



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 01, 2008

House Amendment 8360

PAG LIN

1 1 Amend House File 2450, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 3, lines 24 and 25, by striking the words  
1 4 <the date of the report> and inserting the following:  
1 5 <June 30 of the prior year>.  
1 6 #2. Page 3, lines 28 and 29, by striking the words  
1 7 <the time of reporting> and inserting the following:  
1 8 <June 30 of the prior year>.  
1 9 #3. Page 3, line 35, and page 4, line 1, by  
1 10 striking the words <the time of reporting> and  
1 11 inserting the following: <June 30 of the prior year>.  
1 12 #4. Page 4, lines 4 and 5, by striking the words  
1 13 <the time of reporting> and inserting the following:  
1 14 <June 30 of the prior year>.  
1 15 #5. Page 4, line 9, by striking the words <the  
1 16 time of reporting> and inserting the following: <June  
1 17 30 of the prior year>.  
1 18 #6. Page 4, line 11, by striking the words <the  
1 19 time of reporting> and inserting the following: <June  
1 20 30 of the prior year>.  
1 21 HF 2450.S  
1 22 tw/rj/cc/26  
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Iowa General Assembly  
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House Amendment 8361

PAG LIN

1 1 Amend House File 2197, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. NEW SECTION. 261.7 TEXTBOOK NOTICE  
1 6 == LEGISLATIVE INTENT.  
1 7 1. In order to promote consumer choice and lower  
1 8 the costs of higher education, the general assembly  
1 9 intends that every public and private institution for  
1 10 higher education in this state post the list of  
1 11 required and suggested textbooks for all courses and  
1 12 the corresponding international standard book numbers  
1 13 for such textbooks at least fourteen days before the  
1 14 start of each semester or term, to the extent  
1 15 possible, at the locations where textbooks are sold on  
1 16 campus and on the web site for the respective  
1 17 institution for higher education.  
1 18 2. The college student aid commission is directed  
1 19 to convey this legislative intent to every registered  
1 20 institution for higher education in the state at least  
1 21 once a year.>  
1 22 #2. Title page, line 1, by striking the word  
1 23 <requiring> and inserting the following:  
1 24 <encouraging>.  
1 25 #3. Title page, lines 1 and 2, by striking the  
1 26 words <and community colleges>.  
1 27 HF 2197.S  
1 28 ak/nh/cc/26  
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# House Amendment 8362

PAG LIN

1 1 Amend House File 2663 as follows:  
1 2 #1. Page 18, line 24, by striking the words <two  
1 3 hundred fifty> and inserting the following: <four  
1 4 hundred>.  
1 5 #2. Page 18, line 25, by striking the word <one>  
1 6 and inserting the following: <two>.  
1 7  
1 8  
1 9  
1 10 MASCHER of Johnson  
1 11 HF 2663.501 82  
1 12 mg/mg/11998  
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House Amendment 8363

PAG LIN

1 1 Amend House File 2663 as follows:  
1 2 #1. Page 11, line 5, by striking the word  
1 3 <one-half> and inserting the following: <one-half>.  
1 4 #2. Page 11, by striking lines 6 through 9 and  
1 5 inserting the following: <authorized by the voters.  
1 6 ~~For the second half of the duration of the tax~~  
~~1 7 authorized by the voters, local sales and services tax~~  
~~1 8 receipts shall be distributed as otherwise applicable~~  
~~1 9 pursuant to subsection 2 of this section.>~~  
1 10  
1 11  
1 12  
1 13 MASCHER of Johnson  
1 14 HF 2663.703 82  
1 15 mg/mg/11997  
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House Amendment 8364

PAG LIN

1 1 Amend House File 2663 as follows:  
1 2 #1. Page 18, line 26, by inserting after the word  
1 3 <school> the following: <or a school district that  
1 4 exceeds its authorized budget or carries a negative  
1 5 unspent balance for two or more consecutive years, as  
1 6 described in section 257.31, subsection 18,>.  
1 7  
1 8  
1 9  
1 10 MASCHER of Johnson  
1 11 HF 2663.704 82  
1 12 mg/mg/12002  
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# House Amendment 8365

PAG LIN

1 1 Amend Senate File 2308, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 3, line 6, by striking the words <owns,  
1 4 maintains, or otherwise possesses> and inserting the  
1 5 following: <owns or licenses computerized>.  
1 6  
1 7  
1 8  
1 9 KELLEY of Black Hawk  
1 10 SF 2308.301 82  
1 11 rn/nh/21033  
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# House Amendment 8366

PAG LIN

1 1 Amend Senate File 2354, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 12, by inserting after the word  
1 4 <service> the following: <beginning on or after  
1 5 September 11, 2001,>.  
1 6  
1 7  
1 8  
1 9 ZIRKELBACH of Jones  
1 10 SF 2354.502 82  
1 11 ec/nh/11432  
1 12  
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**House Amendment 8367**

PAG LIN

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1 1 Amend House File 2662 as follows:
1 2 #1. Page 9, by inserting after line 1, the
1 3 following:
1 4 <Sec. _____. UNASSIGNED REVENUE FUND == FUNDING
1 5 RESTORATION.
1 6 There is appropriated from the unassigned revenue
1 7 fund administered by the Iowa comprehensive
1 8 underground storage tank fund board to the department
1 9 of natural resources for the fiscal year beginning
1 10 July 1, 2008, and ending June 30, 2009, the following
1 11 amounts, or so much thereof as is necessary, to be
1 12 used for the purposes designated:
1 13 1. To be credited to and used for snowmobile
1 14 programs as provided for the special snowmobile fund
1 15 created under section 321G.7, in order to restore
1 16 funding transferred pursuant to 2002 Iowa Acts, Second
1 17 Extraordinary Session, chapter 1001, section 10:
1 18 ..... $ 950,000
1 19 2. To be credited to and used for all-terrain
1 20 vehicle programs as provided for the special
1 21 all-terrain vehicle fund created under section 321I.8,
1 22 in order to restore funding transferred pursuant to
1 23 2002 Iowa Acts, Second Extraordinary Session, chapter
1 24 1001, section 11:
1 25 ..... $ 775,000>.
1 26 #2. By renumbering as necessary.
1 27
1 28
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1 30 H. MILLER of Webster
1 31
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1 34 KUHN of Floyd
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1 38 ABDUL-SAMAD of Polk
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1 42 BAILEY of Hamilton
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1 46 BELL of Jasper
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1 50 BERRY of Black Hawk

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House Amendment 8367 continued

- 2 1
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- 2 4 BUKTA of Clinton
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- 2 8 COHOON of Des Moines
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- 2 10
- 2 11
- 2 12 DANDEKAR of Linn
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- 2 16 DAVITT of Warren
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- 2 20 FOEGE of Linn
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- 2 24 FORD of Polk
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- 2 28 FREVERT of Palo Alto
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- 2 32 GASKILL of Wapello
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- 2 36 GAYMAN of Scott
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- 2 40 HEDDENS of Story
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- 2 43
- 2 44 HUNTER of Polk
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- 2 48 HUSER of Polk
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House Amendment 8367 continued

3 1  
3 2 JACOBY of Johnson  
3 3  
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3 6 JOCHUM of Dubuque  
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3 10 KELLEY of Black Hawk  
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3 14 KRESSIG of Black Hawk  
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3 18 LENSING of Johnson  
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3 22 LYKAM of Scott  
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3 26 MASCHER of Johnson  
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3 30 McCARTHY of Polk  
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3 34 MERTZ of Kossuth  
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3 38 MURPHY of Dubuque  
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3 42 OLDSOON of Polk  
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3 46 D. OLSON of Boone  
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3 50 R. OLSON of Polk



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House Amendment 8367 continued

4 1  
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4 4 T. OLSON of Linn  
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4 8 PALMER of Mahaska  
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4 12 PETERSEN of Polk  
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4 16 QUIRK of Chickasaw  
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4 20 REASONER of Union  
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4 24 REICHERT of Muscatine  
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4 28 SCHUELLER of Jackson  
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4 32 SHOMSHOR of Pottawattamie  
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4 36 SMITH of Marshall  
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4 44 SWAIM of Davis  
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4 48 D. TAYLOR of Linn  
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House Amendment 8367 continued

5 1  
5 2 T. TAYLOR of Linn  
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5 6 THOMAS of Clayton  
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5 10 WENDT of Woodbury  
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5 14 WENTHE of Fayette  
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5 18 WESSEL-KROESCHELL of Story  
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5 22 WHITAKER of Van Buren  
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5 26 WHITEAD of Woodbury  
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5 30 WINCKLER of Scott  
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5 34 WISE of Lee  
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5 37  
5 38 ZIRKELBACH of Jones  
5 39 HF 2662.201 82  
5 40 da/jp/20996



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House Amendment 8368

PAG LIN

1 1 Amend Senate File 2325, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 3, line 18, by striking the figure <2009>  
1 4 and inserting the following: <2008>.  
1 5  
1 6  
1 7  
1 8 THOMAS of Clayton  
1 9 SF 2325.203 82  
1 10 tw/rj/21044  
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Iowa General Assembly  
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# House Amendment 8369

PAG LIN

1 1 Amend Senate File 2361, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 2, by inserting after line 1, the  
1 4 following:  
1 5 <( ) The designated biobased product does not  
1 6 meet the functional requirements and evaluation  
1 7 criteria identified in bid documents. Functional  
1 8 requirements to be considered may include but are not  
1 9 limited to the designated biobased product's  
1 10 conformance with ASTM (American society for testing  
1 11 and materials) international standards.  
1 12 ( ) The purchase of the designated biobased  
1 13 product conflicts with section 8A.311, subsection 1,  
1 14 paragraph "a".>  
1 15 #2. Page 2, by inserting after line 26 the  
1 16 following:  
1 17 < . When evaluating a bid for the purchase of  
1 18 designated biobased products, the department may take  
1 19 into consideration warranty provisions and life cycle  
1 20 cost estimates.>  
1 21 #3. By renumbering as necessary.  
1 22  
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1 24  
1 25 T. TAYLOR of Linn  
1 26 SF 2361.301 82  
1 27 da/rj/20910  
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House Amendment 8370

PAG LIN

1 1 Amend the amendment, H=8354, to Senate File 2134 as  
1 2 follows:  
1 3 #1. Page 5, line 10, by striking the word <may>  
1 4 and inserting the following: ~~<may~~ shall.  
1 5  
1 6  
1 7  
1 8 ZIRKELBACH of Jones  
1 9 SF 2134.503 82  
1 10 md/rj/21043  
1 11  
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Iowa General Assembly  
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## House Amendment 8371

PAG LIN

1 1 Amend Senate File 34, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 2, by striking lines 10 through 18 and  
1 4 inserting the following:  
1 5 <Sec. \_\_\_\_\_. Section 321.446, Code 2007, is amended  
1 6 to read as follows:  
1 7 321.446 CHILD RESTRAINT DEVICES.  
1 8 1. a. A child under one year of age and weighing  
1 9 less than twenty pounds who is being transported in a  
1 10 motor vehicle subject to registration, except a school  
1 11 bus or motorcycle, shall be secured during transit in  
1 12 a rear-facing child restraint system that is used in  
1 13 accordance with the manufacturer's instructions.  
1 14 b. A child under six years of age who does not  
1 15 meet the description in paragraph "a" and who is being  
1 16 transported in a motor vehicle subject to  
1 17 registration, except a school bus or motorcycle, shall  
1 18 be secured during transit by a child restraint system  
1 19 that is used in accordance with the manufacturer's  
1 20 instructions.  
1 21 2. A child at least six years of age but under  
1 22 ~~eleven~~ eighteen years of age who is being transported  
1 23 in a motor vehicle subject to registration, except a  
1 24 school bus or motorcycle, shall be secured during  
1 25 transit by a child restraint system that is used in  
1 26 accordance with the manufacturer's instructions or by  
1 27 a safety belt or safety harness of a type approved  
1 28 under section 321.445.  
1 29 2A. A person who transports children in a motor  
1 30 vehicle and who is not in compliance with the  
1 31 requirements of subsection 1 or 2 is not in violation  
1 32 of this section if the failure to secure one or more  
1 33 of the children is because the number of children  
1 34 being transported exceeds the number of passenger  
1 35 securing locations suitable for securing a child  
1 36 either in a child restraint system or by a safety belt  
1 37 or safety harness, provided that all of those  
1 38 locations are in use by children secured in accordance  
1 39 with this section and as many of the children under  
1 40 six years of age are properly secured in child  
1 41 restraint systems as the vehicle is designed to  
1 42 accommodate.  
1 43 3. This section does not apply to peace officers  
1 44 acting on official duty. This section also does not  
1 45 apply to the transportation of children in 1965 model  
1 46 year or older vehicles, authorized emergency vehicles,  
1 47 buses, or motor homes, except when a child is  
1 48 transported in a motor home's passenger seat situated  
1 49 directly to the driver's right. This section does not  
1 50 apply to the transportation of a child who has been



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House Amendment 8371 continued

2 1 certified by a physician licensed under chapter 148,  
2 2 150, or 150A as having a medical, physical, or mental  
2 3 condition that prevents or makes inadvisable securing  
2 4 the child in a child restraint system, safety belt, or  
2 5 safety harness.

2 6 4. An operator who violates ~~subsection 1 or 2~~ this  
2 7 section is guilty of a simple misdemeanor and subject  
2 8 to the penalty provisions of section 805.8A,  
2 9 subsection 14, paragraph "c". However, if a child is  
2 10 being transported in a taxicab in a manner that is not  
2 11 in compliance with ~~subsection 1 or 2~~ this section, the  
2 12 parent, legal guardian, or other responsible adult  
2 13 traveling with the child shall be served with a  
2 14 citation for a violation of this section in lieu of  
2 15 the taxicab operator.

2 16 5. A person who is first charged for a violation  
2 17 of subsection 1 and who has not purchased or otherwise  
2 18 acquired a child restraint system shall not be  
2 19 convicted if the person produces in court, within a  
2 20 reasonable time, proof that the person has purchased  
2 21 or otherwise acquired a child restraint system which  
2 22 meets federal motor vehicle safety standards.

2 23 6. Failure to use a child restraint system, safety  
2 24 belts, or safety harnesses as required by this section  
2 25 does not constitute negligence nor is the failure  
2 26 admissible as evidence in a civil action.

2 27 7. For purposes of this section, the following  
2 28 definitions apply:

2 29 a. ~~"child~~ "Child restraint system" means a  
2 30 specially designed seating system, including a  
2 31 belt-positioning seat or a booster seat, that meets  
2 32 federal motor vehicle safety standards set forth in 49  
2 33 C.F.R. } 571.213.

2 34 b. "Passenger securing location" means any area  
2 35 within the passenger compartment of a motor vehicle,  
2 36 other than the driver's seat, in which the  
2 37 manufacturer has installed a safety belt or safety  
2 38 harness.>

2 39 #2. Title page, line 1, by striking the word  
2 40 <requiring> and inserting the following: <relating  
2 41 to>.

2 42 #3. By renumbering as necessary.

2 43  
2 44  
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2 46 COMMITTEE ON TRANSPORTATION  
2 47 HUSER of Polk, Chairperson  
2 48 SF 34.701 82  
2 49 dea/nh/12263



Iowa General Assembly  
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## House Amendment 8372

PAG LIN

1 1 Amend Senate File 417, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 1, by inserting after the word  
1 4 <Code> the following: <Supplement>.  
1 5 #2. Page 1, line 3, by striking the figure <6A.>  
1 6 and inserting the following: <7A.>  
1 7 #3. Page 1, line 8, by striking the figure <6B.>  
1 8 and inserting the following: <7B.>  
1 9 #4. Page 1, line 12, by striking the figure <6C.>  
1 10 and inserting the following: <9A.>  
1 11 #5. Page 1, line 16, by inserting after the word  
1 12 <Code> the following: <Supplement>.  
1 13 #6. Page 1, line 23, by striking the figure <2008>  
1 14 and inserting the following: <2009>.  
1 15 #7. Page 3, by striking lines 15 and 16 and  
1 16 inserting the following: <safety board by rule.>  
1 17 #8. Page 3, line 31, by striking the word <sixty>  
1 18 and inserting the following: <forty=five>.  
1 19 #9. Page 4, by striking lines 12 and 13 and  
1 20 inserting the following: <shall determine.>  
1 21 #10. Page 4, line 14, by striking the word  
1 22 <renewable> and inserting the following: <valid>.  
1 23 #11. By renumbering as necessary.  
1 24  
1 25  
1 26  
1 27 COMMITTEE ON LABOR  
1 28 R. OLSON of Polk, CHAIRPERSON  
1 29 SF 417.201 82  
1 30 jr/nh/10684  
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House Amendment 8373

PAG LIN

1 1 Amend Senate File 2353, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking page 1, line 1, through page 3,  
1 4 line 22.  
1 5 #2. Page 5, by striking lines 6 and 7 and  
1 6 inserting the following:  
1 7 <Notwithstanding any other provision of the Code to  
1 8 the contrary, if a vacancy occurs in the office of a>.  
1 9 #3. By striking page 5, line 21, through page 8,  
1 10 line 32.  
1 11 #4. By striking page 11, line 23, through page 13,  
1 12 line 6.  
1 13 #5. By renumbering as necessary.  
1 14  
1 15  
1 16  
1 17 COMMITTEE ON JUDICIARY  
1 18 SWAIM of Davis, Chairperson  
1 19 SF 2353.703 82  
1 20 jm/rj/11427  
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House Amendment 8374

PAG LIN

1 1 Amend Senate File 2337, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 2 through 5 and  
1 4 inserting the following:  
1 5 <The association of Iowa fairs, or a fair, shall  
1 6 have the power to join a local government risk pool as  
1 7 provided in section 670.7.  
1 8 Sec. \_\_\_\_\_. Section 670.7, Code 2007, is amended to  
1 9 read as follows:  
1 10 670.7 INSURANCE.  
1 11 1. The governing body of a municipality may  
1 12 purchase a policy of liability insurance insuring  
1 13 against all or any part of liability which might be  
1 14 incurred by the municipality or its officers,  
1 15 employees, and agents under section 670.2 and section  
1 16 670.8 and may similarly purchase insurance covering  
1 17 torts specified in section 670.4. The governing body  
1 18 of a municipality may adopt a self=insurance program,  
1 19 including but not limited to the investigation and  
1 20 defense of claims, the establishment of a reserve fund  
1 21 for claims, the payment of claims, and the  
1 22 administration and management of the self=insurance  
1 23 program, to cover all or any part of the liability.  
1 24 The governing body of a municipality may join and pay  
1 25 funds into a local government risk pool to protect  
1 26 itself against any or all liability. The governing  
1 27 body of a municipality may enter into insurance  
1 28 agreements obligating the municipality to make  
1 29 payments beyond its current budget year to provide or  
1 30 procure the policies of insurance, self=insurance  
1 31 program, or local government risk pool. The premium  
1 32 costs of the insurance, the costs of a self=insurance  
1 33 program, the costs of a local government risk pool,  
1 34 and the amounts payable under the insurance agreements  
1 35 may be paid out of the general fund or any available  
1 36 funds or may be levied in excess of any tax limitation  
1 37 imposed by statute. However, for school districts,  
1 38 the costs shall be included in the district management  
1 39 levy as provided in section 296.7 if the district has  
1 40 certified a district management levy. If the district  
1 41 has not certified a district management levy, the cost  
1 42 shall be paid from the general fund. Any independent  
1 43 or autonomous board or commission in the municipality  
1 44 having authority to disburse funds for a particular  
1 45 municipal function without approval of the governing  
1 46 body may similarly enter into insurance agreements,  
1 47 procure liability insurance, adopt a self=insurance  
1 48 program, or join a local government risk pool within  
1 49 the field of its operation.  
1 50 2. The procurement of this insurance constitutes a



Iowa General Assembly  
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House Amendment 8374 continued

2 1 waiver of the defense of governmental immunity as to  
2 2 those exceptions listed in section 670.4 to the extent  
2 3 stated in the policy but shall have no further effect  
2 4 on the liability of the municipality beyond the scope  
2 5 of this chapter, but if a municipality adopts a  
2 6 self-insurance program or joins and pays funds into a  
2 7 local government risk pool the action does not  
2 8 constitute a waiver of the defense of governmental  
2 9 immunity as to the exceptions listed in section 670.4.

2 10 3. The existence of any insurance which covers in  
2 11 whole or in part any judgment or award which may be  
2 12 rendered in favor of the plaintiff, or lack of any  
2 13 such insurance, shall not be material in the trial of  
2 14 any action brought against the governing body of a  
2 15 municipality, or its officers, employees, or agents  
2 16 and any reference to such insurance, or lack of  
2 17 insurance, is grounds for a mistrial. A  
2 18 self-insurance program or local government risk pool  
2 19 is not insurance and is not subject to regulation  
2 20 under chapters 505 through 523C.

2 21 4. The association of county fairs as defined in  
2 22 section 174.1, or a fair, shall be deemed to be a  
2 23 municipality as defined in this chapter only for the  
2 24 purpose of joining a local government risk pool as  
2 25 provided in this section.>

2 26 #2. By renumbering as necessary.

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2 30 COMMITTEE ON AGRICULTURE

2 31 MERTZ of Kossuth, CHAIRPERSON

2 32 SF 2337.502 82

2 33 av/rj/7398



Iowa General Assembly  
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# House Amendment 8375

PAG LIN

1 1 Amend Senate File 2282, as passed by the Senate, as  
1 2 follows:

1 3 #1. Page 1, line 14, by inserting after the word  
1 4 ~~<association;>~~ the following: <the aggregated  
1 5 information about student performance during the first  
1 6 year of postsecondary education provided by the  
1 7 regents universities and community colleges pursuant  
1 8 to sections 260C.14 and 262.94;>.

1 9 #2. Page 4, by striking lines 1 and 2 and  
1 10 inserting the following:

1 11 <Sec. \_\_\_\_ . Section 260C.14, subsection 21, Code  
1 12 2007, is amended by striking the subsection and  
1 13 inserting in lieu thereof the following:

1 14 21. Report to each Iowa high school, as  
1 15 applicable, each year by August 1, the students from  
1 16 the high school that attended the community college as  
1 17 freshmen, the math, English, and science classes in  
1 18 which the students enrolled, and the grades the  
1 19 students received in those classes.>

1 20 #3. Page 4, by inserting before line 3 the  
1 21 following:

1 22 <Sec. \_\_\_\_ . NEW SECTION. 262.94 FRESHMEN REPORTS.  
1 23 The board of regents shall direct the state  
1 24 university of Iowa, Iowa state university of science  
1 25 and technology, and the university of northern Iowa to  
1 26 report to each Iowa high school, as applicable, each  
1 27 year by August 1, the students from the high school  
1 28 that attended the university as freshmen, the math,  
1 29 English, and science classes in which the students  
1 30 enrolled, and the grades the students received in  
1 31 those classes.>

1 32 #4. By renumbering as necessary.

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1 36 KAUFMANN of Cedar  
1 37 SF 2282.703 82  
1 38 ak/rj/11243

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Iowa General Assembly  
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House Amendment 8376

PAG LIN

1 1 Amend the amendment, H=8353, to Senate File 2308,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, by striking lines 13 through 35 and  
1 5 inserting the following:  
1 6 <b. "Personal information" means the same as  
1 7 provided in section 715C.1, subsection 11.>  
1 8  
1 9  
1 10  
1 11 KELLEY of Black Hawk  
1 12 SF 2308.507 82  
1 13 rn/nh/21055  
1 14  
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House Amendment 8377

PAG LIN

1 1 Amend House File 2497 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. NEW SECTION. 16.100A COUNCIL ON  
1 5 HOMELESSNESS.  
1 6 1. A council on homelessness is established  
1 7 consisting of thirty-eight voting members.  
1 8 2. Members of the council shall consist of all of  
1 9 the following:  
1 10 a. Twenty-six members of the general public  
1 11 appointed to two-year staggered terms by the governor  
1 12 in consultation with the nominating committee under  
1 13 subsection 4, paragraph "a".  
1 14 (1) Voting members from the general public may  
1 15 include, but are not limited to the following types of  
1 16 individuals and representatives of the following  
1 17 programs: homeless or formerly homeless individuals  
1 18 and their family members, youth shelters, faith-based  
1 19 organizations, local homeless service providers,  
1 20 emergency shelters, transitional housing providers,  
1 21 family and domestic violence shelters, private  
1 22 business, local government, and community-based  
1 23 organizations.  
1 24 (2) Five of the twenty-six voting members selected  
1 25 from the general public shall be individuals who are  
1 26 homeless, formerly homeless, or family members of  
1 27 homeless or formerly homeless individuals.  
1 28 (3) One of the twenty-six members selected from  
1 29 the general public shall be a representative of the  
1 30 Iowa state association of counties.  
1 31 (4) One of the twenty-six members selected from  
1 32 the general public shall be a representative of the  
1 33 Iowa league of cities.  
1 34 b. Twelve agency director members consisting of  
1 35 all of the following:  
1 36 (1) The director of the department of education or  
1 37 the director's designee.  
1 38 (2) The director of the department of economic  
1 39 development or the director's designee.  
1 40 (3) The director of human services or the  
1 41 director's designee.  
1 42 (4) The attorney general or the attorney general's  
1 43 designee.  
1 44 (5) The director of the department of human rights  
1 45 or the director's designee.  
1 46 (6) The director of public health or the  
1 47 director's designee.  
1 48 (7) The director of the department of elder  
1 49 affairs or the director's designee.  
1 50 (8) The director of the department of corrections



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House Amendment 8377 continued

2 1 or the director's designee.  
2 2 (9) The director of the department of workforce  
2 3 development or the director's designee.  
2 4 (10) The director of the department of public  
2 5 safety or the director's designee.  
2 6 (11) The director of the department of veterans  
2 7 affairs or the director's designee.  
2 8 (12) The executive director of the Iowa finance  
2 9 authority or the executive director's designee.  
2 10 3. An agency director's designee may vote on  
2 11 council matters in the absence of the director.  
2 12 4. a. A nominating committee initially comprised  
2 13 of all twelve agency director members shall nominate  
2 14 persons to the governor to fill the general public  
2 15 member positions. Following appointment of all  
2 16 twenty=six general public members, the composition of  
2 17 the nominating committee may be modified by rule.  
2 18 b. The council may establish other committees and  
2 19 subcommittees comprised of members of the council.  
2 20 5. A vacancy on the council shall be filled in the  
2 21 same manner as the original appointment. A member  
2 22 appointed to fill a vacancy created other than by  
2 23 expiration of a term shall be appointed for the  
2 24 remainder of the unexpired term.  
2 25 6. a. A majority of the members of the council  
2 26 constitutes a quorum. Any action taken by the council  
2 27 must be adopted by the affirmative vote of a majority  
2 28 of its membership.  
2 29 b. The council shall elect a chairperson and vice  
2 30 chairperson from the membership of the council. The  
2 31 chairperson and vice chairperson shall serve two=year  
2 32 terms. The chairperson and vice chairperson shall not  
2 33 both be either general public members or agency  
2 34 directors. The chairperson shall rotate between  
2 35 agency director members and general public members.  
2 36 c. The council shall meet at least six times per  
2 37 year. Meetings of the council may be called by the  
2 38 chairperson or by a majority of the members.  
2 39 d. General public members shall be reimbursed for  
2 40 actual and necessary expenses incurred while engaged  
2 41 in their official duties. Expense payments shall be  
2 42 made from appropriations made for purposes of this  
2 43 section.  
2 44 7. The Iowa finance authority shall provide staff  
2 45 assistance and administrative support to the council.  
2 46 8. The duties of the council shall include but are  
2 47 not limited to the following:  
2 48 a. Develop a process for evaluating state  
2 49 policies, programs, statutes, and rules to determine  
2 50 whether any state policies, programs, statutes, or



Iowa General Assembly  
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House Amendment 8377 continued

3 1 rules should be revised to help prevent and alleviate  
3 2 homelessness.  
3 3 b. Evaluate whether state agency resources could  
3 4 be more efficiently coordinated with other state  
3 5 agencies to prevent and alleviate homelessness.  
3 6 c. Work to develop a coordinated and seamless  
3 7 service delivery system to prevent and alleviate  
3 8 homelessness.  
3 9 d. Use existing resources to identify and  
3 10 prioritize efforts to prevent persons from becoming  
3 11 homeless and to eliminate factors that keep people  
3 12 homeless.  
3 13 e. Identify and use federal and other funding  
3 14 opportunities to address and reduce homelessness  
3 15 within the state.  
3 16 f. Work to identify causes and effects of  
3 17 homelessness and increase awareness among policymakers  
3 18 and the general public.  
3 19 g. Advise the governor's office, the Iowa finance  
3 20 authority, state agencies, and private organizations  
3 21 on strategies to prevent and eliminate homelessness.  
3 22 9. a. The council shall make annual  
3 23 recommendations to the governor regarding matters  
3 24 which impact homelessness on or before September 15.  
3 25 b. The council shall prepare and file with the  
3 26 governor and the general assembly on or before the  
3 27 first day of December in each odd-numbered year, a  
3 28 report on homelessness in Iowa.  
3 29 c. The council shall assist in the completion of  
3 30 the state's continuum of care application to the  
3 31 United States department of housing and urban  
3 32 development.  
3 33 10. a. The Iowa finance authority, in  
3 34 consultation with the council, shall adopt rules  
3 35 pursuant to chapter 17A for carrying out the duties of  
3 36 the council pursuant to this section.  
3 37 b. The council shall establish internal rules of  
3 38 procedure consistent with the provisions of this  
3 39 section.  
3 40 c. Rules adopted or internal rules of procedure  
3 41 established pursuant to paragraph "a" or "b" shall be  
3 42 consistent with the requirements of the federal  
3 43 McKinney-Vento Homeless Assistance Act, 42 U.S.C. }  
3 44 11301, et seq.  
3 45 11. The council shall comply with the requirements  
3 46 of chapters 21 and 22. The Iowa finance authority  
3 47 shall be the official repository of council records.>  
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House Amendment 8377 continued

4 1 FORD of Polk  
4 2 HF 2497.301 82  
4 3 md/rj/11426



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House Amendment 8378

PAG LIN

1 1 Amend Senate File 2216, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, by striking lines 10 through 27 and  
1 4 inserting the following:  
1 5 <28. a. Adopt a set of minimum core content  
1 6 standards applicable to all students in kindergarten  
1 7 through grade twelve in every school district and  
1 8 accredited nonpublic school. For purposes of this  
1 9 subsection, ~~the~~ "minimum content standards" includes  
1 10 reading, mathematics, and science. The minimum core  
1 11 content standards shall be identical to the core  
1 12 content standards included in Iowa's approved 2006  
1 13 standards and assessment system under Title I of the  
1 14 federal Elementary and Secondary Education Act of  
1 15 1965, 20 U.S.C. } 6301 et seq., as amended by the  
1 16 federal No Child Left Behind Act of 2001, Pub. L. No.  
1 17 107=110. ~~School districts and accredited nonpublic~~  
~~1 18 schools shall include, at a minimum, the core content~~  
~~1 19 standards adopted pursuant to this subsection in any~~  
~~1 20 set of locally developed content standards. School~~  
1 21 districts and accredited nonpublic schools are  
1 22 strongly encouraged to include the voluntary model  
~~1 23 core curriculum or set higher expectations in local~~  
1 24 standards. As changes in federal law or regulation  
1 25 occur, the state board is authorized to amend the  
1 26 minimum core content standards as appropriate.  
1 27 b. School districts and accredited nonpublic  
1 28 schools shall include, at a minimum, the core content  
1 29 standards adopted in accordance with paragraph "a" in  
1 30 any set of locally developed content standards until  
1 31 June 30, 2012. School districts and accredited  
1 32 nonpublic schools shall include, at a minimum, the  
1 33 rigorous core content standards adopted in accordance  
1 34 with paragraph "c" in any set of locally developed  
1 35 content standards by July 1, 2012.  
1 36 c. (1) By July 1, 2010, adopt by rule, for  
1 37 implementation by July 1, 2012, by school districts  
1 38 and accredited nonpublic schools, rigorous core  
1 39 content and performance standards applicable to all  
1 40 students in prekindergarten through grade twelve in  
1 41 every school district and accredited nonpublic school.  
1 42 The board shall consider the recommendations of the  
1 43 task force convened by the director in accordance with  
1 44 subparagraph (2). The board shall establish criteria  
1 45 to ensure that the standards adopted are rigorous and  
1 46 support best practices. However, the standards  
1 47 adopted shall not exceed in scope or depth the  
1 48 curriculum that can be reasonably taught in the  
1 49 instructional time available. Prior to adoption, the  
1 50 board shall submit the proposed standards to an



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House Amendment 8378 continued

2 1 external nonprofit educational organization for an  
2 2 independent review. The results of the review shall  
2 3 be posted on the department's internet web site.  
2 4 (2) Recommended rigorous core content and  
2 5 performance standards shall be developed by a task  
2 6 force convened by the director of the department. The  
2 7 task force shall be comprised of teachers, school  
2 8 administrators, higher education faculty who teach in  
2 9 the subjects for which the standards are being  
2 10 adopted, private sector employers, members of the  
2 11 boards of directors of school districts, and  
2 12 authorities in charge of accredited nonpublic schools.  
2 13 The task force shall review the national assessment of  
2 14 educational progress standards, standards adopted by  
2 15 other states, and standards identified as best  
2 16 practices in the field of study by the national  
2 17 councils of teachers of English and mathematics, the  
2 18 national council for the social studies, the national  
2 19 science teachers association, and other recognized  
2 20 experts. The director shall provide at least one  
2 21 staff person who is qualified by education and  
2 22 experience in developing rigorous content and  
2 23 performance standards to assist the task force.  
2 24 Members of the task force shall be allowed their  
2 25 actual and necessary expenses incurred in the  
2 26 performance of their duties. All expenses shall be  
2 27 paid from appropriations to the department. The task  
2 28 force shall submit its recommendations to the state  
2 29 board of education by January 2, 2009. The task force  
2 30 may be reconvened whenever the director of the  
2 31 department determines there is a need to review or  
2 32 amend the rigorous core content and performance  
2 33 standards.  
2 34 d. The rigorous core content standards for  
2 35 prekindergarten through grade six shall include  
2 36 reading and writing, mathematics, science, social  
2 37 studies, and art. The core content standards for  
2 38 grades seven through twelve shall include English and  
2 39 language arts, mathematics, science, history, social  
2 40 studies, and art. The core content standards shall be  
2 41 more rigorous than the minimum core content standards  
2 42 adopted pursuant to paragraph "a". School districts  
2 43 and accredited nonpublic schools shall include, at a  
2 44 minimum, the rigorous core content and performance  
2 45 standards adopted pursuant to this subsection in any  
2 46 set of locally developed content standards.  
2 47 e. The rigorous performance standards shall be  
2 48 grade-level expectations which are aligned to the  
2 49 rigorous core content standards adopted pursuant to  
2 50 paragraph "c". The performance standards shall



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House Amendment 8378 continued

3 1 specify expectations for students' knowledge and  
3 2 performance at the end of a given grade level. The  
3 3 rigorous performance standards for kindergarten  
3 4 through grade six shall include reading and writing,  
3 5 mathematics, and science, and for grades seven through  
3 6 twelve shall include English and language arts,  
3 7 mathematics, science, history and social studies, and  
3 8 art.  
3 9 f. The board shall require each school district to  
3 10 align the local curriculum, instructional materials,  
3 11 and classroom instruction to the standards adopted and  
3 12 to submit evidence of such alignment satisfactory to  
3 13 the department.  
3 14 g. A student shall not be denied curriculum or  
3 15 instruction consistent with the rigorous core content  
3 16 standards which offer the student an opportunity to  
3 17 become proficient on the rigorous performance  
3 18 standards adopted pursuant to this subsection.>>  
3 19 #2. By renumbering as necessary.  
3 20  
3 21  
3 22  
3 23 RAECKER of Polk  
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3 27 DANDEKAR of Linn  
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3 31 QUIRK of Chickasaw  
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3 35 KELLEY of Black Hawk  
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3 39 MERTZ of Kossuth  
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3 43 HUSER of Polk  
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3 47 BAILEY of Hamilton  
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Iowa General Assembly  
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House Amendment 8378 continued

4 1 TYMESON of Madison  
4 2  
4 3  
4 4  
4 5 CHAMBERS of O'Brien  
4 6  
4 7  
4 8  
4 9 WISE of Lee  
4 10 SF 2216.312 82  
4 11 kh/nh/12182



Iowa General Assembly  
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House Amendment 8379

PAG LIN

1 1 Amend Senate File 2161, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 3, by inserting after the word  
1 4 <members.> the following: <At least one voting member  
1 5 at all times shall be a member of a minority group.>  
1 6 #2. Page 4, by inserting after line 3 the  
1 7 following:  
1 8 <\_\_\_. The council shall conduct a study of issues  
1 9 relating to the following:  
1 10 a. Low=income seniors and low=income persons with  
1 11 any form of disability, including but not limited to  
1 12 physical disability, developmental disability, mental  
1 13 illness, co=occurring mental illness and substance  
1 14 abuse disorders, or AIDS and AIDS=related conditions.  
1 15 For purposes of this section, "AIDS" and "AIDS=related  
1 16 conditions" mean the same as defined in section  
1 17 141A.1.  
1 18 b. Low=income and moderate=income persons unable  
1 19 to afford transportation or housing near work, and  
1 20 adequate affordable housing able to support economic  
1 21 growth and development of a community, including new  
1 22 construction, community redevelopment, and urban  
1 23 renewal.  
1 24 c. Low=income persons residing in existing  
1 25 affordable housing that is in danger of becoming  
1 26 unaffordable or lost, and persons determined to be or  
1 27 at risk of becoming homeless.  
1 28 d. Affordable rental housing, access to available  
1 29 financing for housing, first=time home buyers, and  
1 30 relationships between landlords and tenants.>  
1 31 #3. By renumbering as necessary.  
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1 35 FORD of Polk  
1 36 SF 2161.501 82  
1 37 md/rj/11439  
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House File 2667 - Introduced

HOUSE FILE  
BY McCARTHY

(COMPANION TO LSB 6434SS  
BY GRONSTAL)

Passed House, Date \_\_\_\_\_ Passed Senate, 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 6434HH 82
- 7 jp/rj/5



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House File 2667 - Introduced continued

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 6434HH 82

32 26 jp/rj/5.2



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# House Joint Resolution 2006 - Introduced

HOUSE JOINT RESOLUTION  
BY McCARTHY

(COMPANION TO LSB 6622SS BY  
GRONSTAL)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

**HOUSE JOINT RESOLUTION**

1 A Joint Resolution authorizing the temporary use and consumption  
2 of alcoholic beverages on the state capitol complex grounds in  
3 conjunction with the Hy-Vee BG World Cup Triathlon, and  
4 providing an effective date.  
5 WHEREAS, on June 22, 2008, athletes from around the world will  
6 gather in Des Moines, Iowa, to compete for an extraordinary purse  
7 prize and for the third and final position on TEAM USA for the  
8 Beijing Olympics; and  
9 WHEREAS, the city of Des Moines has the honor of being the  
10 only city in the United States on the 2008 World Cup schedule of  
11 15 triathlons; and  
12 WHEREAS, Iowa's state capitol complex grounds provide a unique  
13 and memorable setting for the finish line of the triathlon and  
14 the following awards ceremony; and  
15 WHEREAS, a champagne toast is a traditional part of the awards  
16 ceremony; and  
17 WHEREAS, because 11 IAC 100.4(8) prohibits the consumption of  
18 alcoholic beverages on the state capitol complex grounds, it is  
19 not possible to serve champagne or other alcoholic beverage at  
20 this type of awards ceremony on the state capitol complex  
21 grounds; NOW THEREFORE,  
1 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
2 TLSB 6622HH 82  
3 jr/rj/14



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House Joint Resolution 2006 - Introduced continued

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1 1 Section 1. Notwithstanding 11 IAC 100.4(8) and any  
1 2 contrary provisions of chapter 123, prohibiting the use and  
1 3 consumption of alcoholic beverages in public places, alcoholic  
1 4 beverages may be used and consumed on the state capitol  
1 5 complex grounds at an awards ceremony, to be held on or around  
1 6 June 22, 2008, hosted and organized in whole or in part by  
1 7 Hy=Vee, Incorporated, if the person providing the food and  
1 8 alcoholic beverages at the awards ceremony possesses an  
1 9 appropriate valid liquor control license. For the purpose of  
1 10 this section and section 123.95, the state capitol complex  
1 11 grounds is a private place.

1 12 Sec. 2. EFFECTIVE DATE. This joint resolution, being  
1 13 deemed of immediate importance, takes effect upon enactment.

1 14 EXPLANATION

1 15 This joint resolution authorizes the use and consumption of  
1 16 alcoholic beverages at an awards ceremony for the Hy=Vee BG  
1 17 World Cup Triathlon to be held on the state capitol complex  
1 18 grounds on or around June 22, 2008. Current law and rules  
1 19 prohibit the use and consumption of alcoholic beverages within  
1 20 the state capitol. The joint resolution takes effect upon  
1 21 enactment.

1 22 LSB 6622HH 82

1 23 jr/rj/14



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# House Resolution 139 - Introduced

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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 honoring 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 139 - 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; NOW  
2 15 THEREFORE,  
2 16       BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
2 17 That the House of Representatives honors these young  
2 18 Iowans, whose efforts bring honor not only to  
2 19 themselves, but also to their communities and all  
2 20 Iowa, and wishes them the best of luck in the XXIX  
2 21 Olympiad.  
2 22 LSB 6644HH 82  
2 23 jr/rj/8



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House Study Bill 788

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
GOVERNMENT OVERSIGHT BILL  
BY CHAIRPERSON LENSING)

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

1 An Act relating to student loans, including the protection of  
2 students and parents from certain lenders and institutions of  
3 higher education with conflicts of interest, establishing a  
4 student lending education fund, establishing penalties, and  
5 providing for related matters.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 5962YC 82  
8 kh/nh/8



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1 1 Section 1. NEW SECTION. 261.7 CODE OF CONDUCT.  
1 2 The commission shall adopt by rule a financial aid code of  
1 3 conduct. Each financial aid office established by, and each  
1 4 financial aid officer employed by, a community college,  
1 5 regents university, or accredited private institution shall  
1 6 adhere to the code of conduct adopted pursuant to this  
1 7 section. The rules shall, at a minimum, provide:  
1 8 1. An institutional financial aid professional is expected  
1 9 to always maintain exemplary standards of professional conduct  
1 10 in all aspects of carrying out the professional's  
1 11 responsibilities, specifically including all dealings with any  
1 12 entities involved in any manner in student financial aid,  
1 13 regardless of whether such entities are involved in a  
1 14 government sponsored, subsidized, or regulated activity.  
1 15 2. A financial aid professional shall refrain from the  
1 16 following:  
1 17 a. Taking any action for personal benefit.  
1 18 b. Taking any action contrary to law, regulation, rule, or  
1 19 the best interests of the borrowers served.  
1 20 c. Soliciting or accepting anything of other than nominal  
1 21 value from any entity, other than an institution of higher  
1 22 education or a governmental entity such as the United States  
1 23 department of education, involved in the making, holding,  
1 24 consolidating, or processing of any student loans, including  
1 25 anything of value such as reimbursement of expenses for  
1 26 serving on an advisory body or as part of a training activity  
1 27 of or sponsored by any such entity.  
1 28 3. A financial aid professional shall do the following:  
1 29 a. Strive to provide information that is accurate,  
1 30 unbiased, and does not reflect any preference arising from  
1 31 actual or potential personal gain.  
1 32 b. Be objective in making decisions and advising the  
1 33 financial aid office and the postsecondary education  
1 34 institution of employment regarding relationships with any  
1 35 entity involved in any aspect of student financial aid.



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2 1 c. Disclose to the financial aid office and postsecondary  
2 2 education institution of employment, in such manner as  
2 3 prescribed by the office or institution, any involvement with  
2 4 or interest in any entity involved in any aspect of student  
2 5 financial aid.

2 6 Sec. 2. NEW SECTION. 261.38A IOWA STUDENT LOAN LIQUIDITY  
2 7 CORPORATION == OPEN RECORDS AND MEETINGS == LEGISLATIVE  
2 8 REVIEW.

2 9 1. The Iowa student loan liquidity corporation shall  
2 10 comply with chapters 21 and 22. Chapter 17A does not apply to  
2 11 the corporation.

2 12 2. The Iowa student loan liquidity corporation shall  
2 13 submit an annual report to the governor, general assembly, and  
2 14 the auditor of state by January 15 setting forth the  
2 15 corporation's operations and activities conducted and newly  
2 16 implemented in the previous fiscal year and the outlook for  
2 17 the future. The report shall describe how the Iowa student  
2 18 loan liquidity corporation's activities serve its nonprofit  
2 19 mission to help students and parents obtain the financial  
2 20 resources necessary for a postsecondary education. The annual  
2 21 audit of the corporation shall be filed with the office of  
2 22 auditor.

2 23 3. The designation of the student loan secondary market  
2 24 and the operations of the Iowa student loan liquidity  
2 25 corporation shall be subject to annual legislative review.  
2 26 The review shall at a minimum consider the reports submitted  
2 27 by the corporation.

2 28 Sec. 3. NEW SECTION. 261E.1 DEFINITIONS.

2 29 As used in this chapter, unless otherwise specified:

2 30 1. "Administrator" means either the attorney general or  
2 31 the attorney general's designee. The attorney general may  
2 32 charge the college student aid commission or the  
2 33 superintendent of banking, credit unions, or savings and loans  
2 34 with enforcing this chapter against the person under  
2 35 investigation.



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3 1       2. "Borrower" means a student attending a covered  
3 2 institution in this state, or a parent or person in parental  
3 3 relation to such student, who also obtains an educational loan  
3 4 from a lending institution to pay for or finance higher  
3 5 education expenses.

3 6       3. "Covered institution" means any educational institution  
3 7 that offers a postsecondary educational degree, certificate,  
3 8 or program of study and receives state funding or assistance.  
3 9 "Covered institution" includes an agent of the educational  
3 10 institution, including an alumni association, booster club, or  
3 11 other organization directly or indirectly associated with the  
3 12 institution.

3 13       4. "Covered institution employee" means any employee,  
3 14 agent, contractor, director, officer, or trustee of a covered  
3 15 institution.

3 16       5. "Educational loan" means any loan that is made,  
3 17 insured, or guaranteed under title IV of the federal Higher  
3 18 Education Act of 1965, as amended, any high-risk loan, or any  
3 19 private loan issued by a lending institution for the purposes  
3 20 of paying for or financing higher education expenses.

3 21       6. "Gift" means any discount, favor, gratuity, inducement,  
3 22 loan, stock, thing of value, or other item having a monetary  
3 23 value of more than ten dollars.

3 24       a. The term "gift" includes but is not limited to:

3 25       (1) Any money, service, loan, entertainment, honoraria,  
3 26 hospitality, lodging costs, meals, registration fees, travel  
3 27 expenses, discount, forbearance, or promise.

3 28       (2) Gifts provided in kind, by purchase of a ticket,  
3 29 payment in advance, or reimbursement after expenses have been  
3 30 incurred.

3 31       (3) Any computer hardware for which the recipient pays  
3 32 below-market prices.

3 33       (4) Any printing costs or services.

3 34       b. The term "gift" does not include any of the following:

3 35       (1) A lending institution's own brochure or promotional



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4 1 literature.

4 2 (2) Food, refreshments, training, or informational

4 3 material furnished to a covered institution employee as an

4 4 integral part of a training session, if such training

4 5 contributes to the professional development of the covered

4 6 institution employee.

4 7 7. "High-risk loans" means any agreement between a lending

4 8 institution and a covered institution that provides for the

4 9 lending institution to provide loans to students with a poor

4 10 or no credit history, who would otherwise not be eligible for

4 11 educational loans.

4 12 8. "Higher education expenses" includes all of the

4 13 following:

4 14 a. Tuition and fees.

4 15 b. Costs incurred for books, supplies, transportation, and

4 16 miscellaneous personal expenses.

4 17 c. Room and board costs.

4 18 9. "Lending institution" means any of the following:

4 19 a. Any entity that itself or through an affiliate makes

4 20 educational loans to pay for or finance higher education

4 21 expenses or that securitizes such loans.

4 22 b. Any entity, or association of entities, that guarantees

4 23 educational loans.

4 24 c. Any industry, trade, or professional association or

4 25 other entity that receives money from any entity described in

4 26 paragraph "a" or "b".

4 27 10. "Preferred lender list" means a list of one or more

4 28 recommended or suggested lending institutions that a covered

4 29 institution makes available for use, in print or any other

4 30 medium or form, by borrowers, prospective borrowers, or

4 31 others.

4 32 11. "Revenue sharing" means any arrangement whereby a

4 33 lending institution pays a covered institution or an

4 34 affiliated entity or organization of such covered institution

4 35 a percentage of the principal of each loan directed towards



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5 1 the lending institution from a borrower at the covered  
5 2 institution.

5 3 Sec. 4. NEW SECTION. 261E.2 PROHIBITION OF GIFTS BY  
5 4 LENDING INSTITUTIONS TO COVERED INSTITUTIONS AND EMPLOYEES.

5 5 1. A lending institution shall not, directly or  
5 6 indirectly, offer or provide any gift to a covered institution  
5 7 or a covered institution employee in exchange for any  
5 8 advantage or consideration provided to such lending  
5 9 institution related to its educational loan activities.

5 10 2. A lending institution shall not engage in revenue  
5 11 sharing with a covered institution.

5 12 Sec. 5. NEW SECTION. 261E.3 COVERED INSTITUTION  
5 13 PROHIBITIONS.

5 14 1. A covered institution shall not, directly or  
5 15 indirectly, solicit, accept, or receive any gift from or on  
5 16 behalf of a lending institution in exchange for any advantage  
5 17 or consideration provided to such lending institution related  
5 18 to its educational loan activities.

5 19 2. A covered institution shall not engage in revenue  
5 20 sharing with a lending institution.

5 21 3. A covered institution shall not provide any advantage  
5 22 or consideration to a lending institution related in any  
5 23 manner to any gift from the lending institution to the covered  
5 24 institution.

5 25 Sec. 6. NEW SECTION. 261E.4 PROHIBITION OF RECEIPT OF  
5 26 GIFTS BY COVERED INSTITUTION EMPLOYEES.

5 27 1. A covered institution shall prohibit a covered  
5 28 institution employee, on the employee's behalf or on behalf of  
5 29 another, directly or indirectly, from soliciting, accepting,  
5 30 or receiving any gift from or on behalf of a lending  
5 31 institution. Nothing in this subsection shall be construed as  
5 32 prohibiting a covered institution employee from conducting  
5 33 business with a lending institution, provided that such  
5 34 business is unrelated in any manner whatsoever to a covered  
5 35 institution.



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6 1 2. A covered institution employee, on the employee's  
6 2 behalf or on behalf of another, shall not directly or  
6 3 indirectly solicit, accept, or receive any gift from or on  
6 4 behalf of a lending institution. Nothing in this subsection  
6 5 shall be construed as prohibiting a covered institution  
6 6 employee from conducting business with any lending  
6 7 institution, provided that such business is unrelated in any  
6 8 manner whatsoever with the covered institution.  
6 9 3. A covered institution employee shall report to the  
6 10 administrator any instance of a lending institution attempting  
6 11 to give a gift to the covered institution employee.  
6 12 Sec. 7. NEW SECTION. 261E.5 COVERED INSTITUTION EMPLOYEE  
6 13 PROHIBITIONS AND REPORTING REQUIREMENTS.  
6 14 1. A lending institution shall not provide any  
6 15 remuneration or expense reimbursement to a covered institution  
6 16 employee for serving as a member of or participant on an  
6 17 advisory board of a lending institution.  
6 18 2. A covered institution shall prohibit a covered  
6 19 institution employee from receiving any remuneration for  
6 20 serving as a member of or participant on an advisory board of  
6 21 a lending institution or receiving any reimbursement of  
6 22 expenses for so serving, notwithstanding section 261.4.  
6 23 3. Nothing in this section shall be construed as  
6 24 prohibiting any of the following:  
6 25 a. A covered institution employee's participation on an  
6 26 advisory board of a lending institution that is unrelated in  
6 27 any manner whatsoever to educational loans.  
6 28 b. A covered institution employee, who does not have a  
6 29 direct interest in or does not benefit from the functions of  
6 30 the covered institution's financial aid office, from serving  
6 31 on a board of directors of a publicly traded or privately held  
6 32 company.  
6 33 4. A covered institution employee who is directly involved  
6 34 with or benefits from the functions of the covered  
6 35 institution's financial aid office shall report to the



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7 1 administrator, in a form and manner prescribed by the  
7 2 administrator, all participation or financial interests  
7 3 related to any lending institution.  
7 4 5. A covered institution employee shall report to the  
7 5 institution's administration any instance of a lending  
7 6 institution attempting to give a gift to the employee.  
7 7 However, this subsection shall not apply to a gift the  
7 8 employee may receive from a lending institution if the gift is  
7 9 available or distributed free of charge to members of the  
7 10 general public without regard to the employment status of the  
7 11 individual.

7 12 Sec. 8. NEW SECTION. 261E.6 MISLEADING IDENTIFICATION ==  
7 13 COVERED INSTITUTION == LENDING INSTITUTIONS' EMPLOYEES.

7 14 1. A lending institution shall prohibit an employee or  
7 15 agent of the lending institution from being identified to  
7 16 borrowers or prospective borrowers of a covered institution as  
7 17 an employee, representative, or agent of the covered  
7 18 institution.

7 19 2. A covered institution shall prohibit an employee or  
7 20 agent of a lending institution from being identified as an  
7 21 employee, representative, or agent of the covered institution.

7 22 3. An employee, representative, or agent of a lending  
7 23 institution shall not staff a covered institution's financial  
7 24 aid offices.

7 25 4. A covered institution shall prohibit the use of the  
7 26 institution's name or insignia by lending institutions.

7 27 Sec. 9. NEW SECTION. 261E.7 LOAN DISCLOSURE == LOAN  
7 28 PACKAGING == PROHIBITION OF QUID PRO QUO HIGH=RISK LOANS.

7 29 1. A covered institution shall inform the borrower or  
7 30 prospective borrower of all available state education  
7 31 financing options, and financing options under title IV of the  
7 32 federal Higher Education Act of 1965, as amended, including  
7 33 information on any terms and conditions of available loans  
7 34 under such title that are more favorable to the borrower, and  
7 35 the borrower shall exhaust all opportunities for state and



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8 1 federal education financing options before a lending  
8 2 institution may provide a private educational loan to a  
8 3 borrower attending a covered institution with which a lending  
8 4 institution has an educational loan arrangement.

8 5 2. Neither a lending institution nor a covered institution  
8 6 shall enter into an agreement or otherwise provide any  
8 7 high-risk loans in exchange for the covered institution  
8 8 providing concessions or promises to the lending institution  
8 9 that may prejudice other borrowers or prospective borrowers.

8 10 3. A covered institution shall not include a private loan  
8 11 in a financial aid package presented to a borrower unless the  
8 12 borrower is ineligible for federal assistance under Title IV  
8 13 of the federal Higher Education Act of 1965, as amended, and  
8 14 the inclusion of the private loan in the financial aid package  
8 15 is clearly and conspicuously disclosed to the borrower prior  
8 16 to the acceptance of the offer of the financial aid package by  
8 17 the borrower.

8 18 4. A covered institution shall prohibit the bundling of  
8 19 private loans in financial aid packages, unless the borrower  
8 20 is ineligible for financing under Title IV of the federal  
8 21 Higher Education Act of 1965, as amended, and the bundling of  
8 22 the private loans is clearly and conspicuously disclosed to  
8 23 the borrower prior to acceptance of the package by the  
8 24 borrower.

8 25 Sec. 10. NEW SECTION. 261E.8 STANDARDS FOR PREFERRED  
8 26 LENDER LISTS.

8 27 A covered institution that provides or makes available a  
8 28 preferred lender list shall comply with all of the following  
8 29 standards:

8 30 1. A preferred lender list shall disclose the process by  
8 31 which the covered institution selected lending institutions  
8 32 for such preferred lender list, including, but not limited to,  
8 33 the method and criteria used to choose the lending  
8 34 institutions and the relative importance of those criteria.

8 35 2. A preferred lender list shall state in the same font



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9 1 size and same manner as the predominant text on the document  
9 2 that borrowers have the right and ability to select the  
9 3 education loan provider of their choice, are not required to  
9 4 use any of the lenders on such preferred lender list, and will  
9 5 suffer no penalty for choosing a lender that is not on such  
9 6 preferred lender list.

9 7 3. The covered institution's decision to include a lending  
9 8 institution on any preferred lender list and the covered  
9 9 institution's decision as to where on the preferred lender  
9 10 list the lending institution's name appears shall be  
9 11 determined solely by consideration of the best interests of  
9 12 the borrowers who may use such preferred lender list without  
9 13 regard to the pecuniary interests of the covered institution.

9 14 4. The contents of any preferred lender list shall be  
9 15 reviewed and updated at least annually.

9 16 5. A lending institution shall not be placed on a  
9 17 preferred lender list unless the lending institution does the  
9 18 following:

9 19 a. Provides assurance to the covered institution and to  
9 20 borrowers who take out loans from the lending institution that  
9 21 the advertised benefits upon repayment will continue to inure  
9 22 to the benefit of borrowers regardless of whether the lending  
9 23 institution's loans are sold.

9 24 b. Discloses, clearly and conspicuously, in any  
9 25 application for a private student loan or solicitation for a  
9 26 private student loan the following:

9 27 (1) That federal education loans are less costly than  
9 28 private education loans.

9 29 (2) The average rate of interest for federal education  
9 30 loans.

9 31 (3) All rates and terms of the loan, including but not  
9 32 limited to deferral options.

9 33 (4) The loan is not made, insured, or guaranteed under any  
9 34 federal, state, or local government unit.

9 35 (5) Any material differences between loans authorized



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10 1 under Title IV of the federal Higher Education Act of 1965, as  
10 2 amended, and the private student loans offered by the lending  
10 3 institution.

10 4 6. A lending institution that, to the covered  
10 5 institution's knowledge after reasonable inquiry, has an  
10 6 agreement to sell its loans to another unaffiliated lending  
10 7 institution shall not be included on a preferred lender list  
10 8 unless such agreement is disclosed therein in the same font  
10 9 size and same manner as the predominant text on the document  
10 10 in which the preferred lender list appears.

10 11 7. A lending institution shall not be placed on a covered  
10 12 institution's preferred lender lists or in favored placement  
10 13 on a covered institution's preferred lender lists for a  
10 14 particular type of loan, in exchange for benefits provided to  
10 15 the covered institution or to the covered institution's  
10 16 students in connection with a different type of loan.

10 17 Sec. 11. NEW SECTION. 261E.9 PROPER EXECUTION OF MASTER  
10 18 PROMISSORY NOTES.

10 19 A covered institution shall not direct potential borrowers  
10 20 to any electronic master promissory notes or other loan  
10 21 agreements that do not allow the borrower to enter the lender  
10 22 code or name for any lending institution offering the relevant  
10 23 loan.

10 24 Sec. 12. NEW SECTION. 261E.10 DISCLOSURES AT REQUEST OF  
10 25 COVERED INSTITUTIONS.

10 26 Except for educational loans made, insured, or guaranteed  
10 27 by the federal government, upon the request of any covered  
10 28 institution, a lending institution shall disclose to such  
10 29 covered institution, in reasonable detail and form, the  
10 30 historic default rates of the borrowers from such covered  
10 31 institution, and the rates of interest charged to borrowers  
10 32 from such covered institution in the year preceding the  
10 33 disclosures and the number of borrowers obtaining each rate of  
10 34 interest.

10 35 Sec. 13. NEW SECTION. 261E.11 PENALTIES.



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11 1 1. If after providing notice and an opportunity for a  
11 2 hearing the administrator determines that a covered  
11 3 institution or lending institution has violated a provision of  
11 4 this chapter, the covered institution or lending institution  
11 5 may be liable for a civil penalty of up to fifty thousand  
11 6 dollars. In taking action against a covered institution or  
11 7 lending institution, consideration shall be given to the  
11 8 nature and severity of a violation of this chapter.

11 9 2. If after providing notice and an opportunity for a  
11 10 hearing the administrator determines that a covered  
11 11 institution employee has violated a provision of this chapter,  
11 12 the covered institution employee may be liable for a civil  
11 13 penalty of up to seven thousand five hundred dollars. In  
11 14 taking action against a covered institution employee,  
11 15 consideration shall be given to the nature and severity of a  
11 16 violation of this chapter.

11 17 3. If after providing notice and an opportunity for a  
11 18 hearing the administrator determines that a lending  
11 19 institution has violated a provision of this chapter, such  
11 20 lending institution shall not be placed or remain on any  
11 21 covered institution's preferred lender list unless notice of  
11 22 such violation is provided to all potential borrowers of the  
11 23 covered institution.

11 24 4. Nothing in this section shall prohibit the  
11 25 administrator from reaching a settlement agreement with a  
11 26 covered institution, covered institution employee, or lending  
11 27 institution in order to effectuate the purposes of this  
11 28 section. Provided, however, if such settlement agreement is  
11 29 reached with a covered institution or lending institution, the  
11 30 administrator shall provide notice of such action to the  
11 31 borrowers in a form and manner prescribed by the  
11 32 administrator.

11 33 5. The administrator shall deposit the funds generated  
11 34 pursuant to this section into the student lending education  
11 35 fund, created in section 261E.13. Such funds shall be given



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12 1 to covered institutions upon application to the attorney  
12 2 general for the purposes provided pursuant to section 261E.13.  
12 3 6. In addition to the requirements of this chapter, a  
12 4 lending institution that provides an educational loan to a  
12 5 borrower under this chapter shall comply with the requirements  
12 6 of chapter 537, the Iowa consumer credit code, and is subject  
12 7 to the remedies and penalties provided in chapter 537 for  
12 8 noncompliance.

12 9 Sec. 14. NEW SECTION. 261E.12 RULES AND REGULATIONS.  
12 10 The attorney general and any official or agency charged by  
12 11 the attorney general with enforcing this chapter or the  
12 12 consumer fraud Act, section 714.16, against a person under  
12 13 investigation who is regulated by this chapter shall  
12 14 promulgate rules and regulations necessary for the  
12 15 implementation of this chapter.

12 16 Sec. 15. NEW SECTION. 261E.13 STUDENT LENDING EDUCATION  
12 17 FUND.

12 18 1. There is established in the state treasury a student  
12 19 lending education fund.

12 20 2. The fund shall consist of all revenues generated  
12 21 pursuant to section 261E.11 and all other moneys credited or  
12 22 transferred to the fund from any other fund or source pursuant  
12 23 to law.

12 24 3. Moneys in the fund shall be made available to the  
12 25 attorney general for the purposes of:

12 26 a. Supporting programs that educate students, prospective  
12 27 students, and parents of such students on the loan process  
12 28 including but not limited to available loan options and  
12 29 understanding rates and terms of student loans.

12 30 b. Reimbursing students from inflated loan prices caused  
12 31 by revenue sharing agreements between such covered institution  
12 32 and a lending institution.

12 33 Sec. 16. NEW SECTION. 261E.14 EFFECT ON OTHER LAWS OR  
12 34 REGULATIONS.

12 35 This chapter shall not be interpreted to affect the



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13 1 liability of any person, covered institution, or lending  
13 2 institution under any other state statute or rule.  
13 3 Sec. 17. ATTORNEY GENERAL SECONDARY MARKET INVESTIGATION  
13 4 REPORT.

13 5 1. The attorney general shall submit the findings and  
13 6 recommendations resulting from the investigation of the  
13 7 student loan secondary market and the Iowa student loan  
13 8 liquidity corporation to the general assembly by January 15,  
13 9 2009.

13 10 2. The attorney general shall present the findings and  
13 11 recommendations resulting from the investigation of the  
13 12 student loan secondary market and the Iowa student loan  
13 13 liquidity corporation to the legislative government oversight  
13 14 committee at the committee's October 2008 meeting.

13 15 EXPLANATION

13 16 This bill relates to protection of students and parents  
13 17 from certain lenders and institutions of higher education with  
13 18 conflicts of interest, requires the Iowa student loan  
13 19 liquidity corporation to comply with the open meetings and  
13 20 open records laws and to report to the general assembly,  
13 21 requires the college student aid commission to adopt a  
13 22 financial aid code of conduct, establishes penalties, and  
13 23 establishes a student lending education fund under the control  
13 24 of the attorney general. The bill includes the following:

13 25 IOWA STUDENT LOAN LIQUIDITY CORPORATION. The corporation  
13 26 is directed to comply with the open meetings and records laws;  
13 27 submit a report to the governor, general assembly, and the  
13 28 auditor of state setting forth the corporation's operations  
13 29 and activities, the outlook for the future, and a description  
13 30 of how the corporation's activities serve its nonprofit  
13 31 mission; and file its annual audit with the office of auditor  
13 32 of state; and the designation of the student loan secondary  
13 33 market and the operations of the corporation shall be subject  
13 34 to annual legislative review.

13 35 FINANCIAL AID OFFICE CODE OF CONDUCT. The bill requires



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14 1 the college student aid commission to adopt by rule a  
14 2 specified financial aid code of conduct that each financial  
14 3 aid office established by, and each financial aid officer  
14 4 employed by, a community college, regents university, or  
14 5 accredited private institution must adhere to.  
14 6       STUDENT LOAN PROTECTIONS. New Code chapter 261E includes  
14 7 the following components:  
14 8       DEFINITIONS. The bill defines "covered institution" as any  
14 9 educational institution that offers a postsecondary  
14 10 educational degree, certificate, or program of study and  
14 11 receives state funding or assistance. The term includes an  
14 12 agent of the educational institution, including an alumni  
14 13 association, booster club, or other organization directly or  
14 14 indirectly associated with the institution. The bill defines  
14 15 "borrower" to include a student or the student's parent or a  
14 16 person in a parental relation to the student.  
14 17       GIFTS AND REMUNERATION PROHIBITED. The bill prohibits a  
14 18 lending institution from providing a covered institution with  
14 19 a gift in exchange for any advantage or consideration relating  
14 20 to the lending institution's educational loan activities.  
14 21 Likewise, the bill prohibits a covered institution and its  
14 22 employees from accepting or soliciting a gift from a lending  
14 23 institution for any advantage or consideration relating to the  
14 24 lending institution's educational loan activities and from  
14 25 revenue sharing with the lending institution. However,  
14 26 nothing in the bill prohibits a covered institution employee  
14 27 from conducting business with a lending institution unrelated  
14 28 to a covered institution.  
14 29       GIFT REPORTING. Covered institution employees are required  
14 30 to report to the administrator any instance of a lending  
14 31 institution attempting to give a gift to such covered  
14 32 institution employees.  
14 33       ADMINISTRATOR. The administrator of the Code chapter is  
14 34 the attorney general or the attorney general's designee.  
14 35 However, the bill authorizes the attorney general to charge



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15 1 the college student aid commission or the superintendent of  
15 2 banking, credit unions, or savings and loans with enforcing  
15 3 the chapter, and those entities are permitted to adopt rules  
15 4 to implement the Code chapter.

15 5       PROHIBITIONS. An employee of a covered institution is  
15 6 prohibited from receiving remuneration or expense  
15 7 reimbursement for serving as a member or participant of an  
15 8 advisory board of a lending institution. Covered institutions  
15 9 are prohibited from including a private loan in a borrower's  
15 10 financial aid package unless the borrower is ineligible for  
15 11 federal student loans and the private loan is conspicuously  
15 12 disclosed. Lending institutions are prohibited from providing  
15 13 remuneration or expense reimbursement to a covered institution  
15 14 employee for serving as a member or participant of an advisory  
15 15 board of a lending institution.

15 16       EMPLOYEE DISCLOSURE OF BENEFIT. Covered institution  
15 17 employees who are directly involved with or benefit from the  
15 18 functions of the covered institution's financial aid office  
15 19 are required to report to the administrator all participation  
15 20 or financial interests related to any lending institution.

15 21       MISREPRESENTATION PROHIBITED. A lending institution is  
15 22 prohibited from representing its employees or agents to  
15 23 borrowers or prospective borrowers of a covered institution as  
15 24 employees, representatives, or agents of a covered  
15 25 institution. Employees or agents of a covered institution are  
15 26 also prohibited from identifying themselves as employees or  
15 27 agents of a lending institution to borrowers or prospective  
15 28 borrowers of the covered institution. The covered institution  
15 29 must prohibit the use of its name or insignia by a lending  
15 30 institution.

15 31       FINANCIAL AID STAFFING PROHIBITION. An employee,  
15 32 representative, or agent of a lending institution is  
15 33 prohibited from staffing a covered institution's financial aid  
15 34 offices.

15 35       DISCLOSURE OF FAVORABLE LOAN OPTIONS. A covered



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16 1 institution must inform the borrower or prospective borrower  
16 2 of all available federal financing options that are more  
16 3 favorable to the borrower and the borrower must exhaust all  
16 4 state and federal options before a lending institution may  
16 5 provide a private educational loan to a borrower attending a  
16 6 covered institution with which a lending institution has an  
16 7 educational loan arrangement. A covered institution's  
16 8 financial aid office is prohibited from including a private  
16 9 loan or bundling private loans in a financial aid package,  
16 10 unless the borrower is ineligible for federal assistance.  
16 11       HIGH=RISK LOAN PROHIBITION. Lending institutions and  
16 12 covered institutions are prohibited from entering into an  
16 13 agreement, or otherwise providing any high-risk loans, in  
16 14 exchange for the covered institution providing concessions or  
16 15 promises to the lending institution that may prejudice other  
16 16 borrowers or prospective borrowers.  
16 17       PREFERRED LENDER LIST STANDARDS. The bill establishes a  
16 18 number of standards with which a covered institution that  
16 19 provides or makes available a preferred lender list must  
16 20 comply. A lending institution that violates a provision of  
16 21 the bill shall not be placed or remain on any covered  
16 22 institution's preferred lender list unless notice of the  
16 23 violation is provided to all potential borrowers.  
16 24       ELECTRONIC MASTER PROMISSORY NOTE PROHIBITION. A covered  
16 25 institution is prohibited from directing potential borrowers  
16 26 to any electronic master promissory notes or other loan  
16 27 agreements that do not allow the borrower to enter the lender  
16 28 code or name for any lending institution offering the relevant  
16 29 loan.  
16 30       DEFAULT RATE DISCLOSURE. Lending institutions must  
16 31 disclose to covered institutions the historic default rates of  
16 32 the borrowers and the rates of interest charged to borrowers  
16 33 from such covered institution in the year preceding the  
16 34 disclosures and the number of borrowers obtaining each rate of  
16 35 interest.



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17 1 CIVIL PENALTY. An institution that violates a provision of  
17 2 the bill may be liable for a civil penalty of up to \$50,000.  
17 3 A covered institution employee who violates a provision of the  
17 4 bill may be liable for a civil penalty of up to \$7,500.  
17 5 FUND USE. Funds collected which result from the imposition  
17 6 of penalties are to be deposited in the student lending  
17 7 education account, which is established in the state treasury  
17 8 and is available to the attorney general. Moneys in the fund  
17 9 may be given to covered institutions to educate borrowers and  
17 10 prospective borrowers on the loan process and to reimburse  
17 11 borrowers from inflated loan prices caused by revenue sharing  
17 12 agreements between covered institutions and lending  
17 13 institutions.  
17 14 ATTORNEY GENERAL REPORT AND PRESENTATION. The attorney  
17 15 general is directed to submit the findings and recommendations  
17 16 from its investigation of the student loan secondary market  
17 17 and Iowa student loan liquidity corporation to the general  
17 18 assembly by January 15, 2009, and to present the findings and  
17 19 recommendations at the legislative oversight committee's  
17 20 October 2008 meeting.  
17 21 LSB 5962YC 82  
17 22 kh/nh/8.2



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**Senate Amendment 5243**

PAG LIN

1 1 Amend House File 2283, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 3, line 6, by striking the words <that  
1 4 purpose> and inserting the following: <Vietnam  
1 5 Conflict veterans' bonuses>.  
1 6  
1 7  
1 8  
1 9 JOHN P. KIBBIE  
1 10 HF 2283.301 82  
1 11 ec/nh/21037  
1 12  
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## Senate Amendment 5244

PAG LIN

1 1 Amend Senate File 2089, as passed by the Senate, as  
1 2 follows:

1 3 #1. Page 1, line 5, by inserting after the word  
1 4 <application> the following: <on a sheet of paper no  
1 5 smaller than three by five inches in size>.

1 6 #2. Page 1, by inserting before line 16, the  
1 7 following:

1 8 <Sec. \_\_\_\_\_. Section 53.2, subsection 4, Code  
1 9 Supplement 2007, is amended to read as follows:  
1 10 4. Each application shall contain the name and  
1 11 signature of the registered voter, the registered  
1 12 voter's date of birth, the address at which the voter  
1 13 is registered to vote, and the name or date of the  
1 14 election for which the absentee ballot is requested,  
1 15 and such other information as may be necessary to  
1 16 determine the correct absentee ballot for the  
1 17 registered voter. If insufficient information has  
1 18 been provided, either on the prescribed form or on an  
1 19 application created by the applicant, the commissioner  
1 20 shall, by the best means available, obtain the  
1 21 additional necessary information.>

1 22 #3. Page 1, by inserting before line 16 the  
1 23 following:

1 24 <Sec. \_\_\_\_\_. Section 53.3, Code 2007, is amended to  
1 25 read as follows:

1 26 53.3 ~~RECEIPT REQUIRED~~ REQUIREMENTS FOR CERTAIN  
1 27 ABSENTEE BALLOT APPLICATIONS == PRESCRIBED FORM ==  
1 28 RECEIPT.

1 29 1. When an application for an absentee ballot is  
1 30 solicited by, or collected for return to the  
1 31 commissioner by, a person acting as an actual or  
1 32 implied agent for a political party, candidate, or  
1 33 committee, as defined by chapter 68A, the person shall  
1 34 provide the applicant with the form prescribed by the  
1 35 state commissioner.

1 36 2. a. When an application for an absentee ballot  
1 37 is solicited by, and returned to the commissioner by,  
1 38 a person acting as an actual or implied agent for a  
1 39 political party, candidate, or committee, as defined  
1 40 by chapter 68A, the person shall issue to the  
1 41 applicant a receipt for the completed application.

1 42 b. The receipt shall contain the following  
1 43 information:

1 44 ~~1.~~ (1) The name of the applicant.

1 45 ~~2.~~ (2) The date and time the completed application  
1 46 was received from the applicant.

1 47 ~~3.~~ (3) The name and date of the election for which  
1 48 the application is being completed.

1 49 ~~4.~~ (4) The name of the political party, candidate,  
1 50 or committee for whom the person is soliciting and



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2 1 returning the application for the absentee ballot.  
2 2 ~~5.~~ (5) The name of the person acting as an actual  
2 3 or implied agent for the political party, candidate,  
2 4 or committee.  
2 5 ~~6.~~ (6) A statement that the application will be  
2 6 delivered to the appropriate commissioner within  
2 7 seventy-two hours of the date and time the completed  
2 8 application was received from the applicant or no  
2 9 later than five p.m. on the Friday before the  
2 10 election, whichever is earlier.  
2 11 ~~7.~~ (7) A statement that an absentee ballot will be  
2 12 mailed to the applicant within twenty-four hours after  
2 13 the ballot for the election is available.  
2 14 c. The commissioner shall make receipt forms  
2 15 required by this section available for photocopying at  
2 16 the expense of the political party, candidate, or  
2 17 committee.>  
2 18 #4. By renumbering as necessary.  
2 19 SF 2089.H  
2 20 sc/jg/25



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## Senate Amendment 5245

PAG LIN

1 1 Amend Senate File 473, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 3, by inserting after line 12 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 144B.1, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 1A. "Designee" means a person  
1 8 named in a declaration under chapter 144C that is  
1 9 contained in or attached to a durable power of  
1 10 attorney for health care.  
1 11 Sec. \_\_\_\_\_. Section 144B.5, Code 2007, is amended by  
1 12 adding the following new subsection:  
1 13 NEW SUBSECTION. 5. A durable power of attorney  
1 14 for health care may include a declaration under  
1 15 chapter 144C that names a designee and alternate  
1 16 designees who may be different persons than the  
1 17 attorney in fact or alternate attorneys in fact who  
1 18 are designated in the durable power of attorney for  
1 19 health care.>  
1 20 #2. Page 3, line 15, by striking the word  
1 21 <Directives>.  
1 22 #3. Page 3, line 32, by inserting after the word  
1 23 <instrument,> the following: <contained in or  
1 24 attached to a durable power of attorney for health  
1 25 care under chapter 144B, that is>.  
1 26 #4. Page 3, line 33, by inserting after the word  
1 27 <chapter,> the following: <and>.  
1 28 #5. Page 3, line 34, by striking the words <and  
1 29 may direct> and inserting the following: <who shall  
1 30 have the sole responsibility and discretion for making  
1 31 decisions concerning>.  
1 32 #6. Page 4, lines 3 and 4, by striking the words  
1 33 <to implement the declarant's wishes contained in the  
1 34 declaration> and inserting the following: <who shall  
1 35 have the sole responsibility and discretion for making  
1 36 decisions concerning the final disposition of the  
1 37 declarant's remains and the ceremonies planned after  
1 38 the declarant's death>.  
1 39 #7. Page 4, lines 21 and 22, by striking the words  
1 40 <, as applied to implementation of a declarant's  
1 41 directives in a declaration,>.  
1 42 #8. By striking page 4, line 32, through page 5,  
1 43 line 7, and inserting the following:  
1 44 <19. a. "Third party" means a person who is  
1 45 requested to dispose of remains by an adult with the  
1 46 right to dispose of a decedent's remains under section  
1 47 144C.5 or assist with arrangements for ceremonies  
1 48 planned after the declarant's death.>  
1 49 #9. Page 5, lines 12 and 13, by striking the words  
1 50 <FINAL DISPOSITION OF REMAINS> and inserting the



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2 1 following: <DESIGNEE>.  
2 2 #10. Page 5, by striking lines 14 through 19 and  
2 3 inserting the following:  
2 4 <\_\_\_\_. A declaration shall name a designee who  
2 5 shall have the sole responsibility and discretion for  
2 6 making decisions concerning the final disposition of  
2 7 the declarant's remains and the ceremonies planned  
2 8 after the declarant's death. A declaration may name  
2 9 one or more alternate designees and may include  
2 10 contact information for the designees and alternate  
2 11 designees.  
2 12 \_\_\_\_\_. A declaration shall not include directives  
2 13 for final disposition of the declarant's remains and  
2 14 shall not include arrangements for ceremonies planned  
2 15 after the declarant's death.>  
2 16 #11. Page 5, by striking lines 20 and 21 and  
2 17 inserting the following:  
2 18 <\_\_\_\_. A designee, an alternate designee, and a  
2 19 third party shall act in good faith and in a manner  
2 20 that is>.  
2 21 #12. Page 6, line 13, by striking the words  
2 22 <directives contained in the declaration> and  
2 23 inserting the following: <decisions made by the  
2 24 designee>.  
2 25 #13. Page 8, lines 18 and 19, by striking the  
2 26 words <FINAL DISPOSITION OF REMAINS> and inserting the  
2 27 following: <DESIGNEE>.  
2 28 #14. Page 8, lines 22 and 23, by striking the  
2 29 words <to implement my wishes relating to> and  
2 30 inserting the following: <. My designee shall have  
2 31 the sole responsibility for making decisions  
2 32 concerning>.  
2 33 #15. Page 8, by striking lines 25 through 27 and  
2 34 inserting the following: <This declaration hereby  
2 35 revokes all prior declarations. This>.  
2 36 #16. Page 8, lines 29 and 30, by striking the  
2 37 words <consistently with my directives as stated in  
2 38 this declaration,>.  
2 39 #17. By striking page 8, line 31, through page 9,  
2 40 line 2, and inserting the following: <under the  
2 41 circumstances.>  
2 42 #18. Page 9, line 15, by striking the word  
2 43 <contained>.  
2 44 #19. Page 9, line 15, by inserting after the word  
2 45 <completed,> the following: <is contained in or  
2 46 attached to a durable power of attorney for health  
2 47 care under chapter 144B,>.  
2 48 #20. By striking page 9, line 27, through page 10,  
2 49 line 9, and inserting the following:  
2 50 <3. A declaration may include the location of an



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3 1 agreement for prearranged funeral services or funeral  
3 2 merchandise as defined in and executed under chapter  
3 3 523A, cemetery lots owned by or reserved for the  
3 4 declarant, and special instructions regarding organ  
3 5 donation consistent with chapter 142C.>  
3 6 #21. Page 10, lines 11 and 12, by striking the  
3 7 words <or any directive contained in a declaration".  
3 8 #22. Page 11, line 15, by inserting after the word  
3 9 <by> the following: <the designee, an alternate  
3 10 designee, and>.  
3 11 #23. Page 11, line 16, by striking the words <a  
3 12 directive of the declarant> and inserting the  
3 13 following: <the declaration>.  
3 14 #24. Page 11, by striking lines 24 through 31 and  
3 15 inserting the following:  
3 16 <2. The most recent declaration executed by a  
3 17 declarant shall control.>  
3 18 #25. Page 11, by striking lines 32 through 34.  
3 19 #26. Page 13, by inserting after line 6, the  
3 20 following:  
3 21 <Sec. \_\_\_\_ . Section 331.805, subsection 3,  
3 22 paragraph b, Code 2007, is amended to read as follows:  
3 23 b. If the ~~next of kin, guardian, or other person~~  
3 24 authorized to act on behalf control the remains of a  
3 25 deceased person under section 144C.5 has requested  
3 26 that the body of the deceased person be cremated, a  
3 27 permit for cremation must be obtained from a medical  
3 28 examiner. Cremation permits by the medical examiner  
3 29 must be made on the most current forms prepared at the  
3 30 direction of and approved by the state medical  
3 31 examiner, with copies forwarded to the state medical  
3 32 examiner's office. Costs for the cremation permit  
3 33 issued by a medical examiner shall not exceed  
3 34 seventy-five dollars. The costs ~~shall be borne by the~~  
~~3 35 family, next of kin, guardian of the decedent, or~~  
~~3 36 other person of the permit and other reasonable~~  
3 37 cremation expenses may be paid from the decedent's  
3 38 estate pursuant to section 633.425, subsection 3.>  
3 39 #27. Page 13, by striking lines 11 through 14 and  
3 40 inserting the following:  
3 41 <1. ~~Any available member of the following classes~~  
~~3 42 of persons, in the priority listed, A person~~  
3 43 authorized to control the deceased person's remains  
3 44 under section 144C.5 shall have the right to control  
3 45 the interment, relocation, or disinterment of a  
3 46 decedent's remains within or from a cemetery+.>  
3 47 #28. Page 15, line 3, by striking the figures <2-  
3 48 1.> and inserting the following: <2.>  
3 49 #29. Page 15, line 30, by striking the figure <2.>  
3 50 and inserting the following: <3.>



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Senate Amendment 5245 continued

4 1 #30. Page 16, line 5, by striking the figure <3.>  
4 2 and inserting the following: <4.>  
4 3 #31. Page 17, line 3, by striking the figure <4.>  
4 4 and inserting the following: <5.>  
4 5 #32. Page 17, line 12, by striking the figure <5.>  
4 6 and inserting the following: <6.>  
4 7 #33. Page 17, line 27, by striking the figure <6.>  
4 8 and inserting the following: <7.>  
4 9 #34. Title page, line 2, by striking the word  
4 10 <directing> and inserting the following: <designating  
4 11 a person to have sole responsibility and discretion  
4 12 concerning>.  
4 13 #35. Title page, line 2, by striking the word  
4 14 <person's> and inserting the following: <adult's>.  
4 15 #36. By renumbering as necessary.  
4 16 SF 473.H  
4 17 av/jg/25



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## Senate Amendment 5246

PAG LIN

1 1 Amend Senate File 2214, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 2, by inserting after the word  
1 4 <CUSTODY> the following: <OR PHYSICAL CARE>.  
1 5 #2. Page 1, line 4, by inserting after the word  
1 6 <custody> the following: <or physical care>.  
1 7 #3. Page 1, line 5, by inserting after the word  
1 8 <filed> the following: <prior to or>.  
1 9 #4. Page 1, line 7, by inserting after the word  
1 10 <order> the following: <or decree>.  
1 11 #5. Page 1, line 8, by striking the words <custody  
1 12 order> and inserting the following: <custody or  
1 13 physical care order or decree>.  
1 14 #6. Page 1, line 11, by striking the words  
1 15 <custody order> and inserting the following: <custody  
1 16 or physical care order or decree>.  
1 17 #7. Title page, line 1, by striking the words  
1 18 <custody order> and inserting the following: <custody  
1 19 or physical care order or decree>.  
1 20 SF 2214.H  
1 21 pf/jg/25  
1 22  
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**Senate Amendment 5247**

PAG LIN

1 1 Amend Senate File 2108, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 7, by inserting after the word  
1 4 <individuals> the following: <and corporations>.  
1 5 #2. Page 1, line 8, by inserting after the word  
1 6 <parks,> the following: <trails, fish and wildlife  
1 7 habitat, natural areas,>.  
1 8 #3. Page 1, line 9, by inserting after the word  
1 9 <uses> the following: <and benefits>.  
1 10 SF 2108.H  
1 11 jr/jg/25  
1 12  
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## Senate Amendment 5248

PAG LIN

1 1 Amend Senate File 505, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 35, by inserting after the word  
1 4 <omissions> the following: <arising out of the use of  
1 5 an automated external defibrillator, whether>.  
1 6 #2. Page 2, line 8, by inserting after the word  
1 7 <located> the following: <if the person or entity  
1 8 maintains the automated external defibrillator in a  
1 9 condition for immediate and effective use at all  
1 10 times, subject to standards developed by the  
1 11 department of public health by rule>.  
1 12 #3. Page 2, by striking lines 15 through 20.  
1 13 #4. By renumbering as necessary.  
1 14 SF 505.H  
1 15 rh/jg/25  
1 16  
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Senate Amendment 5249

PAG LIN

1 1 Amend Senate File 2289, as passed by the Senate, as  
 1 2 follows:  
 1 3 #1. Page 1, line 17, by striking the word ~~<who>~~  
 1 4 and inserting the following: <who>.  
 1 5 #2. Page 1, by striking line 19 and inserting the  
 1 6 following: <educational assistance is less than  
 1 7 thirty-one years of age, and who is the child of a  
 1 8 person who>.  
 1 9 #3. Page 2, line 10, by striking the words  
 1 10 ~~<twenty-six and>~~ and inserting the following:  
 1 11 <twenty-six,>.  
 1 12 #4. Page 2, line 15, by inserting after the word  
 1 13 <lifetime> the following: <, and shall, to remain  
 1 14 eligible for assistance, meet the academic progress  
 1 15 standards of the postsecondary educational  
 1 16 institution>.  
 1 17 SF 2289.H  
 1 18 ec/jg/25  
 1 19  
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Senate Amendment 5250

PAG LIN

1 1 Amend House File 2555, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking page 3, line 33, through page 4,  
1 4 line 26, and inserting the following:  
1 5 <NEW SUBSECTION. 5A. a. The commissioner shall  
1 6 establish a bureau, to be known as the "consumer  
1 7 advocate bureau", which shall be responsible for  
1 8 ensuring fair treatment of consumers by persons in the  
1 9 business of insurance and for preventing unfair or  
1 10 deceptive trade practices in the insurance  
1 11 marketplace.  
1 12 b. The commissioner, with the advice of the  
1 13 governor, shall appoint a consumer advocate who shall  
1 14 be knowledgeable in the area of insurance and  
1 15 particularly in the area of consumer protection.  
1 16 c. The consumer advocate bureau shall receive and  
1 17 may investigate consumer complaints and inquiries from  
1 18 the public, and shall conduct investigations to  
1 19 determine whether any person has violated any  
1 20 provision of the insurance code, including chapters  
1 21 507B and 522B, and any provisions related to the  
1 22 establishment of insurance rates.  
1 23 d. When necessary or appropriate to protect the  
1 24 public interest or consumers, the consumer advocate  
1 25 may request that the commissioner conduct  
1 26 administrative hearings as provided in section 505.29.  
1 27 e. The consumer advocate bureau shall perform  
1 28 other functions as may be assigned to it by the  
1 29 commissioner related to consumer advocacy.  
1 30 f. The consumer advocate bureau shall work in  
1 31 conjunction with other areas of the insurance division  
1 32 on matters of mutual interest. The insurance division  
1 33 shall cooperate with the consumer advocate in  
1 34 fulfilling the duties of the consumer advocate bureau.  
1 35 The consumer advocate may also seek assistance from  
1 36 other federal or state agencies or private entities  
1 37 for the purpose of assisting consumers.  
1 38 g. The commissioner, in cooperation with the  
1 39 consumer advocate, shall prepare and deliver a report  
1 40 to the general assembly by January 15 of each year  
1 41 that contains findings and recommendations regarding  
1 42 the activities of the consumer advocate bureau  
1 43 including but not limited to all of the following:  
1 44 (1) An overview of the functions of the bureau.  
1 45 (2) The structure of the bureau including the  
1 46 number and type of staff positions.  
1 47 (3) Statistics showing the number of complaints  
1 48 handled by the bureau, the nature of the complaints  
1 49 including the line of business involved and their  
1 50 disposition, and the disposition of similar issues in



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Senate Amendment 5250 continued

2 1 other states.  
2 2 (4) Actions commenced by the consumer advocate.  
2 3 (5) Studies performed by the consumer advocate.  
2 4 (6) Educational and outreach efforts of the  
2 5 consumer advocate bureau.  
2 6 (7) Recommendations from the commissioner and the  
2 7 consumer advocate about additional consumer protection  
2 8 functions that would be appropriate and useful for the  
2 9 bureau or the insurance division to fulfill based on  
2 10 observations and analysis of trends in complaints and  
2 11 information derived from national or other sources.  
2 12 (8) Recommendations from the commissioner and the  
2 13 consumer advocate about any needs for additional  
2 14 funding, staffing, legislation, or administrative  
2 15 rules.>  
2 16 #2. Page 18, by striking lines 18 through 25.  
2 17 #3. Title page, by striking line 10 and inserting  
2 18 the following: <the Iowa>.  
2 19 #4. By renumbering as necessary.  
2 20  
2 21  
2 22  
2 23 STEVE WARNSTADT  
2 24  
2 25  
2 26  
2 27 RICH OLIVE  
2 28 HF 2555.503 82  
2 29 av/nh/21042



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**Senate Amendment 5251**

PAG LIN

1 1 Amend House File 2310, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 2, line 1, by inserting after the word  
1 4 <care.> the following: <The protocol shall provide  
1 5 for information reporting by family planning agencies  
1 6 and other providers of services to children and  
1 7 families.>  
1 8  
1 9  
1 10  
1 11 PAUL McKINLEY  
1 12 HF 2310.201 82  
1 13 jp/nh/11898  
1 14  
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# Senate Amendment 5252

PAG LIN

1 1 Amend House File 2164, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. Section 282.18, subsection 3, Code  
1 6 2007, is amended by striking the subsection.>  
1 7 #2. Title page, line 1, by striking the word  
1 8 <diversity>.  
1 9  
1 10  
1 11  
1 12 BRAD ZAUN  
1 13 HF 2164.502 82  
1 14 kh/rj/12183  
1 15  
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## Senate Amendment 5253

PAG LIN

1 1 Amend House File 2164, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, line 14, by striking the words <or  
1 4 unless> and inserting the following: ~~<or unless>~~.  
1 5 #2. Page 1, line 17, by inserting after the word  
1 6 <district> the following: <, or the pupil's parent or  
1 7 guardian demonstrates to the superintendent that the  
1 8 specific educational needs of the pupil can be better  
1 9 served by the receiving district>.  
1 10  
1 11  
1 12  
1 13 DAVID L. HARTSUCH  
1 14 HF 2164.701 82  
1 15 kh/rj/12186  
1 16  
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## Senate Amendment 5254

PAG LIN

1 1 Amend House File 2164, as passed by the House, as  
 1 2 follows:  
 1 3 #1. Page 1, by inserting before line 1 the  
 1 4 following:  
 1 5 <Section 1. Section 282.18, subsection 2,  
 1 6 unnumbered paragraph 2, Code 2007, is amended to read  
 1 7 as follows:  
 1 8 The board of the receiving district shall enroll  
 1 9 the pupil in a school in the receiving district for  
 1 10 the following school year unless the receiving  
 1 11 district does not have classroom space for the pupil  
 1 12 or the receiving district's superintendent denies the  
 1 13 request because of the adverse effect the transfer  
 1 14 will have on the implementation of the district of  
 1 15 enrollment's voluntary diversity or court-ordered  
 1 16 desegregation plan pursuant to subsection 3. The  
 1 17 board of directors of a receiving district may adopt a  
 1 18 policy granting the superintendent of the school  
 1 19 district authority to approve open enrollment  
 1 20 applications. If the request is granted, the board  
 1 21 shall transmit a copy of the form to the parent or  
 1 22 guardian and the school district of residence within  
 1 23 five days after board action, but not later than June  
 1 24 1 of the preceding school year. The parent or  
 1 25 guardian may withdraw the request at any time prior to  
 1 26 the start of the school year. A denial of a request  
 1 27 by the board of a receiving district is not subject to  
 1 28 appeal.>  
 1 29 #2. Page 1, line 12, by striking the word <,  
 1 30 unless> and inserting the following: <, unless and if  
 1 31 the superintendent of the receiving district also  
 1 32 denies the request for transfer. However, the request  
 1 33 shall not be denied by the district of residence or  
 1 34 the receiving district if>.  
 1 35 #3. Page 1, line 14, by striking the word <unless>  
 1 36 and inserting the following: <unless if>.  
 1 37 #4. By renumbering as necessary.  
 1 38  
 1 39  
 1 40  
 1 41 PAUL McKINLEY  
 1 42 HF 2164.501 82  
 1 43 kh/rj/12184  
 1 44  
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Senate Amendment 5255

PAG LIN

1 1 Amend House File 2556, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 8, by inserting after line 24 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 533D.9, subsection 2, Code  
1 6 2007, is amended by adding the following new  
1 7 paragraph:  
1 8 NEW PARAGRAPH. e. That the licensee cannot  
1 9 initiate either civil court proceedings or arbitration  
1 10 to collect an unpaid check unless the licensee has  
1 11 provided the maker of the check the opportunity to  
1 12 repay the obligation, without any additional charges  
1 13 other than the fee and penalty as provided in this  
1 14 section, in biweekly payments of not more than ten  
1 15 percent of the face of the check until the debt is  
1 16 paid in full. Additionally, that during this  
1 17 repayment period the licensee may not transfer or sell  
1 18 the debt owing on the unpaid check and may not report  
1 19 on the account or borrower to any credit reporting  
1 20 agency, and that the maker's failure to make any  
1 21 biweekly payment shall place the loan in default and  
1 22 that the licensee may, after proper notice, exercise  
1 23 rights against the borrower for collection of the  
1 24 unpaid balance.  
1 25 Sec. \_\_\_\_\_. Section 533D.10, subsection 1, Code  
1 26 2007, is amended by adding the following new  
1 27 paragraph:  
1 28 NEW PARAGRAPH. g. Initiate either civil court  
1 29 proceedings or civil or private arbitration  
1 30 proceedings to collect an unpaid check unless the  
1 31 licensee has provided the maker of the check the  
1 32 opportunity to repay the obligation without any  
1 33 additional charges, other than the fee and penalty  
1 34 provided for in section 533D.9, in biweekly payments  
1 35 of not more than ten percent of the face of the check  
1 36 until the debt is paid in full. During this repayment  
1 37 period, the licensee may not transfer or sell the debt  
1 38 owing on the unpaid check and may not report on the  
1 39 account or borrower to any credit reporting agency. A  
1 40 borrower's failure to make payments as required shall  
1 41 place the loan in default and the licensee may, after  
1 42 proper notice, exercise rights against the borrower  
1 43 for collection of the unpaid balance.>  
1 44 #2. By renumbering as necessary.  
1 45  
1 46  
1 47  
1 48 JOE BOLKCOM  
1 49 HF 2556.301 82  
1 50 rn/nh/21032



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Senate Resolution 126 - Introduced

PAG LIN

S.R. \_\_\_\_\_ H.R. \_\_\_\_\_

1 1 SENATE RESOLUTION NO.  
1 2 BY ZAUN  
1 3 A Resolution honoring the Dowling Catholic High  
1 4 School cross country team.  
1 5 WHEREAS, on October 27, 2007, the Dowling Catholic  
1 6 High School cross country team, the Maroons, won the  
1 7 class 4A Iowa High School State Cross Country  
1 8 Championship in Fort Dodge, Iowa; and  
1 9 WHEREAS, the Maroons, led by senior captains Betsy  
1 10 Flood and Mary Lacy, posted a score of 32 points, one  
1 11 of the best team scores ever recorded in Iowa; and  
1 12 WHEREAS, team members Katie Flood and Ashlie Decker  
1 13 finished first and second overall, both shattering the  
1 14 course record, and Tanelle Berard finished seventh  
1 15 overall; and  
1 16 WHEREAS, Katie Flood claimed her second straight  
1 17 individual state title and later finished eighth in  
1 18 the Footlocker National Cross Country Championship,  
1 19 earning All-American honors and being awarded the  
1 20 Gatorade Player of the Year Award in Cross Country in  
1 21 Iowa; and  
1 22 WHEREAS, playing as a club team the Maroons  
1 23 competed in post-season competition, winning the Nike  
1 24 Team Heartland Championship and finishing fourteenth  
1 25 in the country; NOW THEREFORE,  
1 26 BE IT RESOLVED BY THE SENATE, That the Senate  
1 27 congratulates the Dowling Catholic High School cross  
1 28 country team and coach Father Jim Kirby on winning the  
1 29 class 4A Iowa High School State Cross Country  
1 30 Championship and for a remarkable season.



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Senate Resolution 126 - Introduced continued

2 1 LSB 6648SS 82  
2 2 jr/rj/8





**Iowa General Assembly**  
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Senate Resolution 127 - Introduced continued

2 1 first graduating class in 1872 including 2 women among  
2 2 the 24 graduates, with future suffragist Carrie  
2 3 Chapman Catt being an 1880 graduate, and with George  
2 4 Washington Carver being the first African-American  
2 5 student, earning a bachelor's degree in 1894 and a  
2 6 master's degree in 1896, and being the institution's  
2 7 first African-American faculty member; and  
2 8       2. Performing practical research by establishing  
2 9 the United States' first Engineering Experiment  
2 10 Station and domestic economy experimental kitchen and  
2 11 one of the first agriculture experiment stations; and  
2 12       3. Offering outreach services to the general  
2 13 public by organizing the Farmers' Institutes in the  
2 14 winter of 1869=1870 through the efforts of Iowa State  
2 15 University's first president Adonijah Welch and  
2 16 agriculture professor Isaac Roberts and by initiating  
2 17 many programs that became models for national  
2 18 extension programs including the Boys' Corn Club that  
2 19 evolved into 4-H and the nation's first county  
2 20 extension plan and county cooperative experimental  
2 21 farm in 1903 in Sioux County in northwest Iowa through  
2 22 the efforts of Professor Perry Holden; and  
2 23       WHEREAS, some of the most important technological  
2 24 advancements of the modern world were the result of  
2 25 research at Iowa State University, including the  
2 26 following:  
2 27       1. Developing hybrid seed corn in the 1920s;  
2 28       2. Pioneering soybean oil extraction and producing  
2 29 ethanol from corn and other plant materials by  
2 30 Professor Orland Sweeney in the 1930s; and



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Senate Resolution 127 - Introduced continued

3 1       3. Inventing the electronic digital computer in  
3 2 the late 1930s by Professor John Atanasoff and  
3 3 graduate student Clifford Berry, whose Atanasoff-Berry  
3 4 Computer was the first to incorporate the seven basic  
3 5 principles of modern computing; and  
3 6       4. Laying the foundation for the modern plastics  
3 7 industry through polyethylene research by Professor  
3 8 Henry Gilman; and  
3 9       5. Developing the process still used today to  
3 10 refine pure rare-earth materials, including  
3 11 reactor-grade uranium, by Professor Frank Spedding and  
3 12 Harley Wilhelm, as a result of Iowa State University's  
3 13 key role in the Manhattan Project in World War II; and  
3 14       6. Developing modern livestock breeding and animal  
3 15 genetics by Professor Jay Lush; and  
3 16       7. Inventing the round hay baler in the 1960s by  
3 17 agricultural engineering professor Wesely Buchele and  
3 18 a group of student researchers, and the first  
3 19 field-testing of a genetically altered woody plant  
3 20 (poplar) in 1989 by Professor Robert Thornburg; and  
3 21       WHEREAS, Iowa State University hired the first  
3 22 artist-in-residence, sculptor Christian Petersen, who  
3 23 held the position from 1934 to 1955 and provided  
3 24 hundreds of sculptures and other art objects to the  
3 25 university, expanding Iowa State University's Art on  
3 26 Campus collection today to more than 600 major public  
3 27 works of art, thereby making it the largest public  
3 28 campus art collection in the nation; and  
3 29       WHEREAS, Iowa State University, which has had a  
3 30 technology transfer office since 1935, longer than all



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Senate Resolution 127 - Introduced continued

4 1 but one other university in the United States, was  
4 2 officially renamed Iowa State University of Science  
4 3 and Technology in 1959, with the resulting focus on  
4 4 technology leading to many research patents and  
4 5 inventions, to acknowledgment of the institution today  
4 6 as a leader in putting technology to work, and to  
4 7 being cited as a "model of economic development" and  
4 8 "licensing powerhouse" in a 2007 study commissioned by  
4 9 the National Science Foundation; and

4 10       WHEREAS, Iowa State University is today  
4 11 spearheading new advances in science and technology,  
4 12 including new materials, information sciences, green  
4 13 architecture, biological research, and the development  
4 14 of biorenewable fuels and other resources to support  
4 15 the bioeconomy and the nation's independence from  
4 16 nonrenewable petroleum resources; and

4 17       WHEREAS, Iowa State University students hail from  
4 18 every state and more than 100 other nations, and Iowa  
4 19 State University in its 150 years has awarded more  
4 20 than 257,000 degrees and includes among its graduates  
4 21 heads of state, leaders of industry, great  
4 22 humanitarians, and gifted scientists, whose work has  
4 23 improved the quality of life and environment of people  
4 24 worldwide; NOW THEREFORE,

4 25       BE IT RESOLVED BY THE SENATE, That the Senate  
4 26 congratulates Iowa State University of Science and  
4 27 Technology for 150 years of outstanding service to the  
4 28 State of Iowa, the United States, and the world in  
4 29 fulfilling its mission as a land-grant university and  
4 30 for its visionary leadership in beginning the



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- 5 1 land=grant movement in the United States.
- 5 2 LSB 6625SS 82
- 5 3 pf/rj/8.2



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S.R. \_\_\_\_\_ H.R. \_\_\_\_\_

1 1                                   SENATE RESOLUTION NO.  
 1 2                                   BY HORN, RAGAN, HATCH, BLACK, McCOY,  
 1 3                                   CONNOLLY, STEWART, BEALL, DANIELSON,  
 1 4                                   DOTZLER, DVORSKY, WARNSTADT, SENG, RIELLY,  
 1 5                                   OLIVE, HANCOCK, HOGG, DEARDEN, FRAISE,  
 1 6                                   APPEL, SCHOENJAHN, QUIRMBACH, BOLKCOM,  
 1 7                                   GRONSTAL, KIBBIE, HECKROTH, SCHMITZ,  
 1 8                                   KREIMAN, and WOOD  
 1 9 A Resolution requesting the Iowa utilities board and  
 1 10 Iowa's energy utilities to voluntarily extend the  
 1 11 moratorium on utility disconnection through April  
 1 12 14, 2008.  
 1 13 WHEREAS, Iowa's rate-regulated utilities reported  
 1 14 for February 2008 218,360 accounts that were past due  
 1 15 and owing \$36.5 million, which is the second-highest  
 1 16 monthly total reported owing since 2000; and  
 1 17 WHEREAS, in 2007, these utilities disconnected  
 1 18 6,742 households in April, 8,119 in May, and 8,080 in  
 1 19 June, and these statistics lead to an expectation that  
 1 20 a record or near-record number of disconnections will  
 1 21 occur in 2008; and  
 1 22 WHEREAS, in 2007, Iowa's low-income home energy  
 1 23 assistance program (LIHEAP) served 85,692 households  
 1 24 and is projected to serve between 85,000 and 90,000  
 1 25 households in 2008 through April 15, 2008, with an  
 1 26 average assistance payment of approximately \$400; and  
 1 27 WHEREAS, the extended forecast for early April is  
 1 28 for continued cold weather, placing at risk the health  
 1 29 and safety of low-income families whose home energy  
 1 30 utilities are disconnected; NOW THEREFORE,



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2 1 BE IT RESOLVED BY THE SENATE, That the Senate  
2 2 requests the Iowa utilities board and Iowa's energy  
2 3 utilities to voluntarily extend the utility  
2 4 disconnection moratorium, which would otherwise end  
2 5 after April 1, 2008, through April 14, 2008.  
2 6 LSB 6647XS 82  
2 7 jp/rj/5