4 31 (1) A school district superintendent from a school
4 32 district with enrollment of one thousand five hundred or more
4 33 pupils.
4 34 (2) The president of an accredited private institution as
4 35 defined in section 261.9.



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- 5 1 (3) A president of an institution of higher education
5 2 under the control of the state board of regents.
5 3 (4) A community college president.
5 4 (5) An individual representing the area education
5 5 agencies.
5 6 (6) An individual representing the teaching profession.
5 7 (7) An individual representing the department of
5 8 education.
5 9 (8) An individual representing an Iowa business employing
5 10 fifty or fewer employees.
5 11 (9) An individual representing an Iowa business employing
5 12 more than fifty employees.
5 13 (10) An individual representing urban economic development
5 14 interests.
5 15 (11) An individual representing rural economic development
5 16 interests.
5 17 (12) An individual representing labor interests.
5 18 (13) An individual representing workforce interests.
5 19 (14) An individual representing an Iowa agriculture
5 20 association.
5 21 (15) An individual from an association representing Iowa
5 22 businesses.
5 23 c. One co=chairperson shall be appointed by the speaker of
5 24 the house of representatives and one co=chairperson shall be
5 25 appointed by the president of the senate.
5 26 d. The appointees shall serve at the pleasure of the
5 27 appointing authority for three=year staggered terms. Terms
5 28 shall begin on May 1 in the year of appointment.
5 29 Sec. 8. Section 8A.204, Code Supplement 2007, is amended
5 30 by adding the following new subsection:
5 31 NEW SUBSECTION. 6. LEGISLATIVE INFORMATION. The board
5 32 shall allow representatives of the senate, house of
5 33 representatives, legislative services agency, and office of
5 34 citizens' aide to provide information to and seek information
5 35 from the board.



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6 1 Sec. 9. Section 8A.221, subsection 3, paragraph a, Code
6 2 2007, is amended to read as follows:

6 3 a. The advisory council shall be composed of ~~nineteen~~
6 4 fourteen members including the following:

6 5 (1) Five persons appointed by the governor representing
6 6 the primary customers of IowAccess.

6 7 (2) ~~Six~~ Five persons representing lawful custodians as
6 8 follows:

~~6 9 (a) One person representing the legislative branch, who
6 10 shall not be a member of the general assembly, to be appointed
6 11 jointly by the president of the senate, after consultation
6 12 with the majority and minority leaders of the senate, and by
6 13 the speaker of the house of representatives, after
6 14 consultation with the majority and minority leaders of the
6 15 house of representatives.~~

6 16 ~~(b)~~ (a) One person representing the judicial branch as
6 17 designated by the chief justice of the supreme court.

6 18 ~~(c)~~ (b) One person representing the executive branch as
6 19 designated by the governor.

6 20 ~~(d)~~ (c) One person to be appointed by the governor
6 21 representing cities who shall be actively engaged in the
6 22 administration of a city.

6 23 ~~(e)~~ (d) One person to be appointed by the governor
6 24 representing counties who shall be actively engaged in the
6 25 administration of a county.

6 26 ~~(f)~~ (e) One person to be appointed by the governor
6 27 representing the federal government.

6 28 (3) Four members to be appointed by the governor
6 29 representing a cross section of the citizens of the state.

~~6 30 (4) Four members of the general assembly, two from the
6 31 senate and two from the house of representatives, with not
6 32 more than one member from each chamber being from the same
6 33 political party. The two senators shall be designated by the
6 34 president of the senate after consultation with the majority
6 35 and minority leaders of the senate. The two representatives~~



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~~7 1 shall be designated by the speaker of the house of
7 2 representatives after consultation with the majority and
7 3 minority leaders of the house of representatives. Legislative
7 4 members shall serve in an ex officio, nonvoting capacity. A
7 5 legislative member is eligible for per diem and expenses as
7 6 provided in section 2.10.~~

7 7 The advisory council shall allow representatives of the
7 8 senate, house of representatives, legislative services agency,
7 9 and office of citizens' aide to provide information to and
7 10 seek information from the advisory council.

7 11 Sec. 10. Section 8A.371, subsection 1, Code Supplement
7 12 2007, is amended to read as follows:

7 13 1. Four members of the general assembly serving as ex
7 14 officio, nonvoting members, ~~two~~ one representative to be
7 15 appointed by the speaker of the house from the membership of
~~7 16 the house, and two of representatives, one representative to~~
7 17 be appointed by the minority leader of the house of
7 18 representatives, one senator to be appointed by the president
7 19 of the senate, after consultation with the majority leader and
~~7 20 the minority leader of the senate, from the membership of the~~
~~7 21 senate and one senator to be appointed by the minority leader~~
7 22 of the senate.

7 23 Sec. 11. Section 8A.372, subsections 2 and 3, Code
7 24 Supplement 2007, are amended to read as follows:

7 25 2. The legislative members of the commission shall be
7 26 appointed to ~~four-year~~ terms of office, ~~two of which shall~~
~~7 27 expire every two years as provided in section 69.16B, unless~~
7 28 sooner terminated by a commission member ceasing to be a
7 29 member of the general assembly. Vacancies shall be filled by
7 30 appointment of the ~~speaker of the house or the president of~~
~~7 31 the senate, after consultation with the majority leader and~~
~~7 32 the minority leader of the senate, as the case may be,~~
7 33 original appointing authority for the unexpired term of their
7 34 predecessors.

7 35 3. The term of office of each appointive voting member of



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8 1 the commission shall begin on the first of May of the
8 2 odd-numbered year in which the member is appointed.
8 3 Sec. 12. Section 12.28, subsection 1, paragraph b, Code
8 4 2007, is amended to read as follows:
8 5 b. "State agency" means a board, commission, bureau,
8 6 division, office, department, or branch of state government.
8 7 However, state agency does not mean the state board of
8 8 regents, institutions governed by the board of regents, or
8 9 authorities created under chapter 16, ~~16A~~, 175, 257C, 261A, or
8 10 327I.
8 11 Sec. 13. Section 12.30, subsection 1, paragraph a, Code
8 12 2007, is amended to read as follows:
8 13 a. "Authority" means a department, or public or
8 14 quasi-public instrumentality of the state including, but not
8 15 limited to, the authority created under chapter 12E, 16, ~~16A~~,
8 16 175, 257C, 261A, 327I, or 463C, which has the power to issue
8 17 obligations, except that "authority" does not include the
8 18 state board of regents or the Iowa finance authority to the
8 19 extent it acts pursuant to chapter 260C. "Authority" also
8 20 includes a port authority created under chapter 28J.
8 21 Sec. 14. Section 13B.2A, Code 2007, is amended to read as
8 22 follows:
8 23 13B.2A INDIGENT DEFENSE ADVISORY COMMISSION.
8 24 1. An indigent defense advisory commission is established
8 25 within the department to advise and make recommendations to
8 26 the legislature and the state public defender regarding the
8 27 hourly rates paid to court-appointed counsel and per case fee
8 28 limitations. These recommendations shall be consistent with
8 29 the constitutional requirement to provide effective assistance
8 30 of counsel to those indigent persons for whom the state is
8 31 required to provide counsel.
8 32 2. The advisory commission shall consist of ~~five~~ seven
8 33 members. The governor shall appoint three members, including
8 34 one member from nominations by the Iowa state bar association
8 35 and one member from nominations by the supreme court. ~~Two~~



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9 1 Four members, ~~one~~ two from each chamber of the general
9 2 assembly, shall be appointed, with no more than one appointed
9 3 from the same political party from each chamber. The majority
9 4 leader of the senate, the minority leader of the senate, the
9 5 speaker of the house of representatives, and the minority
9 6 leader of the house of representatives shall each appoint one
9 7 legislative member. Each member shall serve a three-year
9 8 term, with initial terms to be staggered, except that
9 9 legislative members shall serve for terms as provided in
9 10 section 69.16B. No more than three members shall be licensed
9 11 to practice law in Iowa. The state public defender shall
9 12 serve as an ex officio member of the commission and shall
9 13 serve as the nonvoting chair of the commission.

9 14 3. The members of the commission are entitled to receive
9 15 reimbursement for actual expenses incurred as provided for in
9 16 section 7E.6, subsection 2, while engaged in the performance
9 17 of the duties of the commission. A legislative member is
9 18 eligible for per diem and expenses as provided in section
9 19 2.10.

9 20 4. The advisory commission shall file a written report
9 21 every three years with the governor and the general assembly
9 22 by January 1 of a year in which a report is due regarding the
9 23 recommendations and activities of the commission. The first
9 24 such report shall be due on January 1, 2003.

9 25 Sec. 15. Section 15.103, subsection 1, paragraph a, Code
9 26 2007, is amended to read as follows:

9 27 a. The Iowa economic development board is created,
9 28 consisting of fifteen voting members appointed by the governor
9 29 and seven ex officio, nonvoting members. The ex officio,
9 30 nonvoting members are four legislative members; one president,
9 31 or the president's designee, of the university of northern
9 32 Iowa, the university of Iowa, or Iowa state university of
9 33 science and technology designated by the state board of
9 34 regents on a rotating basis; and one president, or the
9 35 president's designee, of a private college or university



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10 1 appointed by the Iowa association of independent colleges and
10 2 universities; and one superintendent, or the superintendent's
10 3 designee, of a community college, appointed by the Iowa
10 4 association of community college presidents. The legislative
10 5 members are two state senators, one appointed by the president
10 6 of the senate, after consultation with the majority leader of
10 7 the senate, and one appointed by the minority leader of the
10 8 senate, ~~after consultation with the president of the senate,~~
10 9 from their respective parties; and two state representatives,
10 10 one appointed by the speaker and one appointed by the minority
10 11 leader of the house of representatives from their respective
10 12 parties. Not more than eight of the voting members shall be
10 13 from the same political party. Beginning with the first
10 14 appointment to the board made after July 1, 2005, at least one
10 15 voting member shall have been less than thirty years of age at
10 16 the time of appointment. The governor shall appoint the
10 17 voting members of the board for a term of four years beginning
10 18 and ending as provided by section 69.19, subject to
10 19 confirmation by the senate, and the governor's appointments
10 20 shall include persons knowledgeable of the various elements of
10 21 the department's responsibilities.

10 22 Sec. 16. Section 15.421, subsection 2, paragraph b, Code
10 23 Supplement 2007, is amended to read as follows:

10 24 b. Four members of the general assembly shall serve as
10 25 nonvoting, ex officio members of the commission with two from
10 26 the senate and two from the house of representatives and not
10 27 more than one member from each chamber being from the same
10 28 political party. The two senators shall be designated one
10 29 member each by the president of the senate after consultation
10 30 with the majority leader of the senate, and by the minority
10 31 ~~leaders~~ leader of the senate. The two representatives shall
10 32 be designated one member each by the speaker of the house of
10 33 representatives after consultation with the majority leader of
10 34 the house of representatives, and by the minority ~~leaders~~
10 35 leader of the house of representatives.



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11 1 Sec. 17. Section 15E.63, subsection 2, Code 2007, is
11 2 amended to read as follows:
11 3 2. The board shall consist of five voting members and ~~two~~
11 4 four nonvoting advisory members who are members of the general
11 5 assembly. The five voting members shall be appointed by the
11 6 governor and confirmed by the senate pursuant to section 2.32.
11 7 The five voting members shall be appointed to five-year
11 8 staggered terms that shall be structured to allow the term of
11 9 one member to expire each year. One nonvoting member shall be
11 10 appointed by the majority leader of the senate after
11 11 consultation with the president of the senate ~~and the minority~~
~~11 12 leader of the senate and one nonvoting member shall be~~
11 13 appointed by the minority leader of the senate. One nonvoting
11 14 member shall be appointed by the speaker of the house of
11 15 representatives after consultation with the majority leader of
11 16 the house of representatives and one nonvoting member shall be
11 17 appointed by the minority leader of the house of
11 18 representatives. The nonvoting members shall ~~be appointed for~~
~~11 19 two-year serve terms which shall expire upon the convening of~~
~~11 20 a new general assembly as provided in section 69.16B.~~
11 21 Vacancies shall be filled in the same manner as the
11 22 appointment of the original members. Members shall be
11 23 compensated by the board for direct expenses and mileage but
11 24 members shall not receive a director's fee, per diem, or
11 25 salary for service on the board. Members shall be selected
11 26 based upon demonstrated expertise and competence in the
11 27 supervision of investment managers, in the fiduciary
11 28 management of investment funds, or in the management and
11 29 administration of tax credit allocation programs. Members
11 30 shall not have an interest in any person to whom a tax credit
11 31 is allocated and issued by the board.
11 32 Sec. 18. Section 17A.8, subsection 1, Code 2007, is
11 33 amended to read as follows:
11 34 1. There is created the "Administrative Rules Review
11 35 Committee." The committee shall be bipartisan and shall be



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12 1 composed of the following members:

12 2 a. ~~Five~~ Three senators appointed by the majority leader of
12 3 the senate and two senators appointed by the minority leader
12 4 of the senate.

12 5 b. ~~Five~~ Three representatives appointed by the speaker of
12 6 the house of representatives and two representatives appointed
12 7 by the minority leader of the house of representatives.

12 8 Sec. 19. Section 28.3, subsection 4, Code 2007, is amended
12 9 to read as follows:

12 10 4. In addition to the voting members, the Iowa board shall
12 11 include ~~six~~ four members of the general assembly with not more
12 12 than ~~two members~~ one member from each chamber being from the
12 13 same political party. The ~~three~~ two senators shall be
12 14 appointed one each by the majority leader of the senate after
12 15 consultation with the president of the senate, and by the
12 16 minority leader of the senate. The ~~three~~ two representatives
12 17 shall be appointed one each by the speaker of the house of
12 18 representatives after consultation with the majority leader of
12 19 the house of representatives, and by the minority leader
12 20 leader of the house of representatives. Legislative members
12 21 shall serve in an ex officio, nonvoting capacity. A
12 22 legislative member is eligible for per diem and expenses as
12 23 provided in section 2.10.

12 24 Sec. 20. Section 28B.1, subsections 1 and 2, Code 2007,
12 25 are amended to read as follows:

12 26 1. ~~Five~~ Three members of the senate to be appointed by the
12 27 majority leader of the senate and two members of the senate to
12 28 be appointed by the minority leader of the senate.

12 29 2. ~~Five~~ Three members of the house of representatives to
12 30 be appointed by the speaker of the house of representatives
12 31 and two members of the house of representatives to be
12 32 appointed by the minority leader of the house of
12 33 representatives.

12 34 Sec. 21. NEW SECTION. 69.16B STATUTORY BOARDS,
12 35 COMMISSIONS, COUNCILS, AND COMMITTEES == APPOINTMENTS BY



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13 1 MEMBERS OF GENERAL ASSEMBLY == TERMS == DISSOLUTION.
13 2 1. Unless otherwise specifically provided by law, all of
13 3 the following shall apply to an appointment to a statutory
13 4 board, commission, council, or committee made by a member or
13 5 members of the general assembly pursuant to section 2.32A:
13 6 a. An appointment shall be at the pleasure of the
13 7 appointing member.
13 8 b. Unless an appointee is replaced by the appointing
13 9 member, the regular term of appointment shall be two years,
13 10 beginning upon the convening of a general assembly and ending
13 11 upon the convening of the following general assembly, or when
13 12 the appointee's successor is appointed, whichever occurs
13 13 later.
13 14 c. Unless otherwise provided, a vacancy exists if a member
13 15 of the general assembly serving on a statutory board,
13 16 commission, council, or committee ceases to be a member of the
13 17 general assembly. A vacancy shall be filled for the unexpired
13 18 portion of the term in the same manner as the original
13 19 appointment.
13 20 2. Unless otherwise specifically provided by law, a board,
13 21 commission, council, committee, task force, or other temporary
13 22 body created by an uncodified statute that provides for
13 23 issuance of a final report by the body is dissolved on or
13 24 about the date the body's final report is issued.
13 25 Sec. 22. Section 80B.6, unnumbered paragraph 2, Code 2007,
13 26 is amended to read as follows:
13 27 One senator appointed by the president of the senate after
13 28 consultation with the majority leader ~~and the minority leader~~
13 29 of the senate ~~and one representative~~, one senator appointed by
13 30 the minority leader of the senate, one representative
13 31 appointed by the speaker of the house of representatives, and
13 32 one representative appointed by the minority leader of the
13 33 house of representatives are also ex officio, nonvoting
13 34 members of the council who shall serve terms as provided in
13 35 section 69.16B.



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14 1 Sec. 23. Section 84A.1A, subsection 1, Code 2007, is
14 2 amended to read as follows:
14 3 1. An Iowa workforce development board is created,
14 4 consisting of nine voting members appointed by the governor
14 5 and eight ex officio, nonvoting members. The ex officio,
14 6 nonvoting members are four legislative members; one president,
14 7 or the president's designee, of the university of northern
14 8 Iowa, the university of Iowa, or Iowa state university of
14 9 science and technology, designated by the state board of
14 10 regents on a rotating basis; one representative from the
14 11 largest statewide public employees' organization representing
14 12 state employees; one president, or the president's designee,
14 13 of an independent Iowa college, appointed by the Iowa
14 14 association of independent colleges and universities; and one
14 15 superintendent, or the superintendent's designee, of a
14 16 community college, appointed by the Iowa association of
14 17 community college presidents. The legislative members are two
14 18 state senators, one appointed by the president of the senate,
14 19 after consultation with the majority leader of the senate, and
14 20 one appointed by the minority leader of the senate, ~~after~~
~~14 21 consultation with the president of the senate,~~ from their
14 22 respective parties; and two state representatives, one
14 23 appointed by the speaker of the house of representatives after
14 24 consultation with the majority leader of the house of
14 25 representatives, and one appointed by the minority leader
14 26 leader of the house of representatives from their respective
14 27 parties. The legislative members shall serve for terms as
14 28 provided in section 69.16B. Not more than five of the voting
14 29 members shall be from the same political party. Of the nine
14 30 voting members, one member shall represent a nonprofit
14 31 organization involved in workforce development services, four
14 32 members shall represent employers, and four members shall
14 33 represent nonsupervisory employees. Of the members appointed
14 34 by the governor to represent nonsupervisory employees, two
14 35 members shall be from statewide labor organizations, one



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15 1 member shall be an employee representative of a labor
15 2 management council, and one member shall be a person with
15 3 experience in worker training programs. The governor shall
15 4 consider recommendations from statewide labor organizations
15 5 for the members representing nonsupervisory employees. The
15 6 governor shall appoint the nine voting members of the
15 7 workforce development board for a term of four years beginning
15 8 and ending as provided by section 69.19, subject to
15 9 confirmation by the senate, and the governor's appointments
15 10 shall include persons knowledgeable in the area of workforce
15 11 development.

15 12 Sec. 24. Section 97D.4, subsection 1, unnumbered paragraph
15 13 1, Code 2007, is amended to read as follows:

15 14 A public retirement systems committee is established. The
15 15 committee ~~consists~~ shall consist of ~~five~~ three members of the
15 16 senate appointed by the majority leader of the senate ~~in~~
~~15 17 consultation with, two members of the senate appointed by the~~
15 18 ~~minority leader and five of the senate, three members of the~~
15 19 ~~house of representatives appointed by the speaker of the house~~
15 20 ~~in consultation with~~ of representatives, and two members of
15 21 the house of representatives appointed by the minority leader
15 22 of the house of representatives. The committee shall elect a
15 23 chairperson and vice chairperson. Meetings may be called by
15 24 the chairperson or a majority of the members.

15 25 Sec. 25. Section 216A.53, Code 2007, is amended to read as
15 26 follows:

15 27 216A.53 TERM OF OFFICE.

15 28 Four of the members appointed to the initial commission
15 29 shall be designated by the governor to serve two-year terms,
15 30 and five shall be designated by the governor to serve
15 31 four-year terms. The legislative members of the commission
15 32 shall be appointed to ~~four-year~~ terms of office, ~~two of which~~
~~15 33 shall expire every two years as provided in section 69.16B,~~
15 34 unless sooner terminated by a commission member ceasing to be
15 35 a member of the general assembly. Succeeding appointments of



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16 1 voting members shall be for a term of four years. Vacancies
16 2 in the membership shall be filled for the unexpired term in
16 3 the same manner as the original appointment.
16 4 Sec. 26. Section 216A.132, subsection 1, paragraph c, Code
16 5 Supplement 2007, is amended to read as follows:
16 6 c. The chief justice of the supreme court shall appoint
16 7 two additional members currently serving as district judges.
16 8 Two members of the senate and two members of the house of
16 9 representatives shall be ex officio members and shall be
16 10 appointed by the majority and minority leaders of the senate
16 11 and the speaker and minority leader of the house of
16 12 representatives pursuant to section 69.16 and shall serve
16 13 terms as provided in section 69.16B. ~~Members~~ Nonlegislative
16 14 members appointed pursuant to this paragraph shall serve for
16 15 four-year terms beginning and ending as provided in section
16 16 69.19 unless the member ceases to serve as a district court
16 17 judge ~~or as a member of the senate or of the house of~~
16 18 ~~representatives.~~
16 19 Sec. 27. Section 217.41A, subsection 2, Code 2007, is
16 20 amended to read as follows:
16 21 2. The task force shall consist of no more than nine
16 22 voting members, selected by the director of human services,
16 23 who represent entities with expertise in developing or
16 24 implementing electronic health records, including but not
16 25 limited to the United States veterans administration
16 26 facilities in the state, multifacility hospital systems in the
16 27 state, Des Moines university, the university of Iowa hospitals
16 28 and clinics, and the Iowa healthcare collaborative. In
16 29 addition, two members of the senate, with one each appointed
16 30 by the president of the senate after consultation with the
16 31 majority leader, and by the minority leader of the senate, two
16 32 members of the house of representatives, with one each
16 33 appointed by the speaker of the house of representatives after
16 34 consultation with the majority leader of the house of
16 35 representatives, and by the minority leader of the house of



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17 1 representatives, and the commissioner of insurance shall serve
17 2 as ex officio, nonvoting members of the task force. The
17 3 legislator members shall serve terms as provided in section
17 4 69.16B.

17 5 Sec. 28. Section 225C.5, subsection 1, paragraph j, Code
17 6 2007, is amended to read as follows:

17 7 j. In addition to the voting members, the membership shall
17 8 include four members of the general assembly with one member
17 9 designated by each of the following: the majority leader of
17 10 the senate, the minority leader of the senate, the speaker of
17 11 the house of representatives, and the minority leader of the
17 12 house of representatives. A legislative member serves for a
17 13 term as provided in section 69.16B in an ex officio, nonvoting
17 14 capacity and is eligible for per diem and expenses as provided
17 15 in section 2.10.

17 16 Sec. 29. Section 225C.48, subsection 1, paragraph a, Code
17 17 2007, is amended to read as follows:

17 18 a. An eleven-member comprehensive family support council
17 19 is created in the department. The members of the council
17 20 shall be appointed by the ~~following officials as follows:~~
17 21 ~~governor, five members; majority leader of the senate, three~~
17 22 ~~members; and speaker of the house, three members.~~ At least
17 23 ~~three~~ five of the ~~governor's~~ governor's appointments and ~~one of each~~
17 24 ~~legislative chamber's~~ legislative chamber's appointments shall be a family member of
17 25 an individual with a disability as defined in section 225C.47.
17 26 At least five of the ~~members~~ members appointments shall be current or
17 27 former service consumers or family members of such service
17 28 consumers. Members shall serve for three-year staggered
17 29 terms. A vacancy on the council shall be filled in the same
17 30 manner as the original appointment.

17 31 Sec. 30. Section 231.11, Code 2007, is amended to read as
17 32 follows:

17 33 231.11 COMMISSION ESTABLISHED.

17 34 The commission of elder affairs is established which shall
17 35 consist of eleven members. ~~Two members~~ One member each shall



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18 1 be appointed by the president of the senate, after
18 2 consultation with the majority leader of the senate, and by
18 3 the minority leader of the senate, from the members of the
18 4 senate to serve as ex officio, nonvoting members ~~with no more~~
~~18 5 than one member being appointed from the same political party.~~
18 6 ~~Two members~~ One member each shall be appointed by the speaker
18 7 of the house of representatives and by the minority leader of
18 8 the house of representatives, from the members of the house of
18 9 representatives to serve as ex officio, nonvoting members ~~with~~
~~18 10 no more than one member being appointed from the same~~
~~18 11 political party.~~ Seven members shall be appointed by the
18 12 governor subject to confirmation by the senate. Not more than
18 13 a simple majority of the governor's appointees shall belong to
18 14 the same political party. At least four of the seven members
18 15 appointed by the governor shall be fifty-five years of age or
18 16 older when appointed.

18 17 Sec. 31. Section 231.12, Code 2007, is amended to read as
18 18 follows:

18 19 231.12 TERMS.

18 20 All members of the commission appointed by the governor
18 21 shall be appointed for terms of four years, with staggered
18 22 expiration dates. The terms of office of members appointed by
18 23 the governor shall commence and end as provided by section
18 24 69.19. Legislative members of the commission shall serve
18 25 terms of office as provided in section 69.16B. A vacancy on
18 26 the commission shall be filled for the unexpired term of the
18 27 vacancy in the same manner as the original appointment was
18 28 made. If a legislative member ceases to be a member of the
18 29 general assembly the legislative member may continue to serve
18 30 until a successor is appointed.

18 31 Sec. 32. Section 231.58, subsection 2, Code 2007, is
18 32 amended to read as follows:

18 33 2. The legislative members of the unit shall be appointed
18 34 as follows: two members of the senate, with one each
18 35 appointed by the majority leader of the senate, after



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19 1 consultation with the president of the senate, and by the
19 2 minority leader of the senate, and two members of the house of
19 3 representatives with one each appointed by the speaker of the
19 4 house of representatives, after consultation with the majority
19 5 leader of the house of representatives, and by the minority
19 6 leader of the house of representatives.

19 7 Sec. 33. Section 237A.21, subsection 3, paragraph m, Code
19 8 2007, is amended to read as follows:

19 9 m. ~~Two~~ Four legislators. Notwithstanding subsection 2,
~~19 10 the legislators shall be appointed in a manner so that both~~
~~19 11 major political parties are represented~~ one each by the
19 12 majority leader of the senate, the minority leader of the
19 13 senate, the speaker of the house of representatives, and the
19 14 minority leader of the house of representatives for terms as
19 15 provided in section 69.16B.

19 16 Sec. 34. Section 249A.4B, subsection 2, paragraph g, Code
19 17 2007, is amended to read as follows:

19 18 g. The following members of the general assembly, each for
19 19 a term of two years as provided in section 69.16B:

19 20 (1) Two members of the house of representatives, one
19 21 appointed by the speaker of the house of representatives and
19 22 one appointed by the minority leader of the house of
19 23 representatives from their respective parties.

19 24 (2) ~~One member~~ Two members of the senate ~~from each of the~~
~~19 25 two major political parties~~, one appointed by the president of
19 26 the senate, ~~after consultation with the majority leader~~ of the
19 27 senate, and one appointed by the minority leader of the
19 28 senate.

19 29 Sec. 35. Section 249J.20, Code 2007, is amended by adding
19 30 the following new subsection:

19 31 NEW SUBSECTION. 1A. The members of the council shall
19 32 serve terms as provided in section 69.16B.

19 33 Sec. 36. Section 252B.18, subsection 1, paragraph b, Code
19 34 2007, is amended to read as follows:

19 35 b. The legislative members of the committee shall be



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20 1 appointed as follows: one senator each by the majority leader
20 2 of the senate, after consultation with the president of the
20 3 senate, and by the minority leader of the senate, and one
20 4 member of the house of representatives each by the speaker of
20 5 the house of representatives, after consultation with the
20 6 majority leader of the house of representatives, and by the
20 7 minority leader of the house of representatives. ~~Members~~ The
20 8 legislative members shall serve for terms as provided in
20 9 section 69.16B. Nonlegislative members shall serve staggered
20 10 terms of two years. Appointments shall comply with sections
20 11 69.16 and 69.16A. Vacancies shall be filled by the original
20 12 appointing authority and in the manner of the original
20 13 appointments.
20 14 Sec. 37. Section 256.32, subsections 2 and 4, Code 2007,
20 15 are amended to read as follows:
20 16 2. The council may also include as ex officio members the
20 17 following persons, as determined by the voting members of the
20 18 council:
20 19 a. The state future farmers of America president.
20 20 b. The current state future farmers of America alumni
20 21 association president.
20 22 c. The current postsecondary agriculture students
20 23 president.
20 24 d. The current young farmers educational association
20 25 president.
20 26 e. A state consultant in agricultural education.
20 27 f. The secretary of agriculture or the secretary's
20 28 designee.
20 29 g. ~~A member~~ Two members of each house of the general
20 30 assembly. This membership shall be bipartisan in composition
20 31 and one member each shall be selected by the president of the
20 32 senate, after consultation with the majority leader of the
20 33 senate, and by the minority leader of the senate, and one
20 34 member each shall be selected by the speaker of the house of
20 35 representatives and by the minority leader of the house of



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21 1 representatives.

21 2 4. The term of membership is three years. The terms shall
21 3 be staggered so that three of the terms end each year, but no
21 4 member serving on the initial council shall serve less than
21 5 one year. The governor shall determine the length of the
21 6 initial terms of office. However, the terms of office for
21 7 members of the general assembly shall be as provided in
21 8 section 69.16B.

21 9 Sec. 38. Section 261D.3, subsection 3, Code 2007, is
21 10 amended to read as follows:

21 11 3. ~~The Nonlegislative~~ members shall serve two-year terms
21 12 except as otherwise provided under the terms of the compact.
21 13 Legislative members shall serve two-year terms as provided in
21 14 section 69.19B. Nonlegislative members shall serve without
21 15 compensation, but shall receive their actual and necessary
21 16 expenses and travel. Legislative members shall receive actual
21 17 and necessary expenses pursuant to sections 2.10 and 2.12.
21 18 Vacancies on the commission shall be filled for the unexpired
21 19 portion of the term in the same manner as the original
21 20 appointments. If a member ceases to be a member of the
21 21 general assembly, the member shall no longer serve as a member
21 22 of the commission.

21 23 Sec. 39. Section 272B.2, Code 2007, is amended to read as
21 24 follows:

21 25 272B.2 EDUCATION COMMISSION OF THE STATES.

21 26 Article III, paragraph 1, of the compact notwithstanding,
21 27 the members of the education commission of the states
21 28 representing this state consist of the governor, two
21 29 nonlegislative members appointed by the governor, two members
21 30 of the senate with one member appointed by the majority leader
21 31 of the senate and one member appointed by the minority leader
21 32 of the senate, and two members of the house of representatives
21 33 with one member appointed by the speaker of the house of
21 34 representatives and one member appointed by the minority
21 35 leader of the house of representatives. ~~The Nonlegislative~~



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22 1 members shall serve four-year terms and legislative members
22 2 shall serve terms as provided in section 69.16B.

22 3 Nonlegislative members shall serve on the education commission
22 4 of the states without compensation, but shall receive their
22 5 actual and necessary expenses and travel. Legislative members
22 6 shall receive per diem and actual and necessary expenses and
22 7 travel pursuant to sections 2.10 and 2.12. Vacancies on the
22 8 commission shall be filled for the unexpired portion of the
22 9 term in the same manner as the original appointments. If a
22 10 member ceases to be a member of the general assembly, the
22 11 member shall no longer serve as a member of the education
22 12 commission of the states.

22 13 Sec. 40. Section 280A.2, subsection 8, Code 2007, is
22 14 amended to read as follows:

22 15 8. TERMS OF MEMBERS. The members shall be appointed to
22 16 three-year staggered terms and the terms shall commence and
22 17 end as provided by section 69.19, except that the appointment
22 18 and terms of legislators shall be as provided in section
22 19 69.16B. If a vacancy occurs, a successor shall be appointed
22 20 to serve the unexpired term. A successor shall be appointed
22 21 in the same manner and subject to the same qualifications as
22 22 the original appointment to serve the unexpired term.

22 23 Sec. 41. Section 333A.2, subsection 1, paragraph d, Code
22 24 2007, is amended to read as follows:

22 25 d. An operations research analyst experienced in cost
22 26 effectiveness analysis of county services appointed jointly
22 27 ~~by, and to serve at the pleasure of, the legislative council~~
22 28 the majority and minority leaders of the senate and the
22 29 speaker and the minority leader of the house of
22 30 representatives.

22 31 Sec. 42. Section 384.13, unnumbered paragraph 1, Code
22 32 2007, is amended to read as follows:

22 33 As used in this division, unless the context otherwise
22 34 requires, "committee" means the city finance committee and
22 35 "director" means the director of the department of management.



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23 1 ~~A nine-member~~ An eight-member city finance committee is
23 2 created. Members of the committee are:
23 3 Sec. 43. Section 384.13, subsection 5, Code 2007, is
23 4 amended by striking the subsection.
23 5 Sec. 44. Section 423.9, subsection 3, unnumbered paragraph
23 6 1, Code 2007, is amended to read as follows:
23 7 Four representatives are authorized to be members of the
23 8 governing board established pursuant to the agreement and to
23 9 represent Iowa before that body as one vote. The legislator
23 10 representatives shall serve terms as provided in section
23 11 69.16B. The representatives shall be appointed as follows:
23 12 Sec. 45. Section 455B.851, subsection 2, paragraph b, Code
23 13 Supplement 2007, is amended to read as follows:
23 14 b. The four nonvoting, ex officio members shall consist of
23 15 four members of the general assembly, two from the senate and
23 16 two from the house of representatives, with not more than one
23 17 member from each chamber being from the same political party.
23 18 The two senators shall be designated one member each by the
23 19 majority leader of the senate after consultation with the
23 20 president and by the minority leader of the senate. The two
23 21 representatives shall be designated one member each by the
23 22 speaker of the house of representatives after consultation
23 23 with the majority leader of the house of representatives, and
23 24 by the minority leaders leader of the house of
23 25 representatives.
23 26 Sec. 46. Section 466A.3, subsection 1, paragraph b, Code
23 27 2007, is amended to read as follows:
23 28 b. The board shall also include four members of the
23 29 general assembly who shall serve as ex officio, nonvoting
23 30 members. Not more than one member from each house shall be
23 31 from the same political party. Two state senators shall be
23 32 appointed, one by the majority leader of the senate and one by
23 33 the minority leader of the senate. Two state representatives
23 34 shall be appointed, one by the speaker of the house of
23 35 representatives and one by the minority leader of the house of



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24 1 representatives. The legislator members shall serve terms as
24 2 provided in section 69.16B. A legislator member may designate
24 3 another person to attend a board meeting if the member is
24 4 unavailable. Only the legislator member is eligible for per
24 5 diem and expenses as provided in section 2.10.

24 6 Sec. 47. Section 473.11, subsection 3, unnumbered
24 7 paragraph 1, Code 2007, is amended to read as follows:

24 8 An energy fund disbursement council is established. The
24 9 council shall be composed of the governor or the governor's
24 10 designee, the director of the department of management, who
24 11 shall serve as the council's chairperson, the administrator of
24 12 the division of community action agencies of the department of
24 13 human rights, a designee of the director of the department of
24 14 natural resources who is knowledgeable in the field of energy
24 15 conservation, and a designee of the director of transportation
24 16 who is knowledgeable in the field of energy conservation. The
24 17 council shall include as nonvoting members two members of the
24 18 senate with one each appointed by the president of the senate,
24 19 after consultation with the majority leader of the senate, and
24 20 by the minority leader of the senate, and two members of the
24 21 house of representatives with one each appointed by the
24 22 speaker of the house of representatives, after consultation
24 23 with the majority leader of the house of representatives, and
24 24 by the minority leader of the house of representatives. The
24 25 legislative members shall be appointed upon the convening and
24 26 for the period of each general assembly. Not more than one
24 27 member from each house shall be of the same political party.
24 28 The council shall be staffed by the department of natural
24 29 resources. The attorney general shall provide legal
24 30 assistance to the council.

24 31 Sec. 48. Section 514E.2, subsection 2, paragraph f, Code
24 32 2007, is amended to read as follows:

24 33 f. ~~Two~~ Four members of the general assembly, one of whom
24 34 shall be appointed by the speaker of the house ~~and~~ of
24 35 representatives, one of whom shall be appointed by the



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25 1 minority leader of the house of representatives, one of whom
25 2 shall be appointed by the president of the senate, after
25 3 consultation with the majority leader and the minority leader
25 4 of the senate, and one of whom shall be appointed by the
25 5 minority leader of the senate, who shall be ex officio,
25 6 nonvoting members.

25 7 Sec. 49. Section 514I.5, subsection 1, paragraph e, Code
25 8 Supplement 2007, is amended to read as follows:

25 9 e. Two members of the senate and two members of the house
25 10 of representatives, serving as ex officio, nonvoting members.
25 11 The legislative members of the board shall be appointed one
25 12 each by the majority leader of the senate, after consultation
25 13 with the president of the senate, and by the minority leader
25 14 of the senate, and by the speaker of the house of
25 15 representatives, after consultation with the majority leader
25 16 of the house of representatives, and by the minority leader of
25 17 the house of representatives. Legislative members shall
25 18 receive compensation pursuant to section 2.12.

25 19 Sec. 50. Section 907B.3, Code 2007, is amended to read as
25 20 follows:

25 21 907B.3 STATE COUNCIL.

25 22 The state council established in section 907B.2 shall
25 23 consist of ~~five~~ seven members plus the compact administrator.
25 24 The council shall include at least one member from a minority
25 25 group. The chief justice of the supreme court shall appoint
25 26 one member to represent the judicial branch. The president of
25 27 the senate and the minority leader of the senate shall each
25 28 appoint one member to represent the senate. The speaker of
25 29 the house of representatives and the minority leader of the
25 30 house of representatives shall each appoint one member to
25 31 represent the house of representatives. The governor shall
25 32 appoint one member to represent the executive branch and one
25 33 member to represent crime victim groups. The governor, in
25 34 consultation with the legislative and judicial branches, shall
25 35 also appoint the compact administrator.



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26 1 Sec. 51. Sections 2.35, 2.36, 2D.1, 16A.1, 16A.3, 16A.4,
26 2 16A.5, 16A.6, 16A.7, 16A.8, 16A.9, 16A.10, 16A.11, 16A.12,
26 3 16A.13, 16A.14, 16A.15, 16A.16, 16A.17, 16A.18, 16A.19,
26 4 16A.20, 16A.21, 16A.22, and 602.1514, Code 2007, and section
26 5 16A.2, Code Supplement 2007, are repealed.
26 6 Sec. 52. 2005 Iowa Acts, chapter 88, and chapter 158,
26 7 section 52, are repealed.
26 8 Sec. 53. 2006 Iowa Acts, chapter 1145, section 4, as
26 9 amended by 2007 Iowa Acts, chapter 211, section 40, is
26 10 repealed.
26 11 Sec. 54. 2006 Iowa Acts, chapter 1184, section 16,
26 12 subsection 1, paragraph b, is amended to read as follows:
26 13 b. It is the intent of the general assembly that effective
26 14 July 1, 2009, placements at the Iowa juvenile home will be
26 15 limited to females and that placements of boys at the home
26 16 will be diverted to other options. ~~The department shall~~
~~26 17 utilize a study group to make recommendations on the options~~
~~26 18 for diversion of placements of boys and the study group shall~~
~~26 19 report on or before July 1, 2007, to the persons designated by~~
~~26 20 this division of this Act to receive reports. Leadership for~~
~~26 21 the study group shall be provided by the department of human~~
~~26 22 services. The study group membership shall also include but~~
~~26 23 is not limited to two departmental service area administrators~~
~~26 24 or their designees, a representative of the division of the~~
~~26 25 commission on the status of women of the department of human~~
~~26 26 rights, a member of the council on human services, a~~
~~26 27 departmental division administrator, two representatives of~~
~~26 28 juvenile court services, a representative of the division of~~
~~26 29 criminal and juvenile justice planning of the department of~~
~~26 30 human rights, and two representatives of child welfare service~~
~~26 31 provider agencies. In addition, the study group membership~~
~~26 32 shall include four members of the general assembly so that the~~
~~26 33 majority and minority parties of both chambers are~~
~~26 34 represented. Legislative members are eligible for~~
~~26 35 reimbursement of actual expenses paid under section 2.10.~~



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28 1 for issuance of a final report by the body is dissolved on or
28 2 about the date the body's final report is issued.
28 3 CONSULTATION BY MULTIPLE APPOINTING MEMBERS, INFORMING
28 4 APPOINTEES AND BODIES OF APPOINTMENTS, AND DATABASE OF
28 5 APPOINTMENTS MAINTAINED BY LEGISLATIVE SERVICES AGENCY. New
28 6 Code section 2.32A provides that if multiple appointing
28 7 members are charged with making appointments of legislators or
28 8 public members to the same board, commission, council, or
28 9 committee, the members shall consult with one another in
28 10 making the appointments. The appointments are required to be
28 11 made prior to the fourth Monday in January of the first
28 12 regular session of each general assembly. Each appointing
28 13 authority is required to inform the legislative services
28 14 agency of the appointment. The legislative services agency is
28 15 then required to inform the appointee and the board,
28 16 commission, council, or committee to which the appointment is
28 17 made, of the appointment. The legislative services agency is
28 18 required to maintain an up-to-date listing of all appointments
28 19 made or to be made by members of the general assembly. New
28 20 Code section 2.32A also provides that unless otherwise
28 21 specifically provided by law, a member of the general assembly
28 22 is paid per diem and necessary travel and actual expenses
28 23 incurred in attending meetings of a statutory board,
28 24 commission, council, or committee to which the member is
28 25 appointed by a member of the general assembly. Code section
28 26 2A.4 is amended to provide that the legislative services
28 27 agency may also post on the general assembly's internet site
28 28 information regarding the organization and activities of the
28 29 boards, commissions, councils, and committees to which members
28 30 of the general assembly make appointments.
28 31 In many provisions of current law the president of the
28 32 senate, majority leader of the senate, or the speaker of the
28 33 house is designated to appoint legislative members on behalf
28 34 of the minority party in consultation with the minority party
28 35 leader. The bill provides a general requirement in new Code



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29 1 section 2.32A for legislative members from each chamber making
29 2 appointments of legislators to consult with the other
29 3 appointing legislative members from that chamber. The bill
29 4 provides independent appointment authority for the minority
29 5 leaders of both chambers for the legislative appointments made
29 6 to the following boards, commissions, councils, and
29 7 committees: Iowa legislative council (Code section 2.41);
29 8 institute for tomorrow's workforce (Code section 7K.1);
29 9 capitol planning commission (Code sections 8A.371 and 8A.372);
29 10 Iowa economic development board (Code section 15.103);
29 11 generation Iowa commission (Code section 15.421); Iowa capital
29 12 investment board (Code section 15E.63); administrative rules
29 13 review committee (Code section 17A.8); Iowa empowerment board
29 14 (Code section 28.3); Iowa commission on interstate cooperation
29 15 (Code section 28B.1); Iowa law enforcement academy council
29 16 (Code section 80B.6); Iowa workforce development board (Code
29 17 section 84A.1A); public retirement systems committee (Code
29 18 section 97D.4); electronic health systems records task force
29 19 (Code section 217.41A); commission of elder affairs (Code
29 20 section 231.11); senior living coordinating unit (Code section
29 21 231.58); medical assistance advisory council (Code section
29 22 249A.4B); child support advisory committee (Code section
29 23 252B.18); advisory council for agricultural education (Code
29 24 section 256.32); education commission of the states (Code
29 25 section 272B.2); Iowa climate change advisory council (Code
29 26 section 455B.851); energy fund disbursement council (Code
29 27 section 473.11); board of directors of the Iowa comprehensive
29 28 health insurance association (Code section 514E.2); and hawk=i
29 29 board (Code section 514I.5).
29 30 Code section 7K.1, establishing the institute for
29 31 tomorrow's workforce, is also amended to revise the
29 32 appointment provisions for the institute's board of directors.
29 33 Current law provides for five appointments each by the
29 34 governor, the president of the senate, and the speaker of the
29 35 house of representatives. The bill maintains the total of 15



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30 1 appointees but designates two each of the five senate and
30 2 house appointments for the minority leader of each chamber.
30 3 Current law provides for appointment of specific categories
30 4 and interests for each appointing authority. The bill
30 5 combines the three lists of categories into a single list,
30 6 deletes certain categories, adds new categories, and directs
30 7 the appointing authorities to try and make the appointments so
30 8 that there is a balance between appointees with educational
30 9 expertise and business expertise and the categories are all
30 10 addressed. A prohibition in current law is eliminated that
30 11 provided the only state employee appointee is the one who is
30 12 president of a state university.
30 13 NEW TWO=YEAR TERMS. The bill provides for new two=year
30 14 terms for appointees of members of the general assembly for
30 15 the following commissions, councils, committees, and task
30 16 forces: capitol planning commission (Code section 8A.372);
30 17 indigent defense advisory commission (Code section 13B.2A);
30 18 Iowa capital investment board (Code section 15E.63); Iowa law
30 19 enforcement academy council (Code section 80B.6); commission
30 20 on the status of women (Code section 216A.53); criminal and
30 21 juvenile justice planning advisory council (Code section
30 22 216A.132); electronic health records system task force (Code
30 23 section 217.41A); mental health, mental retardation,
30 24 developmental disabilities, and brain injury commission (Code
30 25 section 225C.5); commission of elder affairs (Code section
30 26 231.12); medical assistance advisory council (Code section
30 27 249A.4B); medical assistance projections and assessment
30 28 council (Code section 249J.20); child support advisory
30 29 committee (Code section 252B.18); advisory council for
30 30 agricultural education (Code section 256.32); midwestern
30 31 higher education compact commission (Code section 261D.3);
30 32 education commission of the states (Code section 272B.2); Iowa
30 33 learning technology commission (Code section 280A.2); county
30 34 finance committee (Code section 333A.2); streamlined sales and
30 35 use tax agreement governing board (Code section 423.9); and



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31 1 watershed improvement board (Code section 466A.3).
31 2 BODIES ABOLISHED. The bill also abolishes the following
31 3 boards, commissions, councils, and committees: communications
31 4 review committee (Code section 2.35); international relations
31 5 advisory council (Code section 2D.1); Iowa economic protective
31 6 and investment authority board (Code section 16A.3) and the
31 7 authority, which is also repealed (Code chapter 16A); judicial
31 8 compensation commission (Code section 602.1514); direct care
31 9 worker task force established by the department of public
31 10 health (2005 Iowa Acts, chapter 88); sex offender treatment
31 11 and supervision task force established by the division of
31 12 criminal and juvenile justice planning of the department of
31 13 human rights (2005 Iowa Acts, chapter 158, section 52);
31 14 watershed quality planning task force (2006 Iowa Acts, chapter
31 15 1145, section 4); study group for diversion of placements of
31 16 boys at the Iowa juvenile home (2006 Iowa Acts, chapter 1184,
31 17 section 16); and sustainable natural resource funding advisory
31 18 committee (2006 Iowa Acts, chapter 1185, section 43).
31 19 LEGISLATIVE APPOINTEES REMOVED. The memberships of the
31 20 following councils and committees are modified to remove
31 21 appointments made by a member or members of the general
31 22 assembly: IowaAccess advisory council (Code section 8A.221);
31 23 comprehensive family support council (Code section 225C.48);
31 24 and city finance committee (Code section 384.13). A 2005
31 25 enactment eliminated the information technology council under
31 26 Code section 8A.204, which had legislative representation, and
31 27 replaced it with the technology governance board, which does
31 28 not have legislative representation. The bill provides
31 29 relative to both the technology governance board and the Iowa
31 30 Access advisory council, that representatives of the
31 31 legislative bodies and agencies have authority to provide to
31 32 and seek information from the board and council.
31 33 LEGISLATIVE APPOINTEES INCREASED TO FOUR. The memberships
31 34 of the following boards, commissions, and councils are
31 35 modified to increase the number of appointments made by a



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32 1 member or members of the general assembly from two to four:
32 2 indigent defense advisory commission (Code section 13B.2A);
32 3 Iowa capital investment board (Code section 15E.63); Iowa law
32 4 enforcement academy council (Code section 80B.6); state child
32 5 care advisory council (Code section 237A.21); advisory council
32 6 for agricultural education (Code section 256.32); the Iowa
32 7 comprehensive health insurance association board (Code section
32 8 514E.2); and the state council for the interstate compact for
32 9 adult offender supervision (Code section 907B.3).

32 10 LEGISLATIVE APPOINTEES DECREASED TO FOUR. The membership
32 11 of the following board is modified to decrease the number of
32 12 appointments made by a member or members of the general
32 13 assembly from six to four: Iowa empowerment board (Code
32 14 section 28.3).

32 15 LEGISLATIVE LEADERS MADE APPOINTING AUTHORITY. The
32 16 legislative appointing authority for the following committee
32 17 is transferred from the legislative council to the four named
32 18 legislative leaders: county finance committee (Code section
32 19 333A.2).

32 20 EFFECTIVE AND APPLICABILITY PROVISIONS. The bill takes
32 21 effect upon enactment and applies to appointments made before,
32 22 on, or after the effective date. To comply with provisions of
32 23 the bill affecting the number or length of appointments, terms
32 24 of appointment will end no later than two years hence.

32 25 LSB 6434SS 82

32 26 jp/rj/5.2



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Senate Resolution 125 - Introduced

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S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY ANGELO, WIECK, ZIEMAN, KETTERING, BOETTGER,
1 3 WARD, MULDER, JOHNSON, ZAUN, MCKINLEY, NOBLE,
1 4 PUTNEY, GASKILL, LUNDBY, HOUSER, SEYMOUR, WOOD,
1 5 HECKROTH, RIELLY, SCHOENJAHN, OLIVE, KREIMAN,
1 6 STEWART, QUIRMBACH, WARNSTADT, RAGAN, BOLKCOM,
1 7 FRAISE, DOTZLER, HATCH, DVORSKY, CONNOLLY, SENG,
1 8 APPEL, HOGG, DEARDEN, GRONSTAL, COURTNEY,
1 9 HANCOCK, KIBBIE, DANIELSON, SCHMITZ, and HORN
1 10 A Resolution honoring Iowa's Olympic athletes.
1 11 WHEREAS, the tradition of the Olympic games was
1 12 revived in 1896 in Athens, Greece, with 14 nations
1 13 participating in 43 events; and
1 14 WHEREAS, 112 years later the Olympics includes 35
1 15 sports, nearly 400 events, and thousands of athletes;
1 16 and
1 17 WHEREAS, Iowa has a long and proud Olympic
1 18 tradition, including many gold medal winners; and
1 19 WHEREAS, in 2008, Iowa will be represented by the
1 20 following nine athletes, serving as principal
1 21 competitors or as alternates, competing in five
1 22 Olympic sports:
1 23 Haley Dunn, from Eddyville, competing in skeet
1 24 shooting; Lee Fullhart, from Hesper, competing in
1 25 wrestling; Kirk Hinrich, from Sioux City, competing in
1 26 basketball; Shawn Johnson, from West Des Moines,
1 27 competing in gymnastics; Sara McMann, from Iowa City,
1 28 competing in wrestling; Doug Schwab, from Osage,
1 29 competing in wrestling; Tolly Thompson, from
1 30 Janesville, competing in wrestling; Joe Williams, from



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Senate Resolution 125 - Introduced continued

2 1 Iowa City, competing in wrestling; and Joey Woody,
2 2 from Iowa City, competing in track and field; NOW
2 3 THEREFORE,
2 4 BE IT RESOLVED BY THE SENATE, That the Senate
2 5 honors these young Iowans, whose efforts bring honor
2 6 not only to themselves, but also to their communities
2 7 and all Iowa, and wishes them the best of luck in the
2 8 XXIX Olympiad.
2 9 LSB 6644SS 82
2 10 jr/rj/8



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Senate Study Bill 3293

SENATE FILE
BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON COURTNEY)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to postsecondary education financial assistance
2 requirements for lending institutions, the Iowa student loan
3 liquidity corporation, the college student aid commission,
4 accredited postsecondary institutions, and private student
5 loan creditors, and providing for properly related matters.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 6635XC 82
8 kh/rj/5



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Senate Study Bill 3293 continued

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1 1 Section 1. Section 7C.4A, subsection 3, Code 2007, is
1 2 amended to read as follows:

1 3 3. Sixteen percent of the state ceiling shall be allocated
1 4 to qualified student loan bonds. However, at any time during
1 5 the calendar year the governor's designee, ~~with the approval~~
~~1 6 of the Iowa student loan liquidity corporation,~~ may determine
1 7 that a lesser amount need be allocated to qualified student
1 8 loan bonds and on that date the lesser amount shall be the
1 9 amount allocated for those bonds and the excess shall be
1 10 allocated under subsection 7.

1 11 Sec. 2. Section 7C.12, subsection 2, Code 2007, is amended
1 12 by adding the following new paragraph:

1 13 NEW PARAGRAPH. c. Shall report any reallocation of the
1 14 amount of the state ceiling by the governor's designee in
1 15 accordance with this chapter to the legislative government
1 16 oversight committee and the auditor of state no later than the
1 17 tenth day of the month following any reallocation. The report
1 18 shall contain, at a minimum, the amount of each reallocation,
1 19 the date of each reallocation, the name of the political
1 20 subdivision and a description of all bonds issued pursuant to
1 21 a reallocation, a brief explanation of the reason for the
1 22 reallocation, and such other information as may be required by
1 23 the committee.

1 24 Sec. 3. NEW SECTION. 260C.30 FINANCIAL AID REQUIREMENTS.

1 25 The board of directors of each community college shall do
1 26 the following:

1 27 1. Require every individual who secures a loan to attend
1 28 classes as a student in a vocational=technical or career
1 29 option program or a program which leads to an associate degree
1 30 to view the financial aid education video made available by
1 31 the college student aid commission in accordance with section
1 32 261.7, subsection 1.

1 33 2. Require its financial aid office to clearly distinguish
1 34 private student loans from federal student loans in financial
1 35 aid awards information and other materials. All materials



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2 1 provided by the financial aid office regarding private student
2 2 loans shall state that private student loans are not
2 3 collateralized by the federal government and can be costlier
2 4 for borrowers than federal student loans. The financial aid
2 5 office shall also inform prospective borrowers about the
2 6 availability and terms of federal student loans. In
2 7 conducting its education loan activities for students, parents
2 8 or guardians, and lending institutions, the financial aid
2 9 office is subject to the duties and obligations of the federal
2 10 Truth in Lending Act to make or give to a borrower the
2 11 disclosures, information, and notices required by the Act.
2 12 For purposes of this section, "borrower" means the same as
2 13 defined in section 261.7.

2 14 3. Adopt the financial aid office code of conduct adopted
2 15 by the college student aid commission pursuant to section
2 16 261.7, subsection 2. Prohibit the use of the community
2 17 college's name or insignia by private lenders.

2 18 4. Prohibit the community college and its financial aid
2 19 office from entering into an agreement with a lending
2 20 institution or otherwise providing any loans to borrowers in
2 21 exchange for the community college providing concessions or
2 22 promises to the lending institution that may prejudice other
2 23 borrowers or prospective borrowers.

2 24 5. Prohibit an employee of the community college, on the
2 25 employee's behalf or on behalf of another, from directly or
2 26 indirectly soliciting, accepting, or receiving any gift from
2 27 or on behalf of a lending institution or loan servicer. This
2 28 subsection shall not be construed as prohibiting a community
2 29 college employee from conducting business with any lending
2 30 institution or loan servicer, provided that such business is
2 31 unrelated in any manner whatsoever with the community college.

2 32 6. Require an employee to report to the administration any
2 33 instance of a lending institution or loan servicer attempting
2 34 to give a gift to the employee.

2 35 7. Prohibit the financial aid office from packaging a



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3 1 private student loan before determining the borrower's
3 2 eligibility for state assistance under chapter 261 or student
3 3 assistance under Title IV of the federal Higher Education Act
3 4 of 1965, as amended. The board shall also prohibit the
3 5 financial aid office from packaging a private student loan
3 6 before awarding the full amount of state or federal assistance
3 7 the borrower is eligible to receive under chapter 261 or under
3 8 Title IV of the federal Higher Education Act of 1965, as
3 9 amended.

3 10 Sec. 4. NEW SECTION. 261.7 FINANCIAL INFORMATION == CODE
3 11 OF CONDUCT == REQUIREMENTS.

3 12 1. FINANCIAL AID EDUCATION VIDEO. The commission shall
3 13 develop a financial aid education video for students entering
3 14 a postsecondary institution which the commission shall make
3 15 available on its internet site, to postsecondary educational
3 16 institutions, and to lending institutions throughout the
3 17 state. The focus of the video shall be on responsible student
3 18 borrowing and budgeting.

3 19 2. CODE OF CONDUCT. The commission shall adopt by rule a
3 20 financial aid code of conduct. Each financial aid office
3 21 established by, and each financial aid officer employed by, a
3 22 community college, regents university, or accredited private
3 23 institution shall adhere to the code of conduct adopted
3 24 pursuant to this subsection. The rules shall, at a minimum,
3 25 provide:

3 26 a. An institutional financial aid professional is expected
3 27 to always maintain exemplary standards of professional conduct
3 28 in all aspects of carrying out the professional's
3 29 responsibilities, specifically including all dealings with any
3 30 entities involved in any manner in student financial aid,
3 31 regardless of whether such entities are involved in a
3 32 government sponsored, subsidized, or regulated activity.

3 33 b. A financial aid professional shall refrain from the
3 34 following:

3 35 (1) Taking any action for personal benefit.



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4 1 (2) Taking any action contrary to law, regulation, rule,
4 2 or the best interests of the borrowers served.

4 3 (3) Soliciting or accepting anything of other than nominal
4 4 value from any entity, other than an institution of higher
4 5 education or a governmental entity such as the United States
4 6 department of education, involved in the making, holding,
4 7 consolidating, or processing of any student loans, including
4 8 anything of value such as reimbursement of expenses for
4 9 serving on an advisory body or as part of a training activity
4 10 of or sponsored by any such entity.

4 11 c. A financial aid professional shall do the following:

4 12 (1) Strive to provide information that is accurate,
4 13 unbiased, and does not reflect any preference arising from
4 14 actual or potential personal gain.

4 15 (2) Be objective in making decisions and advising the
4 16 financial aid office and the postsecondary educational
4 17 institution of employment regarding relationships with any
4 18 entity involved in any aspect of student financial aid.

4 19 (3) Disclose to the financial aid office and postsecondary
4 20 educational institution of employment, in such manner as
4 21 prescribed by the office or institution, any involvement with
4 22 or interest in any entity involved in any aspect of student
4 23 financial aid.

4 24 3. ANNUAL REPORT. The commission shall submit an annual
4 25 report to the governor, general assembly, and the auditor of
4 26 state providing the default rate for each community college,
4 27 regents university, and accredited private institution in the
4 28 state.

4 29 4. STUDENT LOAN PROGRAM INFORMATION. The commission shall
4 30 accumulate and periodically report information regarding
4 31 available student loan interest rates and loan terms from
4 32 eligible lenders as defined in section 261.35 to assist a
4 33 potential student loan borrower evaluate various lenders'
4 34 student loan programs.

4 35 5. OVERSIGHT, SERVICES, AND OUTREACH. The commission



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5 1 shall provide the following:

5 2 a. Lender and postsecondary educational institution
5 3 financial aid oversight.

5 4 b. Training on student assistance provided under the
5 5 federal Title IV of the federal Higher Education Act of 1965,
5 6 as amended.

5 7 c. Default prevention assistance and information.

5 8 d. Student aid outreach.

5 9 e. Financial literacy outreach.

5 10 f. Lender claim review and payment processes.

5 11 6. LOAN ADVISORY FORM. The commission shall develop and
5 12 make available to lending institutions a loan advisory form
5 13 which includes but is not limited to a statement of rights and
5 14 responsibilities of the borrower as well as space for the
5 15 lending institution to provide the cumulative loan monthly
5 16 payment for the borrower's education loan.

5 17 7. DEFINITION. "Borrower", for purposes of this section,
5 18 means a student attending a community college, regents
5 19 university, or accredited private institution as defined in
5 20 section 261.9, or a parent or guardian, who obtains or applies
5 21 to obtain an education loan from a lending institution to pay
5 22 for or finance higher education expenses.

5 23 Sec. 5. Section 261.9, subsection 1, unnumbered paragraph
5 24 1, Code 2007, is amended to read as follows:

5 25 "Accredited private institution" means an institution of
5 26 higher learning located in Iowa which is operated privately
5 27 and not controlled or administered by any state agency or any
5 28 subdivision of the state and which meets the criteria in
5 29 paragraphs "a" and "b" and all of the criteria in paragraphs
5 30 "d" through ~~"g"~~ "h", except that institutions defined in
5 31 paragraph "c" of this subsection are exempt from the
5 32 requirements of paragraphs "a" and "b":

5 33 Sec. 6. Section 261.9, subsection 1, Code 2007, is amended
5 34 by adding the following new paragraph:

5 35 NEW PARAGRAPH. h. Meets the following financial aid and



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6 1 lending requirements:

6 2 (1) Requires every individual who secures a loan to attend
6 3 classes as a student at the institution to view the financial
6 4 aid education video made available by the college student aid
6 5 commission in accordance with section 261.7, subsection 1.

6 6 (2) Requires its financial aid office to clearly
6 7 distinguish private student loans from federal student loans
6 8 in financial aid awards information and other materials. All
6 9 materials provided by the financial aid office regarding
6 10 private student loans shall state that private student loans
6 11 are not collateralized by the federal government and can be
6 12 costlier for borrowers than federal student loans. The
6 13 financial aid office shall also inform prospective borrowers
6 14 about the availability and terms of federal student loans. In
6 15 conducting its education loan activities for students, parents
6 16 or guardians, and lending institutions, the financial aid
6 17 office is subject to the duties and obligations of the federal
6 18 Truth in Lending Act to make or give to a borrower the
6 19 disclosures, information, and notices required by the Act.
6 20 For purposes of this section, "borrower" means the same as
6 21 defined in section 261.7.

6 22 (3) Adopts the financial aid office code of conduct
6 23 adopted by the college student aid commission pursuant to
6 24 section 261.7, subsection 2. Prohibit the use of the
6 25 institution's name or insignia by private lenders.

6 26 (4) Prohibits the use of the institution's name or
6 27 insignia by private lenders.

6 28 (5) Prohibits its financial aid office from entering into
6 29 an agreement with a lending institution or otherwise providing
6 30 any loans to borrowers in exchange for the institution
6 31 providing concessions or promises to the lending institution
6 32 that may prejudice other borrowers or prospective borrowers.

6 33 (6) Prohibits an employee of the institution, on the
6 34 employee's behalf or on behalf of another, from directly or
6 35 indirectly soliciting, accepting, or receiving any gift from



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7 1 or on behalf of a lending institution or loan servicer. This
7 2 subsection shall not be construed as prohibiting an employee
7 3 of the institution from conducting business with any lending
7 4 institution or loan servicer, provided that such business is
7 5 unrelated in any manner whatsoever with the postsecondary
7 6 institution.

7 7 (7) Requires an employee to report to the administration
7 8 any instance of a lending institution or loan servicer
7 9 attempting to give a gift to the employee.

7 10 (8) Prohibits the financial aid office from packaging a
7 11 private student loan before determining the borrower's
7 12 eligibility for state assistance under this chapter 261 or
7 13 federal assistance under Title IV of the federal Higher
7 14 Education Act of 1965, as amended. The institution shall also
7 15 prohibit the financial aid office from packaging a private
7 16 student loan before awarding the full amount of state or
7 17 federal assistance the borrower is eligible to receive under
7 18 chapter 261 or student assistance under Title IV of the
7 19 federal Higher Education Act of 1965, as amended.

7 20 Sec. 7. NEW SECTION. 261.201 DESIGNATION OF STUDENT LOAN
7 21 SECONDARY MARKET.

7 22 1. The commission shall adopt rules for the efficient and
7 23 effective regulation of the secondary market for postsecondary
7 24 education loans offered in the state.

7 25 2. The commission shall approve all providers of
7 26 postsecondary education loans and all secondary markets that
7 27 originate or hold loans for Iowa postsecondary education
7 28 borrowers and shall designate at least one student loan
7 29 secondary market to serve as the designated Iowa secondary
7 30 market for purposes of this division. The designation is
7 31 effective for a period of five years.

7 32 3. The designated student loan secondary market shall
7 33 provide the commission with data and information relating to
7 34 the designated student loan secondary market's activities as
7 35 required or requested by the commission. The data required



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8 1 shall include but is not limited to the following:

8 2 a. Compensation including but not limited to salaries and
8 3 benefits provided to the designated student loan secondary
8 4 market's board of directors, senior executive officer, and all
8 5 employees who report directly to the senior executive officer
8 6 for all nonprofit and for-profit entities associated with the
8 7 designated student loan secondary market.

8 8 b. The number and dollar amount of all loans originated,
8 9 purchased, consolidated, and sold by the designated student
8 10 loan secondary market for each postsecondary educational
8 11 institution.

8 12 c. The number and dollar amount of all postsecondary
8 13 education loans by category of source, including federal,
8 14 state, local, institutional, and private education loans that
8 15 are originated, purchased, consolidated, or sold by the
8 16 designated student loan secondary market for each
8 17 postsecondary educational institution.

8 18 d. The amount of any administrative fees paid to an
8 19 individual, financial institution, or postsecondary
8 20 educational institution for the purpose of originating or
8 21 administering any scholarship, grant, or loan provided by the
8 22 designated student loan secondary market.

8 23 e. Information required by the commission regarding the
8 24 marketing or promotional materials provided by the designated
8 25 student loan secondary market.

8 26 f. The designated student loan secondary market's complete
8 27 balance sheet and income statement.

8 28 4. The commission shall compile information and data
8 29 regarding the designated student loan secondary market's
8 30 activities at the close of each fiscal year. By January 15
8 31 annually, the commission shall submit a report to the general
8 32 assembly, the governor, and the legislative services agency
8 33 summarizing the information and data and including the
8 34 commission's findings and recommendations.

8 35 Sec. 8. NEW SECTION. 261.202 LEGISLATIVE REVIEW.



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9 1 The designation of the student loan secondary market shall
9 2 be subject to legislative review at least every five years.
9 3 The review shall consider the reports submitted by the student
9 4 loan secondary market designee. The review shall be based
9 5 upon a status report containing the recommendations of a
9 6 legislative interim committee appointed to conduct a review of
9 7 the student loan secondary market designee, to be prepared
9 8 with the assistance of the auditor of state, in collaboration
9 9 with the department of management. The status report shall
9 10 include recommendations for a change in designation of the
9 11 state student loan secondary market based upon designee
9 12 performance, an analysis of the operation of the designee
9 13 during the preceding five-year interval, and a summary of
9 14 issues that have arisen since the previous review and
9 15 potential approaches for their resolution. The first such
9 16 status report shall be submitted to the general assembly no
9 17 later than January 1, 2010, with subsequent status reports
9 18 developed and submitted by January 1 at least every fifth year
9 19 thereafter.

9 20 Sec. 9. NEW SECTION. 261.203 STATE SUPERINTENDENT OF
9 21 BANKING REVIEW.

9 22 The superintendent of banking shall annually review the
9 23 student loan secondary market designee's total assets and
9 24 private loan volume and shall submit the results of the review
9 25 in a report to the general assembly by January 15.

9 26 Sec. 10. NEW SECTION. 261.204 ANNUAL FINANCIAL
9 27 EXAMINATION.

9 28 The auditor of state and the auditor's legally authorized
9 29 representatives shall annually examine the accounts and books
9 30 of the student loan secondary market designee, including the
9 31 designee's receipts, disbursements, contracts, leases, sinking
9 32 funds, investments, and any other records and papers relating
9 33 to its financial standing, and the designee shall pay all
9 34 expenses incurred by the auditor of state in conducting the
9 35 financial examination pursuant to this section.



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10 1 Sec. 11. NEW SECTION. 261.205 IOWA STUDENT LOAN
10 2 LIQUIDITY CORPORATION == REPORTS == OVERSIGHT.
10 3 1. CONDITION OF RECEIVING ALLOCATION. As a condition of
10 4 continuing to receive the allocation of the state ceiling as
10 5 provided in section 7C.4A, subsection 3, and to be authorized
10 6 to issue bonds, notes, or other obligations in accordance with
10 7 section 261.38, subsection 5, the Iowa student loan liquidity
10 8 corporation shall comply with the provisions of this section.
10 9 2. LIMITATIONS ON ACTIVITIES. The Iowa student loan
10 10 liquidity corporation shall limit its activities to the
10 11 following:
10 12 a. Providing education loans for eligible borrowers.
10 13 b. Collecting and servicing loans to borrowers made in
10 14 accordance with this section.
10 15 c. Postsecondary educational institution financial aid
10 16 training.
10 17 d. Default prevention or activities that improve,
10 18 strengthen, and expand student loan default prevention
10 19 activities, including but not limited to the following:
10 20 (1) Establishing a program of partial loan cancellation to
10 21 reward disadvantaged borrowers for good repayment histories
10 22 with their lenders.
10 23 (2) Establishing a financial and debt management
10 24 counseling program for high-risk borrowers that begins prior
10 25 to the first disbursement of the borrower's first education
10 26 loan and continues through the completion of the borrower's
10 27 program of education or training, and provides long-term
10 28 training in budgeting and other aspects of financial
10 29 management, including debt management.
10 30 (3) Establishing a program of placement counseling to
10 31 assist high-risk borrowers in identifying employment of
10 32 additional training opportunities.
10 33 (4) Developing public service announcements that would
10 34 detail consequences of student loan default and provide
10 35 information regarding a toll-free telephone number established



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11 1 by the guaranty agency for use by borrowers seeking assistance
11 2 in avoiding default.

11 3 3. PROHIBITION. The Iowa student loan liquidity
11 4 corporation shall not do either of the following:

11 5 a. Pay any fee to a postsecondary educational institution
11 6 or an employee of the institution for the purpose of
11 7 originating or otherwise directly or indirectly affecting the
11 8 borrower's choice of a loan.

11 9 b. Reimburse a postsecondary institution for costs
11 10 associated with originating loans.

11 11 4. ANNUAL REPORT AND AUDIT.

11 12 a. The Iowa student loan liquidity corporation, including
11 13 all for-profit and not-for-profit subsidiaries, shall submit
11 14 an annual report to the governor, general assembly, and the
11 15 auditor of state by January 15 setting forth the corporation's
11 16 operations and activities conducted and newly implemented in
11 17 the previous fiscal year and the outlook for the future. The
11 18 report shall also describe how the Iowa student loan liquidity
11 19 corporation's activities serve its nonprofit mission to help
11 20 students and parents obtain the financial resources necessary
11 21 for a postsecondary education and include the salary,
11 22 earnings, wages, or compensation, and fees, paid to its top
11 23 five corporation board members.

11 24 b. The annual audit of the Iowa student loan liquidity
11 25 corporation shall be filed with the office of auditor of
11 26 state.

11 27 5. OPEN MEETINGS AND RECORDS. The provisions of chapters
11 28 21 and 22 shall apply to the meetings and records of the Iowa
11 29 student loan liquidity corporation. Chapter 17A does not
11 30 apply to the corporation.

11 31 6. BOARD MEMBERSHIP. A member appointed to the board of
11 32 directors of the Iowa student loan liquidity corporation must
11 33 not have a conflict of interest and must be charged with
11 34 representing the best interest of students and their parents
11 35 or guardians. Notwithstanding any provision of law,



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12 1 proclamation, bylaws, or articles to the contrary, the
12 2 superintendent of banking, any member of the board of
12 3 directors of a merged area, and any member of the college
12 4 student aid commission shall not serve as a member of the
12 5 board of directors of the corporation.

12 6 7. DEFINITION. For purposes of this section, "borrower"
12 7 means the same as defined in section 261.7.

12 8 Sec. 12. NEW SECTION. 262.34C FINANCIAL AID
12 9 REQUIREMENTS.

12 10 Each institution of higher education governed by the board
12 11 shall do the following:

12 12 1. Require every individual who secures a loan to attend
12 13 classes at the institution to view the financial aid education
12 14 video made available by the college student aid commission in
12 15 accordance with section 261.7, subsection 1.

12 16 2. Require its financial aid office to clearly distinguish
12 17 private student loans from federal student loans in financial
12 18 aid awards information and other materials. All materials
12 19 provided by the financial aid office regarding private student
12 20 loans shall state that private student loans are not
12 21 collateralized by the federal government and can be costlier
12 22 for borrowers than federal student loans. The financial aid
12 23 office shall also inform prospective borrowers about the
12 24 availability and terms of federal student loans. In
12 25 conducting its education loan activities for students, parents
12 26 or guardians, and lending institutions, the financial aid
12 27 office is subject to the duties and obligations of the federal
12 28 Truth in Lending Act as defined in section 537.1302 to make or
12 29 give to a borrower the disclosures, information, and notices
12 30 required by the Act. For purposes of this section, "borrower"
12 31 means the same as defined in section 261.7.

12 32 3. Adopt the financial aid office code of conduct adopted
12 33 by the college student aid commission pursuant to section
12 34 261.7, subsection 2. Prohibit the use of the institution's
12 35 name or insignia by private lenders.



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13 1 4. Prohibit the use of the institution's name or insignia
13 2 by private lenders.

13 3 5. Prohibit its financial aid office from entering into an
13 4 agreement with a lending institution or otherwise providing
13 5 any loans to borrowers in exchange for the institution
13 6 providing concessions or promises to the lending institution
13 7 that may prejudice other borrowers or prospective borrowers.

13 8 6. Prohibit an employee of the institution, on the
13 9 employee's behalf or on behalf of another, from directly or
13 10 indirectly soliciting, accepting, or receiving any gift from
13 11 or on behalf of a lending institution or loan servicer. This
13 12 subsection shall not be construed as prohibiting an employee
13 13 of the institution from conducting business with any lending
13 14 institution or loan servicer, provided that such business is
13 15 unrelated in any manner whatsoever with the regents
13 16 institution.

13 17 7. Require an employee to report to the administration any
13 18 instance of a lending institution or loan servicer attempting
13 19 to give a gift to the employee.

13 20 8. Prohibit the financial aid office from packaging a
13 21 private student loan before determining the borrower's
13 22 eligibility for state assistance under chapter 261 or federal
13 23 assistance under Title IV of the federal Higher Education Act
13 24 of 1965, as amended. The institution shall also prohibit the
13 25 financial aid office from packaging a private student loan
13 26 before awarding the full amount of state or federal assistance
13 27 the borrower is eligible to receive under chapter 261 or
13 28 student assistance under Title IV of the federal Higher
13 29 Education Act of 1965, as amended.

13 30 Sec. 13. NEW SECTION. 537.3213 STUDENT LOAN REQUIREMENTS
13 31 == FINANCIAL EDUCATION VIDEO.

13 32 1. As a condition of obtaining a private education loan
13 33 from a creditor, the borrower must view the financial
13 34 education video developed and made available by the college
13 35 student aid commission in accordance with section 261.7 during



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14 1 the education loan application process and prior to obtaining
14 2 an education loan from a creditor.

14 3 2. The creditor shall provide a borrower with a loan
14 4 advisory letter in the form made available by the college
14 5 student aid commission pursuant to section 261.7.

14 6 3. The creditor shall inform the borrower of all available
14 7 state education financing options, and financing options under
14 8 Title IV of the federal Higher Education Act of 1965, as
14 9 amended, including information on any terms and conditions of
14 10 available loans under such title that are more favorable to
14 11 the borrower, before a lending institution may provide a
14 12 private education loan to a borrower attending a postsecondary
14 13 educational institution with which a lending institution has
14 14 an education loan arrangement. All private education loan
14 15 materials distributed by the creditor shall state that private
14 16 education loans are not collateralized by the federal
14 17 government and can be costlier for borrowers than federal
14 18 student loans.

14 19 4. A creditor in an education loan transaction shall
14 20 comply with section 537.3201 and all private education loan
14 21 rates quoted by the creditor shall include the full annual
14 22 percentage rate in addition to any other disclosure required
14 23 pursuant to section 537.3201. The creditor shall provide the
14 24 borrower with an accurate annual percentage rate before the
14 25 borrower signs an agreement of obligation for a private
14 26 education loan.

14 27 5. A creditor shall notify the borrower's postsecondary
14 28 educational institution prior to issuing a private education
14 29 loan, and shall report all private education loans to the
14 30 national student loan data system.

14 31 6. Acts or practices that a creditor shall not engage in
14 32 include but are not limited to the following:

14 33 a. Offer payments, points, premiums, or other benefits or
14 34 inducements to any school, school-affiliated organization, or
14 35 other party to secure applications for education loans or to



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- 15 1 secure education loan volume.
- 15 2 b. Provide prizes or financial aid funds to a student
15 3 attending a postsecondary educational institution in exchange
15 4 for applying for and accepting an education loan.
- 15 5 c. Solicit an employee of a postsecondary educational
15 6 institution or postsecondary educational
15 7 institution=affiliated organization to serve on a lender's
15 8 advisory board.
- 15 9 d. Pay conference or training registration,
15 10 transportation, or lodging costs for an employee of a
15 11 postsecondary educational institution or postsecondary
15 12 educational institution=affiliated organization.
- 15 13 e. Pay entertainment expenses for employees of a
15 14 postsecondary educational institution or postsecondary
15 15 educational institution=affiliated organization.
- 15 16 f. Send unsolicited student loan application mailings to a
15 17 borrower, except one who previously borrowed moneys through a
15 18 federally guaranteed education loan from the lender.
- 15 19 g. Make a financial contribution to a postsecondary
15 20 educational institution or postsecondary educational
15 21 institution=affiliated organization in exchange for education
15 22 loan application referrals, volume, or placement on the
15 23 institution's preferred lender list.
- 15 24 h. Conduct in=person loan counseling to borrowers on a
15 25 postsecondary educational institution's behalf.
- 15 26 i. Provide a postsecondary educational institution's
15 27 financial aid office staffing assistance, unless the
15 28 assistance is short=term, nonrecruiting, and an emergency,
15 29 such as a state or federally declared national disaster or
15 30 emergency as identified by the United States department of
15 31 education.
- 15 32 j. Engage in revenue sharing with a postsecondary
15 33 educational institution.
- 15 34 k. Enter into an agreement or otherwise provide any loans
15 35 in exchange for a postsecondary educational institution



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16 1 providing concessions or promises to the lending institution
16 2 that may prejudice other borrowers or prospective borrowers.
16 3 7. A creditor may provide the following:
16 4 a. Assistance to a postsecondary educational institution
16 5 that is comparable to assistance provided by the United States
16 6 department of education.
16 7 b. Support of and participation in student aid and
16 8 financial literacy outreach activities offered by a
16 9 postsecondary educational institution, the college student aid
16 10 commission, or the state designated student loan secondary
16 11 market.
16 12 c. Meals, refreshment, and receptions scheduled in
16 13 conjunction with training, meeting, or conference events.
16 14 d. Toll-free telephone numbers to obtain federally
16 15 guaranteed education loan information.
16 16 e. Free data transmission services for loan application
16 17 processing and student status confirmation data.
16 18 f. Reduced origination fees pursuant to 34 C.F.R. }
16 19 682.202.
16 20 g. Reduced interest rates.
16 21 h. Payment of federal default fee.
16 22 i. Purchase at a premium of a loan from another eligible
16 23 lender under the federal family education loan program.
16 24 j. Repayment incentive requiring one or more payments to
16 25 receive or retain the benefit.
16 26 k. Loan forgiveness programs for public service or other
16 27 targeted purposes which the United States department of
16 28 education approves, provided the programs are not marketed to
16 29 secure student loan applicants.
16 30 l. Other activities identified and permitted under United
16 31 States department of education guidelines or approved by the
16 32 college student aid commission.
16 33 8. "Borrower" for purposes of this section means the same
16 34 as defined in section 261.7.

16 35 EXPLANATION



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17 1 This bill provides postsecondary education lending
17 2 requirements for lending institutions, the Iowa student loan
17 3 liquidity corporation, and accredited postsecondary
17 4 institutions. The bill authorizes the college student aid
17 5 commission to designate a student loan secondary market for
17 6 the state.

17 7 REALLOCATION OF STATE CEILING AMOUNT == REPORT. The bill
17 8 adds a reporting requirement to a provision which allows the
17 9 governor's designee (Iowa finance authority executive
17 10 director) to transfer bonding capacity allocated to qualified
17 11 student loan bonds to another political subdivision and
17 12 eliminates the requirement that such transfers be approved by
17 13 the Iowa student loan liquidity corporation. The bill
17 14 requires the governor's designee to report reallocations to
17 15 the government oversight committee and the auditor of state.

17 16 IOWA STUDENT LOAN LIQUIDITY CORPORATION. As a condition of
17 17 continuing to receive the allocation of the state ceiling for
17 18 qualified student loan bonds, and to be authorized to issue
17 19 bonds, notes, or other obligations by statute, the corporation
17 20 is directed to comply with requirements to submit a report to
17 21 the governor, general assembly, and the auditor of state
17 22 setting forth the corporation's operations and activities, the
17 23 outlook for the future, a description of how the corporation's
17 24 activities serve its nonprofit mission, and compensation paid
17 25 to top board members; file its annual audit with the office of
17 26 auditor of state; and comply with the open meetings and
17 27 records law.

17 28 The bill limits the corporation's activities to providing
17 29 education loans for eligible borrowers, collecting and
17 30 servicing those loans, postsecondary educational institution
17 31 financial aid training, and default prevention.

17 32 The bill provides that a member appointed to the board of
17 33 directors of the Iowa student loan liquidity corporation must
17 34 not have a conflict of interest and must be charged with
17 35 representing the best interest of students and their parents



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18 1 or guardians. The bill prohibits the superintendent of
18 2 banking, any member of the board of directors of a merged
18 3 area, and any member of the college student aid commission
18 4 from serving on the corporation's board of directors.
18 5 STUDENT LOAN SECONDARY MARKET. The college student aid
18 6 commission is required to designate a student loan secondary
18 7 market for a period of five years and such designation is made
18 8 subject to legislative review.
18 9 The bill requires the superintendent of banking to annually
18 10 review the designated student loan secondary market's total
18 11 assets and private loan volume. The bill further requires the
18 12 auditor of state or the auditor's representatives to annually
18 13 examine the accounts and books of the designated student loan
18 14 secondary market. The designated secondary market must pay
18 15 the expenses incurred by the auditor.
18 16 COMMUNITY COLLEGES, REGENTS UNIVERSITIES, ACCREDITED
18 17 POSTSECONDARY INSTITUTIONS. The bill requires community
18 18 colleges, regents universities, and accredited postsecondary
18 19 institutions to require every individual who secures a loan to
18 20 attend classes at the institution to view the financial aid
18 21 education video the bill requires the college student aid
18 22 commission to develop and make available. The bill also
18 23 requires institutions' financial aid offices to clearly
18 24 distinguish private student loans from federal student loans
18 25 and in its materials state that private education loans are
18 26 not backed by the federal government. The bill makes the
18 27 institutions' financial aid offices subject to the duties and
18 28 obligations of the federal Truth in Lending Act to make or
18 29 give to a borrower the disclosures, information, and notices
18 30 required by the Act.
18 31 The bill prohibits the use of a postsecondary educational
18 32 institution's name or insignia by private lenders and loan
18 33 servicers, prohibits an institution and its financial aid
18 34 office from entering into an agreement with a lending
18 35 institution or otherwise providing any loans to borrowers in



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19 1 exchange for providing concessions or promises to the lending
19 2 institution that may prejudice other borrowers or prospective
19 3 borrowers, and prohibits an employee from directly or
19 4 indirectly soliciting, accepting, or receiving any gift from
19 5 or on behalf of a lending institution or loan servicer. The
19 6 bill also requires an employee of postsecondary educational
19 7 institutions to report to the institution's administrator any
19 8 instance of a lending institution or loan servicer attempting
19 9 to give a gift to the employee.

19 10 The bill also prohibits postsecondary educational
19 11 institution financial aid offices from packaging a private
19 12 education loan before determining the borrower's eligibility
19 13 for state or federal education assistance and before awarding
19 14 the full amount of state or federal assistance the borrower is
19 15 eligible to receive.

19 16 COLLEGE STUDENT AID COMMISSION. The commission is directed
19 17 to adopt rules for the efficient and effective regulation of
19 18 the secondary market for postsecondary education loans. The
19 19 commission is also directed to approve all providers of
19 20 postsecondary education loans and all secondary markets that
19 21 originate or hold loans for Iowa postsecondary education
19 22 borrowers.

19 23 The commission is authorized to designate at least one
19 24 student loan secondary market to serve Iowa. The designation
19 25 is effective for a period of five years. The designated
19 26 secondary market must provide the commission with data and
19 27 information as required or requested by the commission. The
19 28 commission must compile the information and data at the close
19 29 of each fiscal year and submit by January 15 annually, a
19 30 report to the general assembly, the governor, and the
19 31 legislative services agency summarizing the information and
19 32 data and including the commission's findings and
19 33 recommendations.

19 34 The commission is directed to develop a financial aid
19 35 education video on responsible student borrowing and budgeting



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20 1 for students securing a loan to attend classes at a
20 2 postsecondary institution and must make the video available on
20 3 its internet site, to postsecondary educational institutions,
20 4 and lending institutions throughout the state.

20 5 The bill requires the commission to adopt by rule a
20 6 specified financial aid code of conduct that each financial
20 7 aid office established by, and each financial aid officer
20 8 employed by, a community college, regents university, and
20 9 accredited private institution must adhere to. The commission
20 10 must also submit an annual report to the governor, general
20 11 assembly, and the auditor of state providing the default rate
20 12 for each state or private accredited postsecondary institution
20 13 in the state, and must accumulate and periodically report
20 14 student loan rates and loan term information to assist a
20 15 potential student loan borrower evaluate various student loan
20 16 programs.

20 17 The commission is also directed to provide lender and
20 18 postsecondary educational institution financial institution
20 19 oversight, training on federal student assistance, default
20 20 prevention assistance and information, student aid outreach,
20 21 financial literacy outreach, and lender claim review and
20 22 payment processes.

20 23 PRIVATE STUDENT LOAN CREDITORS. The bill requires all
20 24 student loan borrowers to view the commission's financial aid
20 25 education video as a condition of obtaining a private
20 26 education loan. The creditor must provide a borrower with a
20 27 loan advisory letter, inform the borrower of all available
20 28 state and federal education financing options, and provide
20 29 that all private education loan materials state that the loans
20 30 are not backed by the federal government and can be costlier
20 31 for borrowers than federal student loans.

20 32 The creditor must comply with the federal Truth in Lending
20 33 Act and all private education loan rates quoted by the
20 34 creditor must include the full and accurate annual percentage
20 35 rate. The creditor must notify the borrower's postsecondary



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21 1 educational institution prior to issuing a private education
21 2 loan, and must report all private education loans to the
21 3 national student loan data system.
21 4 The bill includes a list of prohibited and permissible
21 5 activities for creditors, including prohibiting a creditor
21 6 from directly or indirectly offering or providing any gift to
21 7 a postsecondary educational institution employee in exchange
21 8 for any advantage or consideration related to its education
21 9 loan activities, from engaging in revenue sharing with a
21 10 postsecondary educational institution, and from entering into
21 11 an agreement or otherwise providing loans in exchange for a
21 12 postsecondary educational institution providing concessions or
21 13 promises to the lending institution that may prejudice other
21 14 borrowers or prospective borrowers.
21 15 LSB 6635XC 82
21 16 kh/rj/5



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SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE ON
EDUCATION)

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

A BILL FOR

1 An Act relating to the funding of, the operation of, and
2 appropriation of moneys to the college student aid commission,
3 the department for the blind, the department of education, and
4 the state board of regents, providing for related matters and
5 including an effective date provision.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5005JB 82
8 kh/mg/5



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Senate Study Bill 3294 continued

2 1 \$ 1,070,976
 2 2 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER
 2 3 a. For forgivable loans to Iowa students attending Des
 2 4 Moines university == osteopathic medical center under the
 2 5 forgivable loan program pursuant to section 261.19:
 2 6 \$ 100,000
 2 7 To receive funds appropriated pursuant to this paragraph,
 2 8 Des Moines university == osteopathic medical center shall
 2 9 match the funds with institutional funds on a dollar-for=
 2 10 dollar basis.
 2 11 b. For Des Moines university == osteopathic medical center
 2 12 for an initiative in primary health care to direct primary
 2 13 care physicians to shortage areas in the state:
 2 14 \$ 346,451
 2 15 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
 2 16 For purposes of providing national guard educational
 2 17 assistance under the program established in section 261.86:
 2 18 \$ 3,800,000
 2 19 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
 2 20 For the teacher shortage loan forgiveness program
 2 21 established in section 261.112:
 2 22 \$ 485,400
 2 23 6. ALL IOWA OPPORTUNITY ASSISTANCE PROGRAM
 2 24 For purposes of the all Iowa opportunity assistance
 2 25 program, which includes the all Iowa opportunity foster care
 2 26 grant program established pursuant to section 261.6, and the
 2 27 all Iowa opportunity scholarship program established pursuant
 2 28 to section 261.87:
 2 29 \$ 1,500,000
 2 30 From the funds appropriated pursuant to this subsection, up
 2 31 to \$500,000 shall be used for purposes of the all Iowa
 2 32 opportunity foster care grant program established pursuant to
 2 33 section 261.6, and at least \$500,000 shall be used for
 2 34 purposes of the all Iowa opportunity scholarship program as
 2 35 established in section 261.87.



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Senate Study Bill 3294 continued

3 1 If the funds appropriated by the general assembly to the
3 2 college student aid commission for the 2008=2009 fiscal year
3 3 for purposes of the all Iowa opportunity scholarship program
3 4 exceed \$500,000, "eligible institution" as defined in section
3 5 261.87, shall, during the 2008=2009 fiscal year, include
3 6 accredited private institutions as defined in section 261.9,
3 7 subsection 1.

3 8 7. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS
3 9 PROGRAM

3 10 For purposes of the registered nurse and nurse educator
3 11 loan forgiveness program established pursuant to section
3 12 261.23:

3 13 \$ 100,000

3 14 a. It is the intent of the general assembly that the
3 15 commission continue to consider funds allocated pursuant to
3 16 this subsection as funds that meet the state matching funds
3 17 requirements of the federal leveraging educational assistance
3 18 program and the federal supplemental leveraging educational
3 19 assistance program established under the Higher Education Act
3 20 of 1965, as amended.

3 21 b. It is the intent of the general assembly that
3 22 appropriations made for purposes of the registered nurse and
3 23 nurse educator loan forgiveness program for the fiscal year
3 24 beginning July 1, 2008, and each succeeding fiscal year, be
3 25 distributed under the program created pursuant to section
3 26 261.23, for registered nurses and nurse educators.

3 27 8. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT
3 28 PROGRAM

3 29 For purposes of the barber and cosmetology arts and
3 30 sciences tuition grant program established pursuant to section
3 31 261.18, if enacted by this Act:

3 32 \$ 50,000

3 33 Sec. 3. WORK=STUDY APPROPRIATION FOR FY 2008=2009.

3 34 Notwithstanding section 261.85, for the fiscal year beginning
3 35 July 1, 2008, and ending June 30, 2009, the amount



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Senate Study Bill 3294 continued

4 1 appropriated from the general fund of the state to the college
 4 2 student aid commission for the work=study program under
 4 3 section 261.85 shall be \$698,923, and from the moneys
 4 4 appropriated in this section, \$338,958 shall be allocated to
 4 5 institutions of higher education under the state board of
 4 6 regents and community colleges and the remaining dollars
 4 7 appropriated in this section shall be allocated by the college
 4 8 student aid commission on the basis of need as determined by
 4 9 the portion of the federal formula for distribution for work=
 4 10 study funds that relates to the current need of institutions.

4 11 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section
 4 12 261.72, from the funds deposited in the chiropractic loan
 4 13 revolving fund created pursuant to section 261.72, \$100,000
 4 14 shall be used for purposes of the chiropractic loan
 4 15 forgiveness program established in section 261.73, if enacted
 4 16 by this Act.

DEPARTMENT OF EDUCATION

4 17
 4 18 Sec. 5. There is appropriated from the general fund of the
 4 19 state to the department of education for the fiscal year
 4 20 beginning July 1, 2008, and ending June 30, 2009, the
 4 21 following amounts, or so much thereof as may be necessary, to
 4 22 be used for the purposes designated:

4 23 1. GENERAL ADMINISTRATION

4 24 For salaries, support, maintenance, miscellaneous purposes,
 4 25 and for not more than the following full-time equivalent
 4 26 positions:

4 27	\$	8,720,341
4 28	FTEs	89.37

4 29 a. From the funds appropriated in this subsection,
 4 30 \$225,000 shall be allocated for purposes of conducting,
 4 31 supporting, and managing the accreditation of school districts
 4 32 and for purposes of various other duties such as conducting
 4 33 reorganization feasibility studies.

4 34 b. Of the full-time equivalent positions authorized in
 4 35 this subsection, 10.00 full-time equivalent positions are



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Senate Study Bill 3294 continued

5 1 allocated to support management of the community college
5 2 management information system; for the expansion of the state
5 3 board of education model core curriculum; for the development
5 4 and implementation of strategic educational goals; for the
5 5 implementation of the grant request for proposals, technical
5 6 assistance, and monitoring provisions in the student
5 7 advancement policy; for the collection and dissemination of
5 8 resources related to human growth and development curriculum;
5 9 for district sharing incentive purposes; and for the senior
5 10 year plus program study.

5 11 c. Of the full-time equivalent positions authorized in
5 12 this subsection, 1.00 full-time equivalent position is
5 13 allocated for district sharing incentive purposes and 4.00
5 14 full-time equivalent positions are allocated for purposes of
5 15 the student achievement and teacher quality program.

5 16 d. The director of the department of education shall
5 17 ensure that all school districts are aware of the state
5 18 education resources available on the state web site for
5 19 listing teacher job openings and shall make every reasonable
5 20 effort to enable qualified practitioners to post their resumes
5 21 on the state web site. The department shall administer the
5 22 posting of job vacancies for school districts, accredited
5 23 nonpublic schools, and area education agencies on the state
5 24 web site. The department may coordinate this activity with
5 25 the Iowa school board association or other interested
5 26 education associations in the state. The department shall
5 27 strongly encourage school districts to seek direct claiming
5 28 under the medical assistance program for funding of school
5 29 district nursing services for students.

5 30 e. The department shall compile a list of state-funded,
5 31 competitive grant programs administered by the department.
5 32 The department shall provide specific but nonidentifying
5 33 information regarding the children served, money spent per
5 34 program, and the use and availability of private funds to
5 35 support the programs. The department shall submit the list



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Senate Study Bill 3294 continued

6 1 and information to the general assembly by January 15, 2009.

6 2 2. VOCATIONAL EDUCATION ADMINISTRATION

6 3 For salaries, support, maintenance, miscellaneous purposes,
6 4 and for not more than the following full-time equivalent
6 5 positions:

6 6	\$	576,613
6 7	FTEs	13.50

6 8 3. VOCATIONAL REHABILITATION SERVICES DIVISION

6 9 a. For salaries, support, maintenance, miscellaneous
6 10 purposes, and for not more than the following full-time
6 11 equivalent positions:

6 12	\$	5,667,575
6 13	FTEs	273.50

6 14 The division of vocational rehabilitation services shall
6 15 seek funding from other sources, such as local funds, for
6 16 purposes of matching the state's federal vocational
6 17 rehabilitation allocation, as well as for matching other
6 18 federal vocational rehabilitation funding that may become
6 19 available.

6 20 Except where prohibited under federal law, the division of
6 21 vocational rehabilitation services of the department of
6 22 education shall accept client assessments, or assessments of
6 23 potential clients, performed by other agencies in order to
6 24 reduce duplication of effort.

6 25 Notwithstanding the full-time equivalent position limit
6 26 established in this lettered paragraph, for the fiscal year
6 27 ending June 30, 2009, if federal funding is received to pay
6 28 the costs of additional employees for the vocational
6 29 rehabilitation services division who would have duties
6 30 relating to vocational rehabilitation services paid for
6 31 through federal funding, authorization to hire not more than
6 32 4.00 additional full-time equivalent employees shall be
6 33 provided, the full-time equivalent position limit shall be
6 34 exceeded, and the additional employees shall be hired by the
6 35 division.



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7 1 b. For matching funds for programs to enable persons with
 7 2 severe physical or mental disabilities to function more
 7 3 independently, including salaries and support, and for not
 7 4 more than the following full-time equivalent position:
 7 5 \$ 55,145
 7 6 FTEs 1.00
 7 7 The highest priority use for the moneys appropriated under
 7 8 this lettered paragraph shall be for programs that emphasize
 7 9 employment and assist persons with severe physical or mental
 7 10 disabilities to find and maintain employment to enable them to
 7 11 function more independently.

7 12 c. For the entrepreneurs with disabilities program
 7 13 pursuant to section 259.4, subsection 9, if enacted by 2008
 7 14 Iowa Acts, House File 2214:
 7 15 \$ 200,000

7 16 4. STATE LIBRARY

7 17 a. For salaries, support, maintenance, miscellaneous
 7 18 purposes, and for not more than the following full-time
 7 19 equivalent positions:
 7 20 \$ 1,879,827
 7 21 FTEs 19.00

7 22 b. For the enrich Iowa program:
 7 23 \$ 1,823,432

7 24 5. LIBRARY SERVICE AREA SYSTEM

7 25 For state aid:
 7 26 \$ 1,586,000

7 27 6. PUBLIC BROADCASTING DIVISION

7 28 For salaries, support, maintenance, capital expenditures,
 7 29 miscellaneous purposes, and for not more than the following
 7 30 full-time equivalent positions:
 7 31 \$ 8,804,620
 7 32 FTEs 84.00

7 33 The number of full-time equivalent positions authorized for
 7 34 the division pursuant to this subsection reflects a reduction
 7 35 to account for the transfer of four individuals currently



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8 1 providing Iowa communications network classroom maintenance
 8 2 from the division to the Iowa communications network.
 8 3 7. REGIONAL TELECOMMUNICATIONS COUNCILS
 8 4 For state aid:
 8 5 \$ 1,364,525
 8 6 The regional telecommunications councils established in
 8 7 section 8D.5 shall use the funds appropriated in this
 8 8 subsection to provide technical assistance for network
 8 9 classrooms, planning and troubleshooting for local area
 8 10 networks, scheduling of video sites, and other related support
 8 11 activities.
 8 12 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
 8 13 For reimbursement for vocational education expenditures
 8 14 made by secondary schools:
 8 15 \$ 2,936,904
 8 16 Funds appropriated in this subsection shall be used for
 8 17 expenditures made by school districts to meet the standards
 8 18 set in sections 256.11, 258.4, and 260C.14 as a result of the
 8 19 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used
 8 20 as reimbursement for vocational education expenditures made by
 8 21 secondary schools in the manner provided by the department of
 8 22 education for implementation of the standards set in 1989 Iowa
 8 23 Acts, chapter 278.
 8 24 9. SCHOOL FOOD SERVICE
 8 25 For use as state matching funds for federal programs that
 8 26 shall be disbursed according to federal regulations, including
 8 27 salaries, support, maintenance, miscellaneous purposes, and
 8 28 for not more than the following full-time equivalent
 8 29 positions:
 8 30 \$ 2,509,683
 8 31 FTEs 17.43
 8 32 10. IOWA EMPOWERMENT FUND
 8 33 For deposit in the school ready children grants account of
 8 34 the Iowa empowerment fund created in section 28.9:
 8 35 \$ 21,904,357



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9 1 a. From the moneys deposited in the school ready children
9 2 grants account for the fiscal year beginning July 1, 2008, and
9 3 ending June 30, 2009, not more than \$300,000 is allocated for
9 4 the community empowerment office and other technical
9 5 assistance activities, and of that amount not more than
9 6 \$50,000 shall be used to administer the early childhood
9 7 coordinator's position pursuant to section 28.3, subsection 7,
9 8 and not more than \$50,000 shall be used to promote and provide
9 9 ongoing support to the parent web site and to support and
9 10 coordinate a network of web sites that provide support and
9 11 resources to parents and the general public. It is the intent
9 12 of the general assembly that regional technical assistance
9 13 teams will be established and will include staff from various
9 14 agencies, as appropriate, including the area education
9 15 agencies, community colleges, and the Iowa state university of
9 16 science and technology cooperative extension service in
9 17 agriculture and home economics. The Iowa empowerment board
9 18 shall direct staff to work with the advisory council to
9 19 inventory technical assistance needs. Funds allocated under
9 20 this lettered paragraph may be used by the Iowa empowerment
9 21 board for the purpose of skills development and support for
9 22 ongoing training of the regional technical assistance teams.
9 23 However, funds shall not be used for additional staff or for
9 24 the reimbursement of staff.

9 25 b. The Iowa empowerment board shall conduct a study of the
9 26 role that community empowerment can play in strengthening
9 27 family, friend, and neighbor care to help achieve empowerment
9 28 goals. In conducting the study, the board may do any or all
9 29 of the following:

9 30 (1) Review national models and identify best practices in
9 31 providing information, networking, and learning opportunities
9 32 and activities for family, friend, and neighbor caregivers.

9 33 (2) Examine and highlight current efforts of local
9 34 empowerment boards to strengthen family, friend, and neighbor
9 35 caregiving.



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10 1 (3) Convene a working group, including representatives
10 2 from child care resource and referral centers, libraries,
10 3 community centers, and family, friend, and neighbor
10 4 caregivers, to provide advice to the board on family, friend,
10 5 and neighbor care.

10 6 (4) Articulate the ways that community empowerment boards
10 7 can use school ready children grants account funds to support
10 8 family, friend, and neighbor care.

10 9 (5) Host a state summit on family, friend, and neighbor
10 10 care.

10 11 (6) Examine potential public and private partnerships to
10 12 provide information, networking, and learning opportunities
10 13 for family, friend, and neighbor caregivers.

10 14 The Iowa empowerment board shall submit its findings and
10 15 recommendations in a report to the governor and general
10 16 assembly by January 15, 2009. For purposes of this paragraph,
10 17 "family, friend, and neighbor care" means child care, usually
10 18 provided without cost and on a voluntary basis, by a family
10 19 member, a friend, or a neighbor whose reason for providing
10 20 that care is a strong existing personal relationship with the
10 21 parent and the parent's child or children. Particular
10 22 attention shall be given to grandparents providing such care,
10 23 including grandparents who may be the primary caregivers for
10 24 their grandchildren.

10 25 c. As a condition of receiving funding appropriated in
10 26 this subsection, each community empowerment area board shall
10 27 report to the Iowa empowerment board progress on each of the
10 28 state indicators approved by the state board, as well as
10 29 progress on local indicators. The community empowerment area
10 30 board must also submit a written plan amendment extending by
10 31 one year the area's comprehensive school ready children grant
10 32 plan developed for providing services for children from birth
10 33 through five years of age and provide other information
10 34 specified by the Iowa empowerment board. The amendment may
10 35 also provide for changes in the programs and services provided



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11 1 under the plan. The Iowa empowerment board shall establish a
11 2 submission deadline for the plan amendment that allows a
11 3 reasonable period of time for preparation of the plan
11 4 amendment and for review and approval or request for
11 5 modification of the plan amendment by the Iowa empowerment
11 6 board. In addition, the community empowerment board must
11 7 continue to comply with reporting provisions and other
11 8 requirements adopted by the Iowa empowerment board in
11 9 implementing section 28.8.

11 10 d. Of the amount appropriated in this subsection for
11 11 deposit in the school ready children grants account of the
11 12 Iowa empowerment fund that is used for distribution to areas,
11 13 \$4,650,000 shall be used to assist low-income parents with
11 14 preschool tuition.

11 15 e. Of the amount appropriated in this subsection for
11 16 deposit in the school ready children grants account of the
11 17 Iowa empowerment fund, \$1,000,000 shall be used for support of
11 18 professional development and training activities for persons
11 19 working in early care, health, and education by the Iowa
11 20 empowerment board in collaboration with representation from
11 21 the Iowa state university of science and technology
11 22 cooperative extension service in agriculture and home
11 23 economics, area education agencies, community colleges, child
11 24 care resource and referral services, and community empowerment
11 25 area boards. Expenditures shall be limited to professional
11 26 development and training activities agreed upon by the parties
11 27 participating in the collaboration.

11 28 f. Of the amount appropriated in this subsection for
11 29 deposit in the school ready children grants account of the
11 30 Iowa empowerment fund, \$100,000 shall be allocated to the
11 31 public broadcasting division of the department of education
11 32 for support of community empowerment as a ready-to-learn
11 33 coordinator.

11 34 g. The school ready children grant amount awarded for the
11 35 fiscal year beginning July 1, 2008, to a community empowerment



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12 1 area that received a school ready children grant award in the
12 2 fiscal year beginning July 1, 2007, shall be equivalent to the
12 3 amount awarded in the fiscal year beginning July 1, 2007,
12 4 minus the amount of the community empowerment area's fiscal
12 5 year 2006=2007 ending balance exceeding 20 percent of the
12 6 area's fiscal year 2006=2007 allocation.

12 7 h. Notwithstanding section 8.33 or any provision to the
12 8 contrary, any moneys remaining unencumbered or unobligated
12 9 from the moneys appropriated to the school ready children
12 10 grants account of the Iowa empowerment fund for the fiscal
12 11 year beginning July 1, 2007, shall be used to develop and
12 12 implement a plan to strengthen the fiscal accountability of
12 13 local areas. The plan shall not include hiring additional
12 14 staff or for ongoing expenses, but may provide for a contract
12 15 for services. The plan shall address fiscal accountability
12 16 for community empowerment area boards, including but not
12 17 limited to training for board members and coordinators, and
12 18 shall address contractual arrangements with and fiscal
12 19 oversight of program providers. The plan shall provide for
12 20 assistance to the community empowerment office and the
12 21 community empowerment assistance team to improve state fiscal
12 22 oversight of local boards and ongoing training for community
12 23 empowerment area boards and coordinators. The Iowa
12 24 empowerment board and the community empowerment office shall
12 25 submit a plan progress report to the general assembly and the
12 26 legislative services agency by January 1, 2009. The Iowa
12 27 empowerment board and the community empowerment office shall
12 28 submit a final report to the general assembly by March 15,
12 29 2010. Notwithstanding section 28.9, subsection 1, any moneys
12 30 remaining unencumbered or unobligated from the moneys
12 31 allocated to the school ready children grants account of the
12 32 Iowa empowerment fund for the fiscal year beginning July 1,
12 33 2007, at the end of the 2009=2010 fiscal year shall revert to
12 34 the general fund of the state.

12 35 11. BIRTH TO AGE THREE SERVICES



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13 1 For expansion of the federal Individuals With Disabilities
 13 2 Education Improvement Act of 2004, Pub. L. No. 108=446, as
 13 3 amended to January 1, 2008, birth through age three services
 13 4 due to increased numbers of children qualifying for those
 13 5 services:
 13 6 \$ 1,721,400
 13 7 From the funds appropriated in this subsection, \$421,400
 13 8 shall be allocated to the child health specialty clinic at the
 13 9 state university of Iowa to provide additional support for
 13 10 infants and toddlers who are born prematurely, drug=exposed,
 13 11 or medically fragile.
 13 12 12. FOUR=YEAR=OLD PRESCHOOL PROGRAM
 13 13 For allocation to eligible school districts for the
 13 14 four=year=old preschool program under chapter 256C, and for
 13 15 not more than the following full=time equivalent positions:
 13 16 \$ 15,000,000
 13 17 FTEs 3.00
 13 18 From the moneys appropriated pursuant to this subsection,
 13 19 not more than \$330,000 shall be used by the department for
 13 20 administration of the four=year=old preschool program
 13 21 established pursuant to chapter 256C.
 13 22 13. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 13 23 To provide funds for costs of providing textbooks to each
 13 24 resident pupil who attends a nonpublic school as authorized by
 13 25 section 301.1:
 13 26 \$ 690,165
 13 27 Funding under this subsection is limited to \$20 per pupil
 13 28 and shall not exceed the comparable services offered to
 13 29 resident public school pupils.
 13 30 14. JOBS FOR AMERICA'S GRADUATES
 13 31 For school districts to provide direct services to the most
 13 32 at=risk senior high school students enrolled in school
 13 33 districts through direct intervention by a jobs for America's
 13 34 graduates specialist:
 13 35 \$ 600,000



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14 1 15. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION
 14 2 PROGRAM
 14 3 For purposes of administering the beginning administrator
 14 4 mentoring and induction program established pursuant to
 14 5 chapter 284A:
 14 6 \$ 250,000
 14 7 16. CORE CURRICULUM AND CAREER INFORMATION AND
 14 8 DECISION-MAKING SYSTEM.
 14 9 For purposes of implementing the statewide core curriculum
 14 10 for school districts and accredited nonpublic schools and a
 14 11 state-designated career information and decision-making system
 14 12 as provided in 2008 Iowa Acts, Senate File 2216, if enacted:
 14 13 \$ 2,590,000
 14 14 17. COMMUNITY COLLEGES
 14 15 For general state financial aid to merged areas as defined
 14 16 in section 260C.2 in accordance with chapters 258 and 260C:
 14 17 \$180,462,414
 14 18 Notwithstanding the allocation formula in section 260C.18C,
 14 19 the funds appropriated in this subsection shall be allocated
 14 20 as follows:
 14 21 a. Merged Area I \$ 8,947,645
 14 22 b. Merged Area II \$ 9,708,909
 14 23 c. Merged Area III \$ 8,924,638
 14 24 d. Merged Area IV \$ 4,389,764
 14 25 e. Merged Area V \$ 9,847,840
 14 26 f. Merged Area VI \$ 8,540,462
 14 27 g. Merged Area VII \$ 12,653,914
 14 28 h. Merged Area IX \$ 15,747,282
 14 29 i. Merged Area X \$ 27,220,417
 14 30 j. Merged Area XI \$ 27,182,315
 14 31 k. Merged Area XII \$ 10,380,925
 14 32 l. Merged Area XIII \$ 10,535,801
 14 33 m. Merged Area XIV \$ 4,445,124
 14 34 n. Merged Area XV \$ 13,958,524
 14 35 o. Merged Area XVI \$ 7,978,854



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15 1 Sec. 6. COMMUNITY COLLEGE SALARIES. There is appropriated
 15 2 from the general fund of the state to the department of
 15 3 education for the fiscal year beginning July 1, 2008, and
 15 4 ending June 30, 2009, the following amount, or so much thereof
 15 5 as is necessary, to be used for the purpose designated:
 15 6 For distribution to community colleges to supplement
 15 7 faculty salaries:
 15 8 \$ 1,000,000
 15 9 Sec. 7. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.
 15 10 Notwithstanding section 272.10, subsection 2, in addition to
 15 11 the percentage of licensing fees required to be deposited with
 15 12 the treasurer of state and credited to the general fund of the
 15 13 state pursuant to section 272.10, subsection 2, the executive
 15 14 director of the board of educational examiners shall, at the
 15 15 close of the fiscal year beginning July 1, 2007, transfer the
 15 16 amount of \$300,000 to the department of education. The
 15 17 department shall use the transferred funds during the fiscal
 15 18 year beginning July 1, 2008, for implementation of early head
 15 19 start projects addressing the comprehensive cognitive, social,
 15 20 emotional, and developmental needs of children from birth to
 15 21 age three, including prenatal support for qualified families.
 15 22 The early head start projects shall promote healthy prenatal
 15 23 outcomes, healthy family functioning, and strengthen the
 15 24 development of infants and toddlers in low-income families.
 15 25 Sec. 8. SCHOOL DISTRICT TEACHER BACKGROUND CHECKS == FY
 15 26 2007=2008. A school district that requested a background
 15 27 check of a teacher applicant in the fiscal year beginning July
 15 28 1, 2007, in accordance with section 279.13, subsection 1,
 15 29 paragraph "b", from an entity other than the division of
 15 30 criminal investigation shall meet the requirements of section
 15 31 279.13, subsection 1, paragraph "b", as amended by this Act,
 15 32 if enacted, for the teacher applicant for whom the background
 15 33 check was conducted in the fiscal year beginning July 1, 2007.
 15 34 Sec. 9. DEPARTMENT OF EDUCATION == COMMUNITY COLLEGE
 15 35 ACCREDITATION AND ACCOUNTABILITY WORKING GROUP.



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16 1 1. The department of education shall convene a working
16 2 group to study the community college accreditation process and
16 3 the accountability provisions contained in those accreditation
16 4 process components. The working group shall consider measures
16 5 to ensure consistency in quality statewide and in definitions
16 6 for information and data requirements, ensure adequate
16 7 oversight of community college programming by the state board
16 8 of education, identify barriers to providing quality
16 9 programming, ensure community college faculty compensation is
16 10 competitive nationally, and identify system performance
16 11 measures that adequately respond to identified needs and
16 12 concerns. The department shall review community college
16 13 accreditation processes and system performance measures from
16 14 other states and regions and shall provide the working group
16 15 with the results of the review by January 15, 2009.

16 16 2. The working group shall include but is not limited to
16 17 community college faculty and administrators. The director of
16 18 the department of education may appoint additional education
16 19 stakeholders as appropriate. The Iowa association of
16 20 community college trustees shall appoint one community college
16 21 administrator to the working group and the Iowa state
16 22 education association shall appoint one college faculty member
16 23 to the working group.

16 24 3. The working group shall submit its findings and
16 25 recommendations in a report to the general assembly by January
16 26 15, 2010.

STATE BOARD OF REGENTS

16 27 Sec. 10. There is appropriated from the general fund of
16 28 the state to the state board of regents for the fiscal year
16 29 beginning July 1, 2008, and ending June 30, 2009, the
16 30 following amounts, or so much thereof as may be necessary, to
16 31 be used for the purposes designated:

16 32 1. OFFICE OF STATE BOARD OF REGENTS

16 33 a. For salaries, support, maintenance, miscellaneous
16 34 purposes, and for not more than the following full-time
16 35



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17 1 equivalent positions:
 17 2 \$ 1,263,437
 17 3 FTEs 16.00
 17 4 The state board of regents shall submit a monthly financial
 17 5 report in a format agreed upon by the state board of regents
 17 6 office and the legislative services agency.
 17 7 The state board of regents shall not circumvent the
 17 8 requirements of section 270.10 and, as the board develops any
 17 9 plan regarding the Iowa braille and sight saving school, it
 17 10 shall comply with the requirements of section 270.10.
 17 11 b. For funds to be allocated to the southwest Iowa
 17 12 graduate studies center:
 17 13 \$ 108,698
 17 14 c. For funds to be allocated to the siouxland interstate
 17 15 metropolitan planning council for the tristate graduate center
 17 16 under section 262.9, subsection 21:
 17 17 \$ 80,467
 17 18 d. For funds to be allocated to the quad=cities graduate
 17 19 studies center:
 17 20 \$ 160,806
 17 21 e. For funds to be distributed to the midwestern higher
 17 22 education compact to pay Iowa's member state annual
 17 23 obligation:
 17 24 \$ 90,000
 17 25 2. STATE UNIVERSITY OF IOWA
 17 26 a. General university, including lakeside laboratory
 17 27 For salaries, support, maintenance, equipment,
 17 28 miscellaneous purposes, and for not more than the following
 17 29 full=time equivalent positions:
 17 30 \$258,011,947
 17 31 FTEs 5,058.55
 17 32 b. Center for disabilities and development
 17 33 For salaries, support, maintenance, miscellaneous purposes,
 17 34 and for not more than the following full=time equivalent
 17 35 positions:



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18	1	\$	6,726,227
18	2	FTEs	130.37
18	3	From the funds appropriated in this lettered paragraph,		
18	4	\$200,000 shall be allocated for purposes of the employment		
18	5	policy group.		
18	6	c. Oakdale campus		
18	7	For salaries, support, maintenance, miscellaneous purposes,		
18	8	and for not more than the following full-time equivalent		
18	9	positions:		
18	10	.....	\$	2,726,485
18	11	.....	FTEs	38.25
18	12	d. State hygienic laboratory		
18	13	For salaries, support, maintenance, miscellaneous purposes,		
18	14	and for not more than the following full-time equivalent		
18	15	positions:		
18	16	.....	\$	4,182,151
18	17	.....	FTEs	102.50
18	18	e. Family practice program		
18	19	For allocation by the dean of the college of medicine, with		
18	20	approval of the advisory board, to qualified participants to		
18	21	carry out the provisions of chapter 148D for the family		
18	22	practice program, including salaries and support, and for not		
18	23	more than the following full-time equivalent positions:		
18	24	.....	\$	2,179,043
18	25	.....	FTEs	190.40
18	26	f. Child health care services		
18	27	For specialized child health care services, including		
18	28	childhood cancer diagnostic and treatment network programs,		
18	29	rural comprehensive care for hemophilia patients, and the Iowa		
18	30	high-risk infant follow-up program, including salaries and		
18	31	support, and for not more than the following full-time		
18	32	equivalent positions:		
18	33	\$	732,388
18	34	FTEs	57.97
18	35	g. Statewide cancer registry		



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19 1 For the statewide cancer registry, and for not more than
 19 2 the following full-time equivalent positions:
 19 3 \$ 184,578
 19 4 FTEs 2.10
 19 5 h. Substance abuse consortium
 19 6 For funds to be allocated to the Iowa consortium for
 19 7 substance abuse research and evaluation, and for not more than
 19 8 the following full-time equivalent position:
 19 9 \$ 67,877
 19 10 FTEs 1.00
 19 11 i. Center for biocatalysis
 19 12 For the center for biocatalysis, and for not more than the
 19 13 following full-time equivalent positions:
 19 14 \$ 902,687
 19 15 FTEs 6.28
 19 16 j. Primary health care initiative
 19 17 For the primary health care initiative in the college of
 19 18 medicine, and for not more than the following full-time
 19 19 equivalent positions:
 19 20 \$ 793,920
 19 21 FTEs 5.89
 19 22 From the funds appropriated in this lettered paragraph,
 19 23 \$330,000 shall be allocated to the department of family
 19 24 practice at the state university of Iowa college of medicine
 19 25 for family practice faculty and support staff.
 19 26 k. Birth defects registry
 19 27 For the birth defects registry, and for not more than the
 19 28 following full-time equivalent position:
 19 29 \$ 46,685
 19 30 FTEs 1.00
 19 31 l. Larned A. Waterman Iowa nonprofit resource center
 19 32 For the Larned A. Waterman Iowa nonprofit resource center:
 19 33 \$ 200,000
 19 34 m. Agricultural health and safety programs
 19 35 For a program for farmers with disabilities:



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20 1 \$ 130,000
 20 2 Funds appropriated for purposes of this lettered paragraph
 20 3 shall be used for a grant to a national nonprofit organization
 20 4 with over 80 years of experience in assisting children and
 20 5 adults with disabilities and special needs. The funds shall
 20 6 be used for a nationally recognized program that began in 1986
 20 7 and has been replicated in at least 30 other states, but which
 20 8 is not available through any other entity in this state, that
 20 9 provides assistance to farmers with disabilities in all 99
 20 10 counties to allow the farmers to remain in their own homes and
 20 11 be gainfully engaged in farming through provision of
 20 12 agricultural worksite and home modification consultations,
 20 13 peer support services, services to families, information and
 20 14 referral, and equipment loan services.
 20 15 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
 20 16 a. General university
 20 17 For salaries, support, maintenance, equipment,
 20 18 miscellaneous purposes, and for not more than the following
 20 19 full-time equivalent positions:
 20 20 \$204,145,406
 20 21 FTEs 3,647.42
 20 22 b. Agricultural experiment station
 20 23 For salaries, support, maintenance, miscellaneous purposes,
 20 24 and for not more than the following full-time equivalent
 20 25 positions:
 20 26 \$ 34,493,006
 20 27 FTEs 546.98
 20 28 c. Cooperative extension service in agriculture and home
 20 29 economics
 20 30 For salaries, support, maintenance, miscellaneous purposes,
 20 31 and for not more than the following full-time equivalent
 20 32 positions:
 20 33 \$ 21,900,084
 20 34 FTEs 383.34
 20 35 d. Leopold center



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21 1 For agricultural research grants at Iowa state university
 21 2 of science and technology under section 266.39B, and for not
 21 3 more than the following full-time equivalent positions:
 21 4 \$ 490,572
 21 5 FTEs 11.25
 21 6 e. Livestock disease research
 21 7 For deposit in and the use of the livestock disease
 21 8 research fund under section 267.8:
 21 9 \$ 220,708
 21 10 f. Veterinary diagnostic laboratory
 21 11 For purposes of supporting the college of veterinary
 21 12 medicine for the operation of the veterinary diagnostic
 21 13 laboratory:
 21 14 \$ 1,000,000
 21 15 (1) Iowa state university shall not reduce the amount that
 21 16 it allocates to support the college of veterinary medicine
 21 17 from any other source due to the appropriation made in this
 21 18 lettered paragraph.
 21 19 (2) If by the end of the fiscal year Iowa state university
 21 20 fails to allocate the moneys appropriated in this lettered
 21 21 paragraph to the college of veterinary medicine in accordance
 21 22 with this lettered paragraph, the moneys appropriated in this
 21 23 lettered paragraph for that fiscal year shall revert to the
 21 24 general fund.
 21 25 (3) It is the intent of the general assembly that a future
 21 26 general assembly appropriate moneys to Iowa state university
 21 27 of science and technology for the designated fiscal year, or
 21 28 so much thereof as is necessary, to be used for the purposes
 21 29 designated:
 21 30 For purposes of supporting the college of veterinary
 21 31 medicine for the operation of the veterinary diagnostic
 21 32 laboratory:
 21 33 FY 2009=2010 \$ 4,000,000
 21 34 4. UNIVERSITY OF NORTHERN IOWA
 21 35 a. General university



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22 1 For salaries, support, maintenance, equipment,
 22 2 miscellaneous purposes, and for not more than the following
 22 3 full-time equivalent positions:
 22 4 \$ 92,495,485
 22 5 FTEs 1,449.48
 22 6 b. Recycling and reuse center
 22 7 For purposes of the recycling and reuse center, and for not
 22 8 more than the following full-time equivalent positions:
 22 9 \$ 219,279
 22 10 FTEs 3.00
 22 11 5. STATE SCHOOL FOR THE DEAF
 22 12 For salaries, support, maintenance, miscellaneous purposes,
 22 13 and for not more than the following full-time equivalent
 22 14 positions:
 22 15 \$ 9,883,399
 22 16 FTEs 126.60
 22 17 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 22 18 For salaries, support, maintenance, miscellaneous purposes,
 22 19 and for not more than the following full-time equivalent
 22 20 positions:
 22 21 \$ 5,565,229
 22 22 FTEs 62.87
 22 23 7. TUITION AND TRANSPORTATION COSTS
 22 24 For payment to local school boards for the tuition and
 22 25 transportation costs of students residing in the Iowa braille
 22 26 and sight saving school and the state school for the deaf
 22 27 pursuant to section 262.43 and for payment of certain
 22 28 clothing, prescription, and transportation costs for students
 22 29 at these schools pursuant to section 270.5:
 22 30 \$ 15,020
 22 31 Sec. 11. BOARD OF REGENTS UNIVERSITY STUDY == WOMEN AND
 22 32 MINORITIES IN STEM PROGRAMS AND COLLEGES.
 22 33 1. The state board of regents shall require the
 22 34 universities it governs to collect data and report on the
 22 35 proportion of women and minorities enrolled in science,



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23 1 technology, engineering, and mathematics programs and
23 2 colleges, including high school programs such as project lead
23 3 the way. The state board of regents shall submit the data and
23 4 its findings and recommendations in a report to the general
23 5 assembly by January 15, 2009.

23 6 2. The state board of regents shall direct the
23 7 universities it governs to take every reasonable measure to
23 8 improve the proportion of women and minorities in university
23 9 science, technology, engineering, and mathematics programs and
23 10 colleges.

23 11 Sec. 12. BABY BOOM GENERATION WORKFORCE STUDY. If
23 12 sufficient funding is approved or appropriated by the general
23 13 assembly, or if a local political subdivision provides
23 14 sufficient funding, or if sufficient private funding becomes
23 15 available to the state board of regents for such purpose, the
23 16 department of sociology at Iowa state university of science
23 17 and technology, in coordination with Iowa state university
23 18 extension, shall conduct a study regarding current and
23 19 potential efforts to retain Iowans of the baby boom generation
23 20 and attract those who have emigrated from the state as well as
23 21 potential new Iowans of the baby boom generation. Such
23 22 efforts may include but are not limited to community
23 23 attractions, recreation, health and wellness opportunities,
23 24 and other quality of life measures. The study shall also
23 25 consider those who reside in other states for part of the
23 26 year, the career opportunities available to baby boomers, the
23 27 educational needs of baby boomers and the career experiences
23 28 and productivity benefits that baby boomers bring to Iowa's
23 29 workforce. For purposes of this section, "baby boom
23 30 generation" and "baby boomers" includes people born no earlier
23 31 than 1946 and no later than 1964. The results of the study
23 32 shall be made available in a report to the governor and the
23 33 general assembly by January 15, 2009.

23 34 Sec. 13. For the fiscal year beginning July 1, 2008, and
23 35 ending June 30, 2009, the state board of regents may use



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24 1 notes, bonds, or other evidences of indebtedness issued under
24 2 section 262.48 to finance projects that will result in energy
24 3 cost savings in an amount that will cause the state board to
24 4 recover the cost of the projects within an average of six
24 5 years.

24 6 Sec. 14. Notwithstanding section 270.7, the department of
24 7 administrative services shall pay the state school for the
24 8 deaf and the Iowa braille and sight saving school the moneys
24 9 collected from the counties during the fiscal year beginning
24 10 July 1, 2008, for expenses relating to prescription drug costs
24 11 for students attending the state school for the deaf and the
24 12 Iowa braille and sight saving school.

24 13 Sec. 15. Section 28.8, subsection 3, Code 2007, is amended
24 14 by adding the following new paragraph:

24 15 NEW PARAGRAPH. d. Support services for child care
24 16 facilities registered or licensed under chapter 237A to
24 17 prevent the spread of infectious diseases, prevent child
24 18 injuries, develop health emergency protocols, help with
24 19 medication, and care for children with special health needs.

24 20 Sec. 16. Section 28.8, subsection 5, paragraphs a and e,
24 21 Code 2007, are amended to read as follows:

24 22 a. A school ready children grant shall be awarded to a
24 23 community board ~~for a three-year period, with annual payments~~
~~24 24 made to the community board annually.~~ The Iowa empowerment
24 25 board may grant an extension from the award date and any
24 26 application deadlines based upon the award date, to allow for
24 27 a later implementation date in the initial year in which a
24 28 community board submits a comprehensive school ready grant
24 29 plan to the Iowa empowerment board. However, receipt of
24 30 continued funding is subject to submission of the required
24 31 annual report and the Iowa board's determination that the
24 32 community board is measuring, through the use of performance
24 33 and results indicators developed by the Iowa board with input
24 34 from community boards, progress toward and is achieving the
24 35 desired results identified in the grant plan. If progress is



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25 1 not measured through the use of performance and results
25 2 indicators toward achieving the identified results, the Iowa
25 3 board may request a plan of corrective action, withhold any
25 4 increase in funding, or withdraw grant funding.
25 5 e. The amount of school ready children grant funding the
25 6 Iowa empowerment board shall identify and apply limitations on
~~25 7 the carryforward of school ready children grant funding may~~
25 8 carry forward annually shall not exceed twenty percent. The
~~25 9 limitations shall address an unusually high percentage of a~~
~~25 10 grant being carried forward, the number of years a grant has~~
~~25 11 been carried forward which shall not exceed three years, and~~
~~25 12 other objective criteria. The limitations shall make~~
~~25 13 allowances for special circumstances such as the carryforward~~
~~25 14 of funding that is designated for a particular purpose and is~~
~~25 15 scheduled in the grant plan. The board may provide for~~
~~25 16 redistribution or other redirection of the funding that meets~~
~~25 17 the criteria. School ready children grant funds received by a~~
25 18 community empowerment board in a fiscal year shall be carried
25 19 forward to the following fiscal year. However, any funds
25 20 which remain unencumbered and unobligated in excess of twenty
25 21 percent of the funds received in a fiscal year shall be
25 22 subtracted by the Iowa empowerment board from the allocation
25 23 to the community empowerment board for the following fiscal
25 24 year.

25 25 Sec. 17. Section 256.26, subsection 6, Code Supplement
25 26 2007, is amended by striking the subsection and inserting in
25 27 lieu thereof the following:

25 28 6. An applicant serving middle and high school-age youth
25 29 is eligible for funding under this section if the applicant
25 30 demonstrates that the applicant is serving youth at least once
25 31 a week or a minimum of two hours per week.

25 32 Sec. 18. Section 256.26, Code Supplement 2007, is amended
25 33 by adding the following new subsection:

25 34 NEW SUBSECTION. 7. Grant funding may be used for
25 35 programming for multiple fiscal years as proposed by the



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26 1 applicant and approved by the department.

26 2 Sec. 19. Section 256B.15, subsection 7, Code 2007, is

26 3 amended to read as follows:

26 4 7. a. ~~The treasurer of the state shall credit receipts~~
~~26 5 received under this section to the department of human~~
~~26 6 services to pay contractual fees incurred by the department to~~
~~26 7 maximize federal funding for special education services. All~~
~~26 8 remaining receipts in excess of the amount necessary to pay~~
~~26 9 contractual fees shall be credited to the department of human~~
~~26 10 services medical assistance account.~~

26 11 b. The area education agencies shall, ~~after determining~~
~~26 12 the administrative costs associated with the implementation of~~
~~26 13 medical assistance reimbursement for the eligible services, be~~
~~26 14 permitted to retain up to twenty-five percent of the federal~~
~~26 15 portion of the total amount reimbursed to pay for the~~
~~26 16 administrative costs transfer to the department of education~~
26 17 an amount equal to eighty-four percent of the payments
26 18 received from the medical assistance program provided pursuant
26 19 to chapter 249A. This limitation requirement does not apply
26 20 to medical assistance reimbursement for services provided by
26 21 an area education agency under part C of the federal
26 22 Individuals With Disabilities Education Act. Funds received
26 23 under this section shall not be considered or included as part
26 24 of the area education agencies' budgets when calculating funds
26 25 that are to be received by area education agencies during a
26 26 fiscal year.

26 27 Sec. 20. Section 257B.1B, subsection 1, Code 2007, is
26 28 amended to read as follows:

26 29 1. For the fiscal year beginning July 1, 2004, and each
26 30 succeeding fiscal year, fifty-five percent of the moneys
26 31 deposited in the fund to the ~~department of education for~~
~~26 32 allocation to the Iowa reading recovery council university of~~
26 33 northern Iowa to assist school districts in developing reading
26 34 recovery and literacy programs. The Iowa reading recovery
~~26 35 council shall use the area education agency unified budget as~~



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~~27 1 its fiscal agent for grant moneys and for other moneys
27 2 administered by the council.~~

27 3 Sec. 21. Section 260C.18C, subsection 2, unnumbered
27 4 paragraph 1, Code 2007, is amended to read as follows:

27 5 As used in this section and section 260C.18D, unless the
27 6 context otherwise requires:

27 7 Sec. 22. NEW SECTION. 260C.18D INSTRUCTOR SALARY
27 8 DISTRIBUTION FORMULA.

27 9 1. DISTRIBUTION FORMULA. Moneys appropriated by the
27 10 general assembly to the department for community college
27 11 instructor salaries shall be distributed among each community
27 12 college based on the proportion that the number of full-time
27 13 equivalent instructors employed by a community college bears
27 14 to the sum of the number of full-time equivalent eligible
27 15 instructors who are employed by all community colleges in the
27 16 state for the base year. The state board shall define
27 17 "eligible full-time equivalent instructor" by rule.

27 18 2. BASE FUNDING ALLOCATION. Moneys distributed to each
27 19 community college under subsection 1 shall be included in the
27 20 base funding allocation for all future years. The use of the
27 21 funds shall remain as described in this section for all future
27 22 years.

27 23 3. PURPOSES SUPPLEMENTAL. Moneys appropriated and
27 24 distributed to community colleges under this section shall be
27 25 used to supplement and not supplant any approved faculty
27 26 salary increases or negotiated agreements, excluding the
27 27 distribution of the funds in this section.

27 28 4. ELIGIBLE INSTRUCTORS. Moneys distributed to a
27 29 community college under this section shall be allocated to all
27 30 full-time, nonadministrative instructors and part-time
27 31 instructors covered by a collective bargaining agreement. The
27 32 moneys shall be allocated by negotiated agreements according
27 33 to chapter 20. If no language exists, the moneys shall be
27 34 allocated equally to all full-time, nonadministrative
27 35 instructors with part-time instructors covered by a collective



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28 1 bargaining agreement receiving a prorated share of the fund.

28 2 Sec. 23. Section 260C.36, subsection 1, Code Supplement
28 3 2007, is amended by adding the following new paragraph:

28 4 NEW PARAGRAPH. j. Determination of the faculty that will
28 5 be included in the plan including but not limited to all
28 6 instructors, counselors, and media specialists. The plan
28 7 requirements may be differentiated for each type of employee.

28 8 Sec. 24. Section 260C.36, Code Supplement 2007, is amended
28 9 by adding the following new subsection:

28 10 NEW SUBSECTION. 4. The department of education shall
28 11 establish the following committees:

28 12 a. An ad hoc accreditation quality faculty plan protocol
28 13 committee to advise the department in the development of
28 14 protocols related to the quality faculty planning process to
28 15 be used by the accreditation teams during site visits. The
28 16 committee shall, at a minimum, determine what types of
28 17 evidence need to be provided, develop interview procedures and
28 18 visit goals, and propose accreditation protocol revisions.

28 19 b. An ongoing quality faculty plan professional
28 20 development committee. The committee shall, at a minimum, do
28 21 the following:

28 22 (1) Develop systemic, ongoing, and sustainable statewide
28 23 professional development opportunities that support
28 24 institutional development as well as individual development
28 25 and support of the quality faculty plans. The opportunities
28 26 may include web-based systems to share promising practices.

28 27 (2) Determine future professional development needs.

28 28 (3) Develop or identify training and assistance relating
28 29 to the quality faculty plan process and requirements.

28 30 (4) Assist the department and community colleges in
28 31 developing professional development consortia.

28 32 (5) Review and identify best practices in each community
28 33 college quality faculty plan, including best practices
28 34 regarding adjunct faculty.

28 35 c. A community college faculty advisory committee



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29 1 consisting of one member and one alternate from each community
29 2 college, appointed by the committee established pursuant to
29 3 subsection 1. The committee membership shall be equally
29 4 represented by individuals from the liberal arts and sciences
29 5 faculty and the career and technical faculty. The committee
29 6 shall, at a minimum, keep faculty informed of higher education
29 7 issues, facilitate communication between the faculty and the
29 8 department on an ongoing basis, and serve as an advisory
29 9 committee to the department and community colleges on faculty
29 10 issues.

29 11 Sec. 25. Section 260C.48, subsection 1, unnumbered
29 12 paragraph 1, Code Supplement 2007, is amended to read as
29 13 follows:

29 14 The state board shall develop standards and rules for the
29 15 accreditation of community college programs. Except as
29 16 provided in this subsection and subsection 4, standards
29 17 developed shall be general in nature so as to apply to more
29 18 than one specific program of instruction. With regard to
29 19 community college=employed instructors, the standards adopted
29 20 shall at a minimum require that community college instructors
29 21 ~~who are under contract for at least half-time or more~~ meet the
29 22 following requirements:

29 23 Sec. 26. Section 260C.48, subsection 1, paragraph b,
29 24 subparagraph (2), Code Supplement 2007, is amended to read as
29 25 follows:

29 26 (2) ~~Has~~ Have two or more years of successful experience in
29 27 a professional field or area in which the instructor is
29 28 teaching classes and in which postbaccalaureate recognition or
29 29 professional licensure is necessary for practice, including
29 30 but not limited to the fields or areas of accounting,
29 31 engineering, law, law enforcement, and medicine.

29 32 Sec. 27. Section 261.2, Code Supplement 2007, is amended
29 33 by adding the following new subsection:

29 34 NEW SUBSECTION. 9. Submit by January 15 annually a report
29 35 to the general assembly which provides, by program, the number



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30 1 of individuals who received loan forgiveness in the previous
30 2 fiscal year, the amount paid to individuals under section
30 3 261.19A, 261.23, 261.73, and 261.112, and the institutions
30 4 from which individuals graduated, and that includes any
30 5 proposed statutory changes and the commission's findings and
30 6 recommendations.

30 7 Sec. 28. NEW SECTION. 261.18 BARBER AND COSMETOLOGY ARTS
30 8 AND SCIENCES TUITION GRANT PROGRAM.

30 9 1. A barber and cosmetology arts and sciences tuition
30 10 grant may be awarded to any resident of Iowa who establishes
30 11 financial need and is admitted and in attendance as a
30 12 full-time or part-time student in a course of study at an
30 13 eligible school.

30 14 2. All classes identified by the barber school or school
30 15 of cosmetology arts and sciences as required for completion of
30 16 a course of study required for licensure as provided in
30 17 section 158.8 or required for licensure as provided in section
30 18 157.10, shall be considered a part of the student's barber or
30 19 cosmetology course of study for the purpose of determining the
30 20 student's eligibility for a grant. Notwithstanding subsection
30 21 3, if a student is making satisfactory academic progress but
30 22 the student cannot complete the course of study in the time
30 23 frame allowed for a student to receive a barber and
30 24 cosmetology arts and sciences tuition grant as provided in
30 25 subsection 3 because additional classes are required to
30 26 complete the course of study, the student may continue to
30 27 receive a barber and cosmetology arts and sciences tuition
30 28 grant for not more than one additional enrollment period.

30 29 3. A qualified full-time student may receive a barber and
30 30 cosmetology arts and sciences tuition grant for not more than
30 31 four semesters or the trimester or quarter equivalent of two
30 32 full years of study. A qualified part-time student enrolled
30 33 in a course of study including at least three semester hours
30 34 but fewer than twelve semester hours or the trimester or
30 35 quarter equivalent may receive barber and cosmetology arts and



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31 1 sciences tuition grants for not more than eight semesters or
31 2 the trimester or quarter equivalent of two full years of
31 3 full-time study. However, if a student resumes study after at
31 4 least a two-year absence, the student may again be eligible
31 5 for the specified amount of time, except that the student
31 6 shall not receive assistance for courses for which credit was
31 7 previously received.

31 8 4. a. The amount of a barber and cosmetology arts and
31 9 sciences tuition grant to a qualified full-time student shall
31 10 not exceed the lesser of one thousand two hundred dollars per
31 11 year or the amount of the student's established financial
31 12 need.

31 13 b. The amount of a barber and cosmetology arts and
31 14 sciences tuition grant to a qualified part-time student
31 15 enrolled in a course of study including at least three
31 16 semester hours but fewer than twelve semester hours or the
31 17 trimester or quarter equivalent shall be equal to the amount
31 18 of a barber and cosmetology arts and sciences tuition grant
31 19 that would be paid to a full-time student, except that the
31 20 commission shall prorate the amount in a manner consistent
31 21 with the federal Pell grant program proration.

31 22 5. A barber and cosmetology arts and sciences tuition
31 23 grant shall be awarded on an annual basis, requiring
31 24 reapplication by the student for each year. Payments under
31 25 the grant shall be allocated equally among the semesters or
31 26 quarters of the year upon certification by the institution
31 27 that the student is in full-time or part-time attendance in a
31 28 course of study at a licensed barber school or school of
31 29 cosmetology arts and sciences. If the student discontinues
31 30 attendance before the end of any term after receiving payment
31 31 of the grant, the entire amount of any refund due that
31 32 student, up to the amount of any payments made under the
31 33 annual grant, shall be paid by the institution to the state.

31 34 6. If a student receives financial aid under any other
31 35 program, the full amount of that financial aid shall be



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32 1 considered part of the student's financial resources available
32 2 in determining the amount of the student's financial need for
32 3 that period.

32 4 7. The commission shall administer this program and shall:

32 5 a. Provide application forms for distribution to students
32 6 by Iowa high schools, licensed barber schools and schools of
32 7 cosmetology arts and sciences, and community colleges.

32 8 b. Adopt rules for determining financial need, defining
32 9 residence for the purposes of this section, processing and
32 10 approving applications for grants and determining priority for
32 11 grants.

32 12 c. Approve and award grants on an annual basis.

32 13 d. Make an annual report to the governor and general
32 14 assembly. The report shall include the number of students
32 15 receiving assistance under this section.

32 16 8. Each applicant, in accordance with the rules
32 17 established by the commission, shall:

32 18 a. Complete and file an application for a barber and
32 19 cosmetology arts and sciences tuition grant.

32 20 b. Be responsible for the submission of the financial
32 21 information required for evaluation of the applicant's need
32 22 for a grant, on forms determined by the commission.

32 23 c. Report promptly to the commission any information
32 24 requested.

32 25 d. Submit a new application and financial statement for
32 26 reevaluation of the applicant's eligibility to receive a
32 27 second-year renewal of the grant.

32 28 9. For purposes of this section, "eligible school" means a
32 29 barber school licensed under section 158.7 or a school of
32 30 cosmetology arts and sciences licensed under chapter 157. An
32 31 eligible school shall be accredited by a national accrediting
32 32 agency recognized by the United States department of education
32 33 and shall meet the criteria in section 261.9, subsection 1,
32 34 paragraphs "d" through "g". An eligible school shall report
32 35 promptly to the commission any information requested.



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33 1 Sec. 29. Section 261.25, subsections 1 and 2, Code
33 2 Supplement 2007, are amended to read as follows:
33 3 1. There is appropriated from the general fund of the
33 4 state to the commission for each fiscal year the sum of
33 5 ~~forty-eight~~ fifty million ~~three hundred~~ seventy-three thousand
33 6 seven hundred eighteen dollars for tuition grants.
33 7 2. There is appropriated from the general fund of the
33 8 state to the commission for each fiscal year the sum of five
33 9 million ~~three five hundred~~ seventy-four ~~twenty-four~~ thousand
33 10 eight hundred fifty-eight dollars for tuition grants for
33 11 students attending for-profit accredited private institutions
33 12 located in Iowa. A for-profit institution which, effective
33 13 March 9, 2005, purchased an accredited private institution
33 14 that was exempt from taxation under section 501(c) of the
33 15 Internal Revenue Code, shall be an eligible institution under
33 16 the tuition grant program. In the case of a qualified student
33 17 who was enrolled in such accredited private institution that
33 18 was purchased by the for-profit institution effective March 9,
33 19 2005, and who continues to be enrolled in the eligible
33 20 institution in succeeding years, the amount the student
33 21 qualifies for under this subsection shall be not less than the
33 22 amount the student qualified for in the fiscal year beginning
33 23 July 1, 2004. For purposes of the tuition grant program,
33 24 "for-profit accredited private institution" means an
33 25 accredited private institution which is not exempt from
33 26 taxation under section 501(c)(3) of the Internal Revenue Code
33 27 but which otherwise meets the requirements of section 261.9,
33 28 subsection 1, paragraph "b", and whose students were eligible
33 29 to receive tuition grants in the fiscal year beginning July 1,
33 30 2003.
33 31 Sec. 30. NEW SECTION. 261.73 CHIROPRACTIC LOAN
33 32 FORGIVENESS PROGRAM.
33 33 1. A chiropractic loan forgiveness program is established
33 34 to be administered by the commission. A chiropractor is
33 35 eligible for the program if the chiropractor is a resident of



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34 1 this state, is licensed to practice under chapter 151, and is
34 2 engaged in the practice of chiropractic in this state.
34 3 2. Each applicant for loan forgiveness shall, in
34 4 accordance with the rules of the commission, do the following:
34 5 a. Complete and file an application for chiropractic loan
34 6 forgiveness. The individual shall be responsible for the
34 7 prompt submission of any information required by the
34 8 commission.
34 9 b. File a new application and submit information as
34 10 required by the commission annually on the basis of which the
34 11 applicant's eligibility for the renewed loan forgiveness will
34 12 be evaluated and determined.
34 13 c. Complete and return on a form approved by the
34 14 commission an affidavit of practice verifying that the
34 15 applicant meets the eligibility requirements of subsection 1.
34 16 3. The annual amount of chiropractic loan forgiveness
34 17 shall not exceed the resident tuition rate established for
34 18 institutions of higher learning governed by the state board of
34 19 regents for the first year following the chiropractor's
34 20 graduation from a college of chiropractic approved by the
34 21 board of chiropractic in accordance with section 151.4, or
34 22 twenty percent of the chiropractor's total federally
34 23 guaranteed Stafford loan amount under the federal family
34 24 education loan program or the federal direct loan program,
34 25 including principal and interest, whichever amount is less. A
34 26 chiropractor shall be eligible for the loan forgiveness
34 27 program for not more than five consecutive years.
34 28 4. A chiropractic loan forgiveness repayment fund is
34 29 created for deposit of moneys appropriated to or received by
34 30 the commission for use under the program. Notwithstanding
34 31 section 8.33, moneys deposited in the fund shall not revert to
34 32 any fund of the state at the end of any fiscal year but shall
34 33 remain in the chiropractic loan forgiveness repayment fund and
34 34 be continuously available for loan forgiveness under the
34 35 program. Notwithstanding section 12C.7, subsection 2,



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35 1 interest or earnings on moneys deposited in the fund shall be
35 2 credited to the fund.

35 3 5. The commission shall adopt rules pursuant to chapter
35 4 17A to administer this section.

35 5 Sec. 31. Section 279.13, subsection 1, paragraph b,
35 6 subparagraphs (1) and (2), Code Supplement 2007, are amended
35 7 by striking the subparagraphs and inserting the following:

35 8 (1) Prior to entering into an initial contract with a
35 9 teacher who holds a license other than an initial license
35 10 issued by the board of educational examiners under chapter
35 11 272, the school district shall initiate a state criminal
35 12 history record check of the applicant through the division of
35 13 criminal investigation of the department of public safety,
35 14 submit the applicant's fingerprints to the division for
35 15 submission to the federal bureau of investigation for a
35 16 national criminal history record check, and review the sex
35 17 offender registry information under section 692A.13, the
35 18 central registry for child abuse information established under
35 19 section 235A.14, and the central registry for dependent adult
35 20 abuse information established under section 235B.5 for
35 21 information regarding applicants for employment as a teacher.

35 22 (2) The school district may charge the applicant a fee not
35 23 to exceed the actual cost charged the school district for the
35 24 state and national criminal history checks and registry checks
35 25 conducted pursuant to subparagraph (1).

35 26 Sec. 32. Section 279.13, subsection 1, paragraph b,
35 27 subparagraphs (3) and (4), Code Supplement 2007, are amended
35 28 by striking the subparagraphs.

35 29 Sec. 33. Section 331.653, subsection 27, Code 2007, is
35 30 amended to read as follows:

35 31 27. Give notice of the time and place of making an
35 32 appraisal of unneeded school land as provided in ~~sections~~
35 33 section 297.17 and 297.28.

35 34 Sec. 34. 2006 Iowa Acts, chapter 1157, section 18, as
35 35 amended by 2007 Iowa Acts, chapter 214, section 41, is amended



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36 1 to read as follows:

36 2 SEC. 18. EARLY CARE, HEALTH, AND EDUCATION PROGRAMS == FY
36 3 2007=2008 AND 2008=2009.

36 4 1. There is appropriated from the general fund of the
36 5 state to the department of education for deposit in the school
36 6 ready children grants account of the Iowa empowerment fund for
36 7 each fiscal year of the fiscal period beginning July 1, 2007,
36 8 and ending June 30, 2009, the following amount, or so much
36 9 thereof as is necessary, to be used for the purposes
36 10 designated:

36 11 For early care, health, and education and preschool
36 12 programs, to continue programs and initiatives developed
36 13 pursuant to the appropriation made in this division of this
36 14 Act for this purpose for the fiscal year beginning July 1,
36 15 2006:

36 16 \$ 10,000,000

36 17 2. Funds appropriated in this section shall be allocated
36 18 in the same manner as provided in section 17 except as
36 19 provided in subsection 3.

36 20 3. The amount allocated under section 17, subsection 4,
36 21 paragraph "a", for the fiscal year beginning July 1, 2008,
36 22 shall be distributed as follows:

36 23 a. For deposit in the community empowerment gifts and
36 24 grants account created in section 28.9, subsection 5, as
36 25 enacted in this Act, the sum of \$250,000.

36 26 b. For purposes of the before and after school grant
36 27 program established pursuant to section 256.26, as enacted by
36 28 2007 Iowa Acts, chapter 214, section 19, the sum of \$595,000.

36 29 c. For implementation of early head start projects
36 30 addressing the comprehensive cognitive, social, emotional, and
36 31 developmental needs of children from birth to age three,
36 32 including prenatal support for qualified families, the sum of
36 33 \$100,000.

36 34 Early head start projects shall promote healthy prenatal
36 35 outcomes, healthy family functioning, and strengthen the



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37 1 development of infants and toddlers in low-income families.

37 2 d. To assist a vocational agriculture youth organization
 37 3 sponsored by the schools to support the foundation established
 37 4 by that vocational agriculture youth organization and for
 37 5 other youth activities, the sum of \$50,000. Funds
 37 6 appropriated in this paragraph shall be allocated only to the
 37 7 extent that the state moneys are matched from other sources by
 37 8 the organization on a dollar-for-dollar basis.

37 9 e. For purposes of the work-study program established
 37 10 pursuant to section 261.81, the sum of \$5,000.

37 11 Sec. 35. 2006 Iowa Acts, chapter 1180, section 6,
 37 12 subsection 14, as amended by 2007 Iowa Acts, chapter 214,
 37 13 section 42, is amended to read as follows:

37 14 14. READING INSTRUCTION PILOT PROJECT GRANT PROGRAM

37 15 For the implementation of the reading instruction pilot
 37 16 project grant program, if enacted by this Act:

37 17 \$ 250,000

37 18 From the funds appropriated pursuant to this subsection,
 37 19 ~~\$62,500~~ \$12,500 shall be allocated equally amongst five pilot
 37 20 projects for purposes of teacher training in descubriendo la
 37 21 lectura, the reconstruction of reading recovery in Spanish,
 37 22 including books and materials for teaching, travel expenses,
 37 23 and professional development; \$50,000 shall be allocated to
 37 24 the university of northern Iowa for reading recovery; and
 37 25 \$187,500 shall be allocated to the Iowa empowerment fund for
 37 26 implementation of the business community investment advisory
 37 27 council report and recommendations. Notwithstanding section
 37 28 8.33, moneys allocated to the university of northern Iowa in
 37 29 this subsection that remain unencumbered or unobligated at the
 37 30 close of the fiscal year shall not revert but shall remain
 37 31 available for expenditure for the purpose designated until the
 37 32 close of the following fiscal year.

37 33 Sec. 36. Sections 297.26 through 297.32, Code 2007, are
 37 34 repealed.

37 35 Sec. 37. Section 279.65, Code Supplement 2007, is



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38 1 repealed.

38 2 Sec. 38. EFFECTIVE DATE. The section of this division of
38 3 this Act amending 2006 Iowa Acts, chapter 1180, section 6,
38 4 subsection 14, as amended by 2007 Iowa Acts, chapter 214,
38 5 section 42, being deemed of immediate importance, takes effect
38 6 upon enactment.

38 7

DIVISION II

38 8

SENIOR YEAR PLUS PROGRAM

38 9 Sec. 39. Section 11.6, subsection 1, paragraph a,
38 10 unnumbered paragraph 1, Code 2007, is amended to read as
38 11 follows:

38 12 The financial condition and transactions of all cities and
38 13 city offices, counties, county hospitals organized under
38 14 chapters 347 and 347A, memorial hospitals organized under
38 15 chapter 37, entities organized under chapter 28E having gross
38 16 receipts in excess of one hundred thousand dollars in a fiscal
38 17 year, merged areas, area education agencies, and all school
38 18 offices in school districts, shall be examined at least once
38 19 each year, except that cities having a population of seven
38 20 hundred or more but less than two thousand shall be examined
38 21 at least once every four years, and cities having a population
38 22 of less than seven hundred may be examined as otherwise
38 23 provided in this section. The examination shall cover the
38 24 fiscal year next preceding the year in which the audit is
38 25 conducted. The examination of school offices shall include an
38 26 audit of all school funds including categorical funding
38 27 provided by the state, the certified annual financial report,
38 28 the certified enrollment as provided in section 257.6,
38 29 supplementary weighting as provided in section 257.11, and the
38 30 revenues and expenditures of any nonprofit school organization
38 31 established pursuant to section 279.62. Differences in
38 32 certified enrollment shall be reported to the department of
38 33 management. The examination of school offices shall include
38 34 at a minimum a determination that the laws of the state are
38 35 being followed, that categorical funding is not used to



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39 1 supplant other funding except as otherwise provided, that
39 2 supplementary weighting is pursuant to an eligible sharing
39 3 condition, and that postsecondary courses provided in
39 4 accordance with section 257.11 and chapter 261E supplement,
39 5 rather than supplant, school district courses. The
39 6 examination of a city that owns or operates a municipal
39 7 utility providing local exchange services pursuant to chapter
39 8 476 shall include an audit of the city's compliance with
39 9 section 388.10. The examination of a city that owns or
39 10 operates a municipal utility providing telecommunications
39 11 services pursuant to section 388.10 shall include an audit of
39 12 the city's compliance with section 388.10.

39 13 Sec. 40. Section 85.61, subsection 2, unnumbered paragraph
39 14 2, Code Supplement 2007, is amended to read as follows:
39 15 "Employer" also includes and applies to an eligible
39 16 postsecondary institution as defined in section ~~261C.3,~~
~~39 17 subsection 1 261E.2,~~ a school corporation, or an accredited
39 18 nonpublic school if a student enrolled in the eligible
39 19 postsecondary institution, school corporation, or accredited
39 20 nonpublic school is providing unpaid services under a
39 21 school-to-work program that includes, but is not limited to,
39 22 the components provided for in section 258.10, subsection 2,
39 23 paragraphs "a" through "f". However, if a student
39 24 participating in a school-to-work program is participating in
39 25 open enrollment under section 282.18, "employer" means the
39 26 receiving district. "Employer" also includes and applies to a
39 27 community college as defined in section 260C.2, if a student
39 28 enrolled in the community college is providing unpaid services
39 29 under a school-to-work program that includes but is not
39 30 limited to the components provided for in section 258.10,
39 31 subsection 2, paragraphs "a" through "f", and that is offered
39 32 by the community college pursuant to a contractual agreement
39 33 with a school corporation or accredited nonpublic school to
39 34 provide the program. If a student participating in a
39 35 school-to-work program that includes but is not limited to the



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40 1 components provided for in section 258.10, subsection 2,
40 2 paragraphs "a" through "f", is paid for services provided
40 3 under the program, "employer" means any entity otherwise
40 4 defined as an employer under this subsection which pays the
40 5 student for providing services under the program.

40 6 Sec. 41. NEW SECTION. 256.17 POSTSECONDARY COURSE AUDIT
40 7 COMMITTEE.

40 8 1. The department shall establish and facilitate a
40 9 postsecondary course audit committee which shall annually
40 10 audit postsecondary courses offered to high school students in
40 11 accordance with chapter 261E.

40 12 2. The committee shall include but not be limited to
40 13 representatives from the kindergarten through grade twelve
40 14 education community, community colleges, and regents
40 15 universities.

40 16 3. The committee shall establish a sampling technique that
40 17 randomly selects courses for audit. The audit shall include
40 18 but not be limited to a review of the course syllabus, teacher
40 19 qualifications, examples of student products, and results on
40 20 student assessments. Standards for review shall be
40 21 established by the committee and approved by the department.
40 22 Audit findings shall be submitted to the institutions
40 23 providing the classes audited and shall be posted on the
40 24 department's internet site.

40 25 4. If the committee determines that a postsecondary course
40 26 offered to high school students in accordance with chapter
40 27 261E does not meet the standards established by the committee
40 28 pursuant to subsection 3, the course shall not be eligible for
40 29 future supplementary weighting under section 257.11. If the
40 30 institution makes changes to the course sufficient to cause
40 31 the course to meet the standards of the committee, the
40 32 committee may reinstate the eligibility of the course for
40 33 future supplementary weighting under section 257.11.

40 34 Sec. 42. Section 257.6, subsection 1, paragraph a, Code
40 35 Supplement 2007, is amended by adding the following new



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41 1 subparagraph:

41 2 NEW SUBPARAGRAPH. (7) A student attending an accredited
41 3 nonpublic school or receiving competent private instruction
41 4 under chapter 299A, who is participating in a program under
41 5 chapter 261E, shall be counted as a shared-time student in the
41 6 school district in which the nonpublic school of attendance is
41 7 located for state foundation aid purposes.

41 8 Sec. 43. Section 257.6, subsection 6, unnumbered paragraph
41 9 1, Code Supplement 2007, is amended to read as follows:

41 10 For the school year beginning July 1, ~~2001~~ 2008, and each
41 11 succeeding school year, a student shall not be included in a
41 12 district's enrollment for purposes of this chapter or
41 13 considered an eligible pupil under ~~chapter 261C~~ section 261E.5
41 14 if the student meets all of the following:

41 15 Sec. 44. Section 257.6, subsection 6, paragraph b, Code
41 16 Supplement 2007, is amended to read as follows:

41 17 b. Continues enrollment in the district to take courses
41 18 either provided by the district, offered by community colleges
41 19 under the provisions of section 257.11, or to take courses
41 20 under the provisions of ~~chapter 261C~~ section 261E.5.

41 21 Sec. 45. Section 257.11, subsection 2, Code Supplement
41 22 2007, is amended by adding the following new paragraph:

41 23 NEW PARAGRAPH. d. A school district which hosts a
41 24 regional academy shall be eligible to assign its resident
41 25 students attending classes at the academy a weighting of
41 26 one-tenth of the percentage of the student's school day during
41 27 which the student attends classes at the regional academy.
41 28 The maximum amount of additional weighting for which a school
41 29 district hosting a regional academy shall be eligible is an
41 30 amount corresponding to thirty additional students. The
41 31 minimum amount of additional weighting for which a school
41 32 district establishing a regional academy shall be eligible is
41 33 an amount corresponding to fifteen additional students if the
41 34 academy provides both advanced-level courses and career and
41 35 technical courses.



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42 1 Sec. 46. Section 257.11, subsection 3, Code Supplement
42 2 2007, is amended to read as follows:

42 3 3. DISTRICT-TO-COMMUNITY COLLEGE SHARING AND CONCURRENT
42 4 ENROLLMENT PROGRAMS.

42 5 a. In order to provide additional funds for school
42 6 districts which send their resident high school pupils to a
42 7 community college for college-level classes, a supplementary
42 8 weighting plan for determining enrollment is adopted.

42 9 b. If the school budget review committee certifies to the
42 10 department of management that the class would not otherwise be
42 11 implemented without the assignment of additional weighting,
42 12 pupils attending a community college-offered class or
42 13 attending a class taught by a community college-employed
42 14 instructor are assigned a weighting of ~~forty-eight hundredths~~
42 15 of the percentage of the pupil's school day during which the
42 16 pupil attends class in the community college or attends a
42 17 class taught by a community college-employed instructor of
42 18 seventy hundredths for career and technical courses and
42 19 forty-six hundredths for liberal arts and sciences courses.

42 20 The following requirements shall be met for the purposes of
42 21 assigning an additional weighting for classes offered through
42 22 a sharing agreement between a school district and community
42 23 college. The class must be:

42 24 (1) Supplementing, not supplanting, high school courses
42 25 required to be offered pursuant to section 256.11, subsection
42 26 5.

42 27 (2) Included in the community college catalog or an
42 28 amendment or addendum to the catalog.

42 29 (3) Open to all registered community college students, not
42 30 just high school students. The class may be offered in a high
42 31 school attendance center.

42 32 (4) For college credit and the credit must apply toward an
42 33 associate of arts or associate of science degree, or toward an
42 34 associate of applied arts or associate of applied science
42 35 degree, or toward completion of a college diploma program.



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43 1 (5) Taught by a ~~community college=employed~~ an instructor
43 2 employed or contracted by a community college who meets the
43 3 requirements of section 261E.3, subsection 2.

43 4 (6) Taught utilizing the community college course
43 5 syllabus.

43 6 (7) ~~Of the same quality as a course offered on a community~~
43 7 ~~college campus~~ Taught in such a manner as to result in student
43 8 work and student assessment which meet college-level
43 9 expectations.

43 10 Sec. 47. Section 260C.14, subsection 2, Code 2007, is
43 11 amended to read as follows:

43 12 2. Have authority to determine tuition rates for
43 13 instruction. Tuition for residents of Iowa shall not exceed
43 14 the lowest tuition rate per semester, or the equivalent,
43 15 charged by an institution of higher education under the state
43 16 board of regents for a full-time resident student. However,
43 17 except for students enrolled under ~~chapter 261C~~ section
43 18 261E.5, if a local school district pays tuition for a resident
43 19 pupil of high school age, the limitation on tuition for
43 20 residents of Iowa shall not apply, the amount of tuition shall
43 21 be determined by the board of directors of the community
43 22 college with the consent of the local school board, and the
43 23 pupil shall not be included in the full-time equivalent
43 24 enrollment of the community college for the purpose of
43 25 computing general aid to the community college. Tuition for
43 26 nonresidents of Iowa shall not be less than the marginal cost
43 27 of instruction of a student attending the college. A lower
43 28 tuition for nonresidents may be permitted under a reciprocal
43 29 tuition agreement between a merged area and an educational
43 30 institution in another state, if the agreement is approved by
43 31 the director. The board may designate that a portion of the
43 32 tuition moneys collected from students be used for student aid
43 33 purposes.

43 34 Sec. 48. NEW SECTION. 261E.1 SENIOR YEAR PLUS PROGRAM.

43 35 1. A senior year plus program is established to be



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44 1 administered by the department of education to provide Iowa
44 2 high school students increased access to college credit or
44 3 advanced placement coursework. The program shall consist of
44 4 the following elements:
44 5 a. Advanced placement classes, including on-site,
44 6 consortium, and online opportunities and courses delivered via
44 7 the Iowa communications network.
44 8 b. Community college credit courses offered through
44 9 written agreements between school districts and community
44 10 colleges.
44 11 c. College and university credit courses offered to
44 12 individual high school students through the postsecondary
44 13 enrollment options program in accordance with section 261E.5.
44 14 d. Courses offered through regional and career academies
44 15 for college credit.
44 16 e. Internet-based courses offered for college credit,
44 17 including but not limited to courses within the Iowa learning
44 18 online initiative.
44 19 2. The senior year plus programming provided by a school
44 20 district pursuant to sections 261E.4 and 261E.5 may be
44 21 available to students on a year-round basis.
44 22 Sec. 49. NEW SECTION. 261E.2 DEFINITIONS.
44 23 As used in this chapter, unless the context otherwise
44 24 requires:
44 25 1. "Concurrent enrollment" means any course offered to
44 26 students in grades nine through twelve during the regular
44 27 school year approved by the board of directors of a school
44 28 district through a contractual agreement between a community
44 29 college and the school district that meets the provisions of
44 30 section 257.11, subsection 3.
44 31 2. "Department" means the department of education.
44 32 3. "Director" means the director of the department of
44 33 education.
44 34 4. "Eligible postsecondary institution" means an
44 35 institution of higher learning under the control of the state



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45 1 board of regents, a community college established under
45 2 chapter 260C, or an accredited private institution as defined
45 3 in section 261.9.

45 4 5. "Institution" means a school district or eligible
45 5 postsecondary institution delivering the instruction in a
45 6 given program as authorized by this chapter.

45 7 6. "School board" means the board of directors of a school
45 8 district or a collaboration of boards of directors of school
45 9 districts.

45 10 7. "State board" means the state board of education.

45 11 8. "Student" means any individual enrolled in grades nine
45 12 through twelve in a school district who meets the criteria in
45 13 section 261E.3, subsection 1. "Student" includes an
45 14 individual attending an accredited nonpublic school or the
45 15 Iowa school for the deaf or the Iowa braille and sight saving
45 16 school for purposes of sections 261E.4 and 261E.5.

45 17 Sec. 50. NEW SECTION. 261E.3 ELIGIBILITY.

45 18 1. STUDENT ELIGIBILITY. In order to ensure student
45 19 readiness for postsecondary coursework, the student shall meet
45 20 the following criteria:

45 21 a. The student shall meet the enrollment requirements of
45 22 the eligible postsecondary institution providing the course
45 23 credit.

45 24 b. The student shall meet or exceed the minimum
45 25 performance measures on any academic assessments that may be
45 26 required by the eligible postsecondary institution.

45 27 c. The student shall have taken the appropriate course
45 28 prerequisites, if any, prior to enrollment in the eligible
45 29 postsecondary course, as determined by the eligible
45 30 postsecondary institution delivering the course.

45 31 d. The student shall have attained the approval of the
45 32 school board or its designee and the eligible postsecondary
45 33 institution to register for the postsecondary course.

45 34 e. The student shall have demonstrated proficiency in
45 35 reading, mathematics, and science as evidenced by achievement



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46 1 scores on the latest administration of the state assessment
46 2 for which scores are available and as defined by the
46 3 department. If a student is not proficient in one or more of
46 4 the content areas listed in this paragraph, the school board
46 5 may establish alternative but equivalent qualifying
46 6 performance measures including but not limited to additional
46 7 administrations of the state assessment, portfolios of student
46 8 work, student performance rubric, or end-of-course
46 9 assessments.

46 10 f. The student shall meet the definition of eligible
46 11 student under section 261E.5, subsection 6, in order to
46 12 participate in the postsecondary enrollment options program.

46 13 2. TEACHER AND INSTRUCTOR ELIGIBILITY.

46 14 a. A teacher or instructor employed to provide instruction
46 15 under this chapter shall meet the following criteria:

46 16 (1) The teacher shall be appropriately licensed to teach
46 17 the subject the institution is employing the teacher to teach
46 18 and shall meet the standards and requirements set forth which
46 19 other full-time instructors teaching within the academic
46 20 department are required to meet and which are approved by the
46 21 appropriate postsecondary administration.

46 22 (2) The teacher shall collaborate with other secondary and
46 23 postsecondary faculty in the subject area.

46 24 (3) The teacher or instructor shall provide ongoing
46 25 communication about course expectations, including a syllabus
46 26 that describes the content, teaching strategies, performance
46 27 measures, and resource materials used in the course, and
46 28 academic progress to the student and in the case of students
46 29 of minor age, to the parent or legal guardian of the student.

46 30 (4) The teacher or instructor shall provide curriculum and
46 31 instruction that is accepted as college-level work as
46 32 determined by the institution.

46 33 (5) The teacher or instructor shall use valid and reliable
46 34 student assessment measures, to the extent available.

46 35 (6) The teacher or instructor shall have successfully



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47 1 passed a background investigation conducted in accordance with
47 2 section 272.2, subsection 17, prior to providing instruction
47 3 for any program authorized by this chapter.

47 4 b. The teacher or instructor shall be provided with
47 5 appropriate orientation and training in secondary and
47 6 postsecondary professional development related to curriculum,
47 7 pedagogy, assessment, policy implementation, technology, and
47 8 discipline issues.

47 9 c. The eligible postsecondary institution shall provide
47 10 the teacher or instructor with ongoing communication and
47 11 access to instructional resources and support, and shall
47 12 encourage the teacher or instructor to participate in the
47 13 postsecondary institution's academic departmental activities.

47 14 d. The teacher or instructor shall receive adequate
47 15 notification of an assignment to teach a course under this
47 16 chapter and shall be provided adequate preparation time to
47 17 ensure that the course is taught at the college-level.

47 18 e. An individual under suspension or revocation of an
47 19 educational license or statement of professional recognition
47 20 issued by the board of educational examiners shall not be
47 21 allowed to provide instruction for any program authorized by
47 22 this chapter.

47 23 3. INSTITUTIONAL ELIGIBILITY. An institution, in
47 24 collaboration with the school district, providing instruction
47 25 pursuant to this chapter shall meet the following criteria:

47 26 a. The institution shall ensure that students and, in the
47 27 case of minor students, parents or legal guardians, receive
47 28 appropriate course orientation and information, including but
47 29 not limited to a summary of applicable policies and
47 30 procedures, the establishment of a permanent transcript,
47 31 policies on dropping courses, a student handbook, information
47 32 describing student responsibilities, and institutional
47 33 procedures for academic credit transfer.

47 34 b. The institution shall ensure that students have access
47 35 to student support services, including but not limited to



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48 1 tutoring, counseling, advising, library, writing and math
48 2 labs, and computer labs, and student activities, excluding
48 3 postsecondary intercollegiate athletics.
48 4 c. The institution shall ensure that students are properly
48 5 enrolled in courses that will carry college credit.
48 6 d. The institution shall ensure that teachers and students
48 7 receive appropriate orientation and information about the
48 8 institution's expectations.
48 9 e. The institution shall ensure that the courses provided
48 10 achieve the same learning outcomes as similar courses offered
48 11 in the subject area and are accepted as college-level work.
48 12 f. The institution shall review the course on an annual
48 13 basis for continuous improvement, shall follow up with
48 14 students in order to use information gained from the students
48 15 to improve course delivery and content, and shall share data
48 16 on course progress and outcomes with the collaborative
48 17 partners involved with the delivery of the programming and
48 18 with the department, as needed.
48 19 g. The school district shall certify annually to the
48 20 department that the course provided to a high school student
48 21 for postsecondary credit in accordance with this chapter does
48 22 not supplant a course provided by the school district in which
48 23 the student is enrolled.
48 24 h. The institution shall not require a minimum or a
48 25 maximum number of postsecondary credits to be earned by a high
48 26 school student under this chapter.
48 27 i. The institution shall not place restrictions on
48 28 participation in senior year plus programming beyond that
48 29 which is specified in statute or administrative rule.
48 30 j. All eligible postsecondary institutions providing
48 31 programming under this chapter shall include the unique
48 32 student identifier assigned to students while in the
48 33 kindergarten through grade twelve system as a part of the
48 34 institution's student data management system. Eligible
48 35 postsecondary institutions providing programming under this



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49 1 chapter shall cooperate with the department on data requests
49 2 related to the programming.
49 3 Sec. 51. NEW SECTION. 261E.4 ADVANCED PLACEMENT PROGRAM.
49 4 1. A school district shall make available advanced
49 5 placement courses to its resident students through direct
49 6 instruction on-site, collaboration with another school
49 7 district, or by using the online Iowa advanced placement
49 8 academy.
49 9 2. A school district shall provide descriptions of the
49 10 advanced placement courses available to students using a
49 11 course registration handbook.
49 12 3. A school district shall ensure that advanced placement
49 13 course teachers or instructors are appropriately licensed by
49 14 the board of educational examiners in accordance with chapter
49 15 272 and meet the minimum certification requirements of the
49 16 national organization that administers the advanced placement
49 17 program.
49 18 4. A school district shall establish prerequisite
49 19 coursework for each advanced placement course offered and
49 20 shall describe the prerequisites in the course registration
49 21 handbook, which shall be provided to every junior high school
49 22 or middle school student prior to the development of a core
49 23 curriculum plan pursuant to section 279.61.
49 24 Sec. 52. NEW SECTION. 261E.5 POSTSECONDARY ENROLLMENT
49 25 OPTIONS PROGRAM.
49 26 1. PROGRAM ESTABLISHED. The postsecondary enrollment
49 27 options program is established to promote rigorous academic or
49 28 career and technical pursuits and to provide a wider variety
49 29 of options to high school students by enabling ninth and tenth
49 30 grade students who have been identified by the school district
49 31 as gifted and talented, and eleventh and twelfth grade
49 32 students, to enroll in eligible courses at an eligible
49 33 postsecondary institution of higher learning as a part-time
49 34 student.
49 35 2. NOTIFICATION. The availability and requirements of



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50 1 this program shall be included in each school district's
50 2 student registration handbook. Information about the program
50 3 shall be provided to the student and the student's parent or
50 4 guardian prior to the development of the student's core
50 5 curriculum plan under section 279.61. The school district
50 6 shall establish a process by which students may indicate
50 7 interest in and apply for enrollment in the program.
50 8 3. AUTHORIZATION. To participate in this program, an
50 9 eligible student shall make application to an eligible
50 10 postsecondary institution to allow the eligible student to
50 11 enroll for college credit in a nonsectarian course offered at
50 12 the institution. A comparable course, as defined in rules
50 13 adopted by the board of directors of the school district
50 14 consistent with department administrative rule, must not be
50 15 offered by the school district or accredited nonpublic school
50 16 the student attends. If the postsecondary institution accepts
50 17 an eligible student for enrollment under this section, the
50 18 institution shall send written notice to the student, the
50 19 student's parent or legal guardian in the case of a minor
50 20 child, and the student's school district or accredited
50 21 nonpublic school and the school district in the case of a
50 22 nonpublic school student, or the Iowa school for the deaf or
50 23 the Iowa braille and sight saving school. The notice shall
50 24 list the course, the clock hours the student will be attending
50 25 the course, and the number of hours of college credit that the
50 26 eligible student will receive from the eligible postsecondary
50 27 institution upon successful completion of the course.
50 28 4. CREDITS.
50 29 a. A school district, the Iowa school for the deaf, the
50 30 Iowa braille and sight saving school, or accredited nonpublic
50 31 school shall grant high school credit to an eligible student
50 32 enrolled in a course under this chapter if the eligible
50 33 student successfully completes the course as determined by the
50 34 eligible postsecondary institution. The board of directors of
50 35 the school district, the board of regents for the Iowa school



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51 1 for the deaf and the Iowa braille and sight saving school, or
51 2 authorities in charge of an accredited nonpublic school shall
51 3 determine the number of high school credits that shall be
51 4 granted to an eligible student who successfully completes a
51 5 course. Eligible students may take up to seven semester hours
51 6 of credit during the summer months when school is not in
51 7 session and receive credit for that attendance, if the student
51 8 pays the cost of attendance for those summer credit hours.

51 9 b. The high school credits granted to an eligible student
51 10 under this section shall count toward the graduation
51 11 requirements and subject area requirements of the school
51 12 district of residence, the Iowa school for the deaf, the Iowa
51 13 braille and sight saving school, or accredited nonpublic
51 14 school of the eligible student. Evidence of successful
51 15 completion of each course and high school credits and college
51 16 credits received shall be included in the student's high
51 17 school transcript.

51 18 5. TRANSPORTATION. The parent or legal guardian of an
51 19 eligible student who has enrolled in and is attending an
51 20 eligible postsecondary institution under this chapter shall
51 21 furnish transportation to and from the postsecondary
51 22 institution for the student.

51 23 6. DEFINITION. For purposes of this section and section
51 24 261E.6, unless the context otherwise requires, "eligible
51 25 student" means a student classified by the board of directors
51 26 of a school district, by the state board of regents for pupils
51 27 of the school for the deaf and the Iowa braille and sight
51 28 saving school, or by the authorities in charge of an
51 29 accredited nonpublic school as a ninth or tenth grade student
51 30 who is identified according to the school district's gifted
51 31 and talented criteria and procedures, pursuant to section
51 32 257.43, as a gifted and talented child, or an eleventh or
51 33 twelfth grade student, during the period the student is
51 34 participating in the postsecondary enrollment options program.

51 35 Sec. 53. NEW SECTION. 261E.6 POSTSECONDARY ENROLLMENT



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52 1 OPTIONS PROGRAM PAYMENTS == CLAIMS == REIMBURSEMENTS.
52 2 1. Not later than June 30 of each year, a school district
52 3 shall pay a tuition reimbursement amount to a postsecondary
52 4 institution that has enrolled its resident eligible students
52 5 under this chapter, unless the eligible student is
52 6 participating in open enrollment under section 282.18, in
52 7 which case, the tuition reimbursement amount shall be paid by
52 8 the receiving district. However, if a child's residency
52 9 changes during a school year, the tuition shall be paid by the
52 10 district in which the child was enrolled as of the date
52 11 specified in section 257.6, subsection 1, or the district in
52 12 which the child was counted under section 257.6, subsection 1,
52 13 paragraph "a", subparagraph (6). For students enrolled at the
52 14 school for the deaf and the Iowa braille and sight saving
52 15 school, the state board of regents shall pay a tuition
52 16 reimbursement amount by June 30 of each year. The amount of
52 17 tuition reimbursement for each separate course shall equal the
52 18 lesser of:
52 19 a. The actual and customary costs of tuition, textbooks,
52 20 materials, and fees directly related to the course taken by
52 21 the eligible student.
52 22 b. Two hundred fifty dollars.
52 23 2. A student participating in the postsecondary enrollment
52 24 options act program is not eligible to enroll on a full-time
52 25 basis in an eligible postsecondary institution. A student
52 26 enrolled on such a full-time basis shall not receive any
52 27 payments under this section.
52 28 3. An eligible postsecondary institution that enrolls an
52 29 eligible student under this section shall not charge that
52 30 student for tuition, textbooks, materials, or fees directly
52 31 related to the course in which the student is enrolled except
52 32 that the student may be required to purchase equipment that
52 33 becomes the property of the student. For the purposes of this
52 34 subsection, equipment shall not include textbooks. However,
52 35 if the student fails to complete and receive credit for the



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53 1 course, the student is responsible for all district costs
53 2 directly related to the course as provided in subsection 1 and
53 3 shall reimburse the school district for its costs. If the
53 4 student is under eighteen years of age, the student's parent
53 5 or legal guardian shall sign the student registration form
53 6 indicating that the parent or legal guardian is responsible
53 7 for all costs directly related to the course if the student
53 8 fails to complete and receive credit for the course. If
53 9 documentation is submitted to the school district that
53 10 verifies the student was unable to complete the course for
53 11 reasons including but not limited to the student's physical
53 12 incapacity, a death in the student's immediate family, or the
53 13 student's move to another school district, that verification
53 14 shall constitute a waiver to the requirement that the student
53 15 or parent or legal guardian pay the costs of the course to the
53 16 school district.

53 17 4. An eligible postsecondary institution shall make pro
53 18 rata adjustments to tuition reimbursement amounts based upon
53 19 federal guidelines established pursuant to 20 U.S.C. } 1091b.

53 20 Sec. 54. NEW SECTION. 261E.7 DISTRICT=TO=COMMUNITY
53 21 COLLEGE SHARING OR CONCURRENT ENROLLMENT PROGRAM.

53 22 1. A district=to=community college sharing or concurrent
53 23 enrollment program is established to be administered by the
53 24 department to promote rigorous academic or career and
53 25 technical pursuits and to provide a wider variety of options
53 26 to high school students to enroll part=time in eligible
53 27 nonsectarian courses at or through community colleges
53 28 established under chapter 260C. The program shall be made
53 29 available to all resident students in grades nine through
53 30 twelve. Notice of the availability of the program shall be
53 31 included in a school district's student registration handbook
53 32 and the handbook shall identify which courses, if successfully
53 33 completed, generate college credit under the program. A
53 34 student and the student's parent or legal guardian shall also
53 35 be made aware of this program as a part of the development of



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54 1 the student's core curriculum plan in accordance with section
54 2 279.61.

54 3 2. Students from accredited nonpublic schools and students
54 4 receiving competent private instruction under chapter 299A may
54 5 access the program through the school district in which the
54 6 accredited nonpublic school or private institution is located.

54 7 3. A student may make application to a community college
54 8 and the school district to allow the student to enroll for
54 9 college credit in a nonsectarian course offered by the
54 10 community college. A comparable course, as defined in rules
54 11 made by the board of directors of the school district, must
54 12 not be offered by the school district or accredited nonpublic
54 13 school which the student attends. The school board shall
54 14 annually approve courses to be made available for high school
54 15 credit using locally developed criteria that establishes which
54 16 courses will provide the student with academic rigor and will
54 17 prepare the student adequately for transition to a
54 18 postsecondary institution. If an eligible postsecondary
54 19 institution accepts a student for enrollment under this
54 20 section, the school district, in collaboration with the
54 21 community college, shall send written notice to the student,
54 22 the student's parent or legal guardian in the case of a minor
54 23 child, and the student's school district. The notice shall
54 24 list the course, the clock hours the student will be attending
54 25 the course, and the number of hours of college credit that the
54 26 student will receive from the community college upon
54 27 successful completion of the course.

54 28 4. A school district shall grant high school credit to a
54 29 student enrolled in a course under this chapter if the student
54 30 successfully completes the course as determined by the
54 31 community college and the course was previously approved by
54 32 the school board pursuant to subsection 3. The board of
54 33 directors of the school district shall determine the number of
54 34 high school credits that shall be granted to a student who
54 35 successfully completes a course.



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55 1 5. The parent or legal guardian of a student who has
55 2 enrolled in and is attending a community college under this
55 3 section shall furnish transportation to and from the community
55 4 college for the student.

55 5 6. District-to-community college sharing agreements or
55 6 concurrent enrollment programs that meet the requirements of
55 7 section 257.11, subsection 3, are eligible for funding under
55 8 that provision.

55 9 7. Community colleges shall comply with the data
55 10 collection requirements of 2006 Iowa Acts, chapter 1180,
55 11 section 17.

55 12 8. The state board, in collaboration with the board of
55 13 directors of each community college, shall adopt rules that
55 14 clearly define data and information elements to be collected
55 15 related to the senior year plus programming, including
55 16 concurrent enrollment courses. The data elements shall
55 17 include but not be limited to the following:

55 18 a. The course title and whether the course supplements,
55 19 rather than supplants, a school district course.

55 20 b. An unduplicated enrollment count of eligible students
55 21 participating in the program.

55 22 c. The actual costs and revenues generated for concurrent
55 23 enrollment. An aligned unique student identifier system shall
55 24 be established by the department for students in kindergarten
55 25 through grade twelve and community college.

55 26 Sec. 55. NEW SECTION. 261E.8 REGIONAL ACADEMIES.

55 27 1. A regional academy is a program established by a school
55 28 district to which multiple school districts send students in
55 29 grades nine through twelve, and which may include
55 30 internet-based coursework and courses delivered via the Iowa
55 31 communications network. A regional academy shall include in
55 32 its curriculum advanced level courses and may include in its
55 33 curriculum career and technical courses.

55 34 2. A regional academy course shall not qualify as a
55 35 concurrent enrollment course.



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56 1 3. School districts participating in regional academies
56 2 are eligible for supplementary weighting as provided in
56 3 section 257.11, subsection 2.

56 4 4. Information regarding regional academies shall be
56 5 provided to a student and the student's parent or guardian
56 6 prior to the development of the student's core curriculum plan
56 7 under section 279.61.

56 8 Sec. 56. NEW SECTION. 261E.9 CAREER ACADEMIES.

56 9 1. As used in this section, "career academy" means the
56 10 same as defined in section 260C.18A, subsection 2, paragraph
56 11 "c".

56 12 2. A career academy course may qualify as a concurrent
56 13 enrollment course if it meets the requirements of section
56 14 261E.7.

56 15 3. The school district providing secondary education under
56 16 this section shall be eligible for supplementary weighting
56 17 under section 257.11, subsection 2, and the community college
56 18 shall be eligible for funds allocated pursuant to section
56 19 260C.18A.

56 20 4. Information regarding career academies shall be
56 21 provided by the school district to a student and the student's
56 22 parent or guardian prior to the development of the student's
56 23 core curriculum plan under section 279.61.

56 24 Sec. 57. NEW SECTION. 261E.10 INTERNET=BASED AND IOWA
56 25 COMMUNICATIONS NETWORK COURSEWORK.

56 26 1. The Iowa communications network may be used to deliver
56 27 coursework for the programming provided under this chapter
56 28 subject to an appropriation by the general assembly for that
56 29 purpose. A school district that provides courses delivered
56 30 via the Iowa communications network shall receive supplemental
56 31 funding as provided in section 257.11, subsection 7.

56 32 2. The programming in this chapter may be delivered via
56 33 internet-based technologies including but not limited to the
56 34 Iowa learning online program. An internet-based course may
56 35 qualify for additional supplemental weighting if it meets the



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57 1 requirements of section 261E.7 or section 261E.9.
57 2 3. To qualify as a senior year plus course, an
57 3 internet-based course or course offered through the Iowa
57 4 communications network must comply with the appropriate
57 5 provisions of this chapter.
57 6 Sec. 58. NEW SECTION. 261E.11 INTERNET-BASED
57 7 CLEARINGHOUSE.
57 8 The department shall develop and make available to
57 9 secondary and postsecondary students, parents or legal
57 10 guardians, school districts, accredited nonpublic schools, and
57 11 eligible postsecondary institutions an internet-based
57 12 clearinghouse of information that allows students to identify
57 13 participation options within the senior year plus program and
57 14 transferability between educational systems, subject to an
57 15 appropriation by the general assembly for this purpose. The
57 16 internet-based resource shall provide links to other similar
57 17 resources available through various Iowa postsecondary
57 18 institution systems. The internet-based resource shall also
57 19 identify course transferability and articulation between the
57 20 secondary and postsecondary systems in Iowa and between the
57 21 various Iowa postsecondary systems.
57 22 Sec. 59. NEW SECTION. 261E.12 STATE PROGRAM ALLOCATION.
57 23 1. For each fiscal year in which moneys are appropriated
57 24 by the general assembly for purposes of the senior year plus
57 25 program, the moneys shall be allocated as follows in the
57 26 following priority order:
57 27 a. For the fiscal year beginning July 1, 2008, and
57 28 succeeding fiscal years, an amount up to five hundred thousand
57 29 dollars to the department to implement the internet-based
57 30 clearinghouse pursuant to section 261E.11.
57 31 b. For the fiscal year beginning July 1, 2008, and
57 32 succeeding fiscal years, an amount up to five hundred thousand
57 33 dollars to the department for the development of a data
57 34 management system, including the development of a transcript
57 35 repository, for senior year plus programming provided under



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58 1 this chapter. The data management system shall include
58 2 information generated by the provisions of section 279.61,
58 3 data on courses taken by Iowa's students, and the
58 4 transferability of course credit.
58 5 c. For the fiscal year beginning July 1, 2008, and
58 6 succeeding fiscal years, an amount up to four hundred thousand
58 7 dollars to the department for the development of additional
58 8 internet-based educational courses that comply with the
58 9 provisions of this chapter.
58 10 2. Notwithstanding section 8.33, any moneys remaining
58 11 unencumbered or unobligated from the moneys allocated under
58 12 this section shall not revert but shall remain available in
58 13 the succeeding fiscal year for expenditure for the purposes
58 14 designated. The department shall annually inform the general
58 15 assembly of the amount of moneys allocated, but unspent. The
58 16 provisions of section 8.39 shall not apply to the funds
58 17 allocated pursuant to this section.
58 18 Sec. 60. Section 282.18, subsection 7, Code 2007, is
58 19 amended to read as follows:
58 20 7. A pupil participating in open enrollment shall be
58 21 counted, for state school foundation aid purposes, in the
58 22 pupil's district of residence. A pupil's residence, for
58 23 purposes of this section, means a residence under section
58 24 282.1. The board of directors of the district of residence
58 25 shall pay to the receiving district the state cost per pupil
58 26 for the previous school year, plus any moneys received for the
58 27 pupil as a result of the non-English speaking weighting under
58 28 section 280.4, subsection 3, for the previous school year
58 29 multiplied by the state cost per pupil for the previous year.
58 30 If the pupil participating in open enrollment is also an
58 31 eligible pupil under ~~chapter 261C~~ section 261E.5, the
58 32 receiving district shall pay the tuition reimbursement amount
58 33 to an eligible postsecondary institution as provided in
58 34 ~~section 261C.6~~ 261E.6.
58 35 Sec. 61. Chapter 261C, Code and Code Supplement 2007, is



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60 1 assistance program.

60 2 The division reduces the \$2,750,000 standing appropriation
60 3 for the Iowa work=study program for fiscal year 2008=2009 to
60 4 \$698,923. The division reallocates funds for chiropractic
60 5 loan forgiveness. The division creates and funds a barber and
60 6 cosmetology arts and sciences tuition grant, an osteopathic
60 7 loan forgiveness program, and a chiropractic loan forgiveness
60 8 program. The division permits the commission to renegotiate
60 9 all agreements with student loan lenders who signed agreements
60 10 on or before September 15, 2007, in order to implement the
60 11 most current U.S. department of education regulations.

60 12 The division appropriates moneys to the department of
60 13 education for purposes of the department's general
60 14 administration, vocational education administration, division
60 15 of vocational rehabilitation services including the
60 16 entrepreneurs with disabilities program, independent living,
60 17 state library for general administration and the enrich Iowa
60 18 program, library service area system, public broadcasting
60 19 division, regional telecommunications councils, vocational
60 20 education to secondary schools, school food service, Iowa
60 21 empowerment fund, textbooks for nonpublic school pupils, jobs
60 22 for America's graduates specialist, and community colleges.

60 23 The division also appropriates money for a four=year=old
60 24 preschool program, expansion of the federal Individuals With
60 25 Disabilities Education Improvement Act birth through age three
60 26 services, a before and after school grant program, community
60 27 college salaries, the core curriculum and career information
60 28 and decision=making system, and a beginning administrator
60 29 mentoring and induction program.

60 30 The division requires the department to conduct a study of
60 31 state=funded, competitive grant programs; the feasibility of
60 32 an instructor quality pay equity plan; and the community
60 33 college accreditation process.

60 34 The division requires the Iowa empowerment board to conduct
60 35 a study regarding family, friend, and neighbor care, and



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61 1 limits the amount of fund carryover for the Iowa and community
61 2 empowerment boards.

61 3 The division requires the board of educational examiners to
61 4 deposit \$300,000 from licensing fees in the general fund of
61 5 the state for early head start projects.

61 6 The division requires that school districts use the
61 7 division of criminal investigation for criminal history checks
61 8 and requires those school districts which used an entity other
61 9 than the division in FY 2007=2008 to have the background
61 10 checks done by the division.

61 11 The bill amends statute to provide that the portion of the
61 12 interest for Iowa schools fund which is currently appropriated
61 13 to the department of education is instead appropriated to the
61 14 university of northern Iowa for use in assisting school
61 15 districts to develop reading recovery and literacy programs.

61 16 The division appropriates moneys to the state board of
61 17 regents for the board office, universities' general operating
61 18 budgets, the southwest Iowa graduate studies center, the
61 19 tristate graduate center, the quad=cities graduate studies
61 20 center, Iowa's obligation as a member of the midwestern higher
61 21 education compact, the state university of Iowa, Iowa state
61 22 university of science and technology, the university of
61 23 northern Iowa, the Iowa school for the deaf, the Iowa braille
61 24 and sight saving school, and for tuition and transportation
61 25 costs for students residing in the Iowa Braille and sight
61 26 saving school and the Iowa school for the deaf. The division
61 27 also provides funds for the Iowa state university veterinary
61 28 diagnostic laboratory.

61 29 The division amends 2006 Iowa Acts, as amended by 2007 Iowa
61 30 Acts, to reallocate \$750,000 of the \$10 million appropriated
61 31 for early care, health, and education and preschool programs
61 32 and initiatives for FY 2008=2009 to be deposited in the
61 33 community empowerment gifts and grants fund, and to be used
61 34 for before and after school programs, early head start
61 35 projects, vocational agriculture youth organizations, and for



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62 1 the Iowa college work=study program; and to reallocate \$50,000
62 2 of the funds appropriated for teacher training and the
62 3 reconstruction of reading recovery in Spanish to the
62 4 university of northern Iowa for its reading recovery program.
62 5 Provisions amending 2006 Iowa Acts take effect upon enactment.

62 6 Division I repeals Code sections relating to supplemental
62 7 strategies and educational services and a fund for the
62 8 services and to mining camp schools.

62 9 Division II of the bill establishes a senior year plus
62 10 program to be administered by the department of education to
62 11 provide Iowa high school students with increased access to
62 12 college credit or advanced placement coursework. The program
62 13 consists of advanced placement classes, community college
62 14 credit courses offered through written agreements between
62 15 school districts and community colleges, a postsecondary
62 16 enrollment options program, courses offered through regional
62 17 and career academies for college credit, and internet-based
62 18 courses offered for college credit. The division requires
62 19 that students be made aware of the opportunities offered by
62 20 the program as part of the curriculum development plan school
62 21 districts develop with eighth grade students. Division II
62 22 also provides for the following:

62 23 AUDITOR OF STATE. The division requires that the auditor
62 24 of state include in its examination of school offices an audit
62 25 of state categorical funding and supplementary weighting
62 26 dollars as well as a determination that the laws of the state
62 27 are being followed, that categorical funding is not used to
62 28 supplant other funding, that supplementary weighting is
62 29 pursuant to an eligible sharing condition, and that
62 30 postsecondary courses provided in accordance with this
62 31 division supplement, rather than supplant, school district
62 32 courses.

62 33 POSTSECONDARY COURSE AUDIT COMMITTEE. The division
62 34 requires the department of education to establish and
62 35 facilitate a postsecondary course audit committee which shall



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63 1 annually audit postsecondary courses offered to high school
63 2 students. The committee must establish a sampling technique
63 3 that randomly selects courses for audit. Standards for review
63 4 shall be established by the committee. If the committee
63 5 determines that a postsecondary course offered to high school
63 6 students does not meet its standards, the course shall not be
63 7 eligible for future supplementary weighting. However, if the
63 8 institution makes changes to the course sufficient to cause
63 9 the course to meet the standards of the committee, the
63 10 committee may reinstate the eligibility of the course for
63 11 future supplementary weighting.

63 12 SUPPLEMENTARY WEIGHTING. The division allows a school
63 13 district which hosts a regional academy be eligible to assign
63 14 its resident students attending classes at the academy a
63 15 weighting of one-tenth of the percentage of the student's
63 16 school day during which the student attends classes at the
63 17 regional academy, up to a maximum amount of additional
63 18 weighting corresponding to 30 additional students and a
63 19 minimum amount of additional weighting corresponding to 15
63 20 additional students if the academy provides both advanced
63 21 level courses and career and technical courses.

63 22 The division also changes the assigned additional weighting
63 23 of forty-eight hundredths for pupils attending a
63 24 community-college-offered class or attending a class taught by
63 25 a community-college-employed instructor by assigning a
63 26 weighting of seventy hundredths for career and technical
63 27 courses and forty-six hundredths for liberal arts and sciences
63 28 courses. In addition, under the division, a student attending
63 29 an accredited nonpublic school or receiving competent private
63 30 instruction under Code chapter 299A and who is participating
63 31 in senior year plus programming shall be counted as a
63 32 shared-time student in the school district in which the
63 33 nonpublic school of attendance is located for state foundation
63 34 aid purposes.

63 35 STUDENT ELIGIBILITY. The student shall meet the enrollment



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64 1 requirements of the eligible postsecondary institution
64 2 providing the course credit; shall meet or exceed the minimum
64 3 performance on any academic assessments that may be required
64 4 by the eligible postsecondary institution; shall have taken
64 5 any appropriate course prerequisites; shall have attained the
64 6 approval of the school board and the eligible postsecondary
64 7 institution to register for the postsecondary course; and
64 8 shall have demonstrated proficiency in reading, mathematics,
64 9 and science and, if a student is not proficient in one or more
64 10 of the content areas, the school board may establish
64 11 alternative but equivalent qualifying performance measures. A
64 12 student enrolled in career or vocational courses is exempt
64 13 from the proficiency requirement.

64 14 In addition, if the student wishes to participate in the
64 15 postsecondary enrollment options program, the student must be
64 16 a ninth or 10th grade student who is identified as a gifted
64 17 and talented child, or an 11th or 12th grade student.

64 18 **TEACHER ELIGIBILITY.** A teacher or instructor employed to
64 19 provide instruction under the program must be appropriately
64 20 licensed to teach the subject the teacher or instructor is
64 21 employed to teach; collaborate with other secondary and
64 22 postsecondary faculty in the subject area; provide ongoing
64 23 communication about course expectations and academic progress
64 24 to the student and in the case of a minor student, the parent
64 25 or legal guardian of the student; provide curriculum and
64 26 instruction that is accepted as college-level work; use valid
64 27 and reliable student assessment measures; and have
64 28 successfully passed a background investigation.

64 29 The postsecondary institution shall provide the teacher or
64 30 instructor with ongoing communication and access to resources
64 31 and support. The teacher or instructor shall receive adequate
64 32 notification of an assignment to teach and adequate
64 33 preparation time.

64 34 **INSTITUTIONAL ELIGIBILITY.** An institution providing
64 35 instruction shall ensure that students and, in the case of



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65 1 minor students, parents or legal guardians receive appropriate
65 2 course orientation and information, including information
65 3 describing student responsibilities and institutional
65 4 procedures for academic credit transfer; ensure that students
65 5 have access to student support services, including but not
65 6 limited to tutoring, counseling, advising, library, writing
65 7 and math labs, and computer labs, and student activities,
65 8 excluding postsecondary intercollegiate athletics; ensure that
65 9 students are properly enrolled in courses that will directly
65 10 earn college credit; ensure that teachers and students receive
65 11 appropriate orientation and information about the
65 12 institution's expectations; ensure that the courses provided
65 13 achieve the same learning outcomes as similar courses offered
65 14 in the subject area and are accepted as college-level work;
65 15 review the course on an annual basis for continuous
65 16 improvement; and share data on course progress and outcomes
65 17 with the collaborative partners involved with the delivery of
65 18 the programming and with the department.

65 19 The institution shall not place restrictions on
65 20 participation in senior year plus programming beyond that
65 21 which is specified in statute or administrative rule; shall
65 22 annually certify to the department that the course does not
65 23 supplant a school district course; and shall not require the
65 24 student to take a specific number of postsecondary credits.
65 25 ADVANCED PLACEMENT PROGRAM. The division requires school
65 26 districts to make advanced placement courses available to its
65 27 resident students through direct instruction on-site,
65 28 collaboration with another school district, or by using the
65 29 online Iowa advanced placement academy. The school district
65 30 must provide descriptions of the courses available to students
65 31 using a course registration handbook, ensure that advanced
65 32 placement course instructors are appropriately licensed and
65 33 meet the minimum certification requirements of the national
65 34 organization that administers the advanced placement program,
65 35 and establish prerequisite coursework for each advanced



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66 1 placement course offered. The handbook must be provided to
66 2 every junior high school or middle school student prior to the
66 3 development of their core curriculum plans.

66 4 POSTSECONDARY ENROLLMENT OPTIONS PROGRAM. The division
66 5 repeals the postsecondary enrollment options Act and
66 6 substantially moves the language of the Act to the Code
66 7 chapter establishing the senior year plus program. Under the
66 8 division, the definition of an "eligible student" is not
66 9 changed. The division requires that the availability and
66 10 requirements of the program be included in each school
66 11 district's student registration handbook and provided to each
66 12 student and parent or guardian prior to development of the
66 13 student's core curriculum plan. School districts must also
66 14 establish a process by which students may indicate interest in
66 15 and apply for enrollment in the program.

66 16 POSTSECONDARY ENROLLMENT OPTIONS PROGRAM PAYMENTS. As
66 17 under the postsecondary enrollment options Act, a school
66 18 district is responsible for paying a tuition reimbursement
66 19 amount to a postsecondary institution that has enrolled its
66 20 resident eligible students under this Code chapter, unless the
66 21 eligible student is participating in open enrollment under
66 22 Code section 282.18, in which case, the tuition reimbursement
66 23 amount shall be paid by the receiving district. If the
66 24 student fails to complete and receive credit for the course,
66 25 the student is responsible for all district costs and shall
66 26 reimburse the school district for its costs.

66 27 DISTRICT-TO-COMMUNITY COLLEGE SHARING OR CONCURRENT
66 28 ENROLLMENT PROGRAM. Current law provides supplementary
66 29 weighting for district-to-community college sharing. The
66 30 division establishes a district-to-community college sharing
66 31 or concurrent enrollment program to be administered by the
66 32 department of education to promote rigorous academic or career
66 33 and technical pursuits and to provide a wider variety of
66 34 options to high school students to enroll part-time in
66 35 eligible nonsectarian courses at or through community



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67 1 colleges. The program shall be made available to all Iowa
67 2 students in grades nine through 12, and notice of the
67 3 availability of this program shall be included in each school
67 4 district's student registration handbook and in the student's
67 5 core curriculum plan. Students from accredited nonpublic
67 6 schools and students receiving competent private instruction
67 7 may access the program through the school district in which
67 8 the accredited nonpublic school or private instruction is
67 9 located.

67 10 A student may apply to a community college and the school
67 11 district to allow the student to enroll for college credit in
67 12 a nonsectarian course offered by the community college. A
67 13 comparable course must not be offered by the school the
67 14 student attends. The school board must annually approve
67 15 courses to be made available for high school credit. A school
67 16 district shall grant high school credit to a student enrolled
67 17 in a course if the student successfully completes the course
67 18 as determined by the community college.

67 19 The parent or legal guardian of a student who is attending
67 20 the community college under the program shall furnish
67 21 transportation to and from the community college for the
67 22 student.

67 23 Community colleges and school districts must provide the
67 24 department with information about the course and course
67 25 enrollment in a format approved by the department which aligns
67 26 community college and school district data. The department is
67 27 directed to establish an aligned unique student identifier
67 28 system for students in kindergarten through grade 12 and
67 29 community college.

67 30 REGIONAL AND CAREER ACADEMIES. Current law provides
67 31 supplementary weighting for regional and career academies.
67 32 The division provides that a regional academy is a program
67 33 established by a school district to which multiple schools
67 34 send students in grades nine through 12, and which may include
67 35 internet-based coursework and courses delivered via the Iowa



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68 1 communications network. A regional academy must include in
68 2 its curriculum advanced level courses and may include career
68 3 and technical courses. A regional academy course does not
68 4 qualify as a concurrent enrollment course.

68 5 The Code currently defines "career academy" to mean a
68 6 program of study that combines a minimum of two years of
68 7 secondary education with an associate degree, or the
68 8 equivalent, career preparatory program in a nonduplicative,
68 9 sequential course of study that is standards-based, integrates
68 10 academic and technical instruction, utilizes work-based and
68 11 worksite learning where appropriate and available, utilizes an
68 12 individual career planning process with parent involvement,
68 13 and leads to an associate degree or postsecondary diploma or
68 14 certificate in a career field that prepares an individual for
68 15 entry and advancement in a high-skill and reward career field
68 16 and further education. A career academy course may qualify as
68 17 a concurrent enrollment course if it meets the requirements of
68 18 this division.

68 19 Information regarding regional and career academies shall
68 20 be provided to a student and parent or guardian prior to
68 21 development of the student's core curriculum plan.

68 22 INTERNET-BASED AND IOWA COMMUNICATIONS NETWORK COURSEWORK.
68 23 The Iowa communications network may be used to deliver
68 24 coursework for the senior year plus programming, and school
68 25 districts that do so may receive supplemental funding.
68 26 Internet-based technologies may also be used and may qualify
68 27 for additional supplemental weighting if the internet-based
68 28 technology is used by a career academy, under a
68 29 district-to-community college sharing agreement, or concurrent
68 30 enrollment program.

68 31 INTERNET-BASED CLEARINGHOUSE. The department of education
68 32 is directed to develop and make available to secondary and
68 33 postsecondary students, parents or legal guardians, school
68 34 districts, accredited nonpublic schools, and eligible
68 35 postsecondary institutions an internet-based clearinghouse of



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69 1 information that allows students to identify participation
69 2 options within the senior year plus program and
69 3 transferability between educational systems.
69 4 STATE PROGRAM ALLOCATIONS. The division provides for the
69 5 allocation of funds if funds are appropriated.
69 6 DEPARTMENT OF EDUCATION == SENIOR YEAR PLUS PROGRAM STUDY.
69 7 The division directs the department of education, in
69 8 collaboration with other educational institutions, to conduct
69 9 a study of the measures necessary for the successful
69 10 implementation of the senior year plus program and to submit
69 11 its findings and recommendations to the general assembly by
69 12 November 14, 2008.
69 13 YEAR=ROUND REQUIREMENT. The division requires school
69 14 districts to provide advanced placement, postsecondary
69 15 enrollment, and internet-based and Iowa communications network
69 16 coursework year-round.
69 17 REPEAL. The division repeals the postsecondary enrollment
69 18 options Act, Code chapter 261C, and makes corresponding
69 19 changes to references to the Code chapter throughout the Code.
69 20 LSB 5005JB 82
69 21 kh/mg/5