



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 2212

1 1  
1 2  
1 3

1 4 To the Speaker of the House of Representatives and the  
1 5 President of the Senate:

1 6 We, the undersigned members of the conference committee  
1 7 appointed to resolve the differences between the House of  
1 8 Representatives and the Senate on House File 2212, a bill for  
1 9 an Act creating a smokefree air Act and providing penalties,  
1 10 respectfully make the following report:

1 11 1. That the House recedes from its amendment, S=5087.

1 12 2. That the Senate recedes from its amendment, H=8054.

1 13 3. That House File 2212, as amended, passed, and reprinted  
1 14 by the House, is amended to read as follows:

1 15 #1. By striking everything after the enacting clause, and  
1 16 inserting the following:

1 17 <Section 1. NEW SECTION. 142D.1 TITLE == FINDINGS ==  
1 18 PURPOSE.

1 19 1. This chapter shall be known and may be cited as the  
1 20 "Smokefree Air Act".

1 21 2. The general assembly finds that environmental tobacco  
1 22 smoke causes and exacerbates disease in nonsmoking adults and  
1 23 children. These findings are sufficient to warrant measures  
1 24 that regulate smoking in public places, places of employment,  
1 25 and outdoor areas in order to protect the public health and the  
1 26 health of employees.

1 27 3. The purpose of this chapter is to reduce the level of  
1 28 exposure by the general public and employees to environmental  
1 29 tobacco smoke in order to improve the public health of Iowans.

1 30 Sec. 2. NEW SECTION. 142D.2 DEFINITIONS.

1 31 As used in this chapter, unless the context otherwise  
1 32 requires:

1 33 1. "Bar" means an establishment where one may purchase  
1 34 alcoholic beverages as defined in section 123.3, for  
1 35 consumption on the premises and in which the serving of food is  
1 36 only incidental to the consumption of those beverages.

1 37 2. "Business" means a sole proprietorship, partnership,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

2 1 joint venture, corporation, association, or other business  
2 2 entity, either for-profit or not-for-profit, including retail  
2 3 establishments where goods or services are sold; professional  
2 4 corporations and other entities where legal, medical, dental,  
2 5 engineering, architectural, or other professional services are  
2 6 delivered; and private clubs.  
2 7 3. "Common area" means a reception area, waiting room,  
2 8 lobby, hallway, restroom, elevator, stairway or stairwell, the  
2 9 common use area of a multiunit residential property, or other  
2 10 area to which the public is invited or in which the public is  
2 11 permitted.  
2 12 4. "Employee" means a person who is employed by an employer  
2 13 in consideration for direct or indirect monetary wages or  
2 14 profit, or a person who provides services to an employer on a  
2 15 voluntary basis.  
2 16 5. "Employer" means a person including a sole  
2 17 proprietorship, partnership, joint venture, corporation,  
2 18 association, or other business entity whether for-profit or  
2 19 not-for-profit, including state government and its political  
2 20 subdivisions, that employs the services of one or more  
2 21 individuals as employees.  
2 22 6. "Enclosed area" means all space between a floor and  
2 23 ceiling that is contained on all sides by solid walls or  
2 24 windows, exclusive of doorways, which extend from the floor to  
2 25 the ceiling.  
2 26 7. "Farm tractor" means farm tractor as defined in section  
2 27 321.1.  
2 28 8. "Farm truck" means a single-unit truck, truck-tractor,  
2 29 tractor, semitrailer, or trailer used by a farmer to transport  
2 30 agricultural, horticultural, dairy, or other farm products,  
2 31 including livestock, produced or finished by the farmer, or to  
2 32 transport any other personal property owned by the farmer, from  
2 33 the farm to market, and to transport property and supplies to  
2 34 the farm of the farmer.  
2 35 9. "Farmer" means any of the following:  
2 36 a. A person who files schedule F as part of the person's  
2 37 annual form 1040 or form 1041 filing with the United States



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

3 1 internal revenue service, or an employee of such person while  
3 2 the employee is actively engaged in farming.  
3 3 b. A person who holds an equity position in or who is  
3 4 employed by a business association holding agricultural land  
3 5 where the business association is any of the following:  
3 6 (1) A family farm corporation, authorized farm corporation,  
3 7 family farm limited partnership, limited partnership, family  
3 8 farm limited liability company, authorized limited liability  
3 9 company, family trust, or authorized trust, as provided in  
3 10 chapter 9H.  
3 11 (2) A limited liability partnership as defined in section  
3 12 486A.101.  
3 13 c. A natural person related to the person actively engaged  
3 14 in farming as provided in paragraph "a" or "b" when the person  
3 15 is actively engaged in farming. The natural person must be  
3 16 related as spouse, parent, grandparent, lineal ascendant of a  
3 17 grandparent or a grandparent's spouse, other lineal descendant  
3 18 of a grandparent or a grandparent's spouse, or a person acting  
3 19 in a fiduciary capacity for persons so related.  
3 20 For purposes of this subsection: "actively engaged in  
3 21 farming" means participating in physical labor on a regular,  
3 22 continuous, and substantial basis, or making day-to-day  
3 23 management decisions, where such participation or decision  
3 24 making is directly related to raising and harvesting crops for  
3 25 feed, food, seed, or fiber, or to the care and feeding of  
3 26 livestock.  
3 27 10. "Health care provider location" means an office or  
3 28 institution providing care or treatment of disease, whether  
3 29 physical, mental, or emotional, or other medical,  
3 30 physiological, or psychological conditions, including but not  
3 31 limited to a hospital as defined in section 135B.1, a long-term  
3 32 care facility, an adult day services program as defined in  
3 33 section 231D.1, clinics, laboratories, and the locations of  
3 34 professionals regulated pursuant to Title IV, subtitle III, and  
3 35 includes all enclosed areas of the location including waiting  
3 36 rooms, hallways, other common areas, private rooms, semiprivate  
3 37 rooms, and wards within the location.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

- 4 1 11. "Implement of husbandry" means implement of husbandry  
4 2 as defined in section 321.1.
- 4 3 12. "Long-term care facility" means a health care facility  
4 4 as defined in section 135C.1, an elder group home as defined in  
4 5 section 231B.1, or an assisted living program as defined in  
4 6 section 231C.2.
- 4 7 13. "Place of employment" means an area under the control  
4 8 of an employer and includes all areas that an employee  
4 9 frequents during the course of employment or volunteering,  
4 10 including but not limited to work areas, private offices,  
4 11 conference and meeting rooms, classrooms, auditoriums, employee  
4 12 lounges and cafeterias, hallways, medical facilities,  
4 13 restrooms, elevators, stairways and stairwells, and vehicles  
4 14 owned, leased, or provided by the employer unless otherwise  
4 15 provided under this chapter. "Place of employment" does not  
4 16 include a private residence, unless the private residence is  
4 17 used as a child care facility, a child care home, or as a  
4 18 health care provider location.
- 4 19 14. "Political subdivision" means a city, county, township,  
4 20 or school district.
- 4 21 15. "Private club" means an organization, whether or not  
4 22 incorporated, that is the owner, lessee, or occupant of a  
4 23 location used exclusively for club purposes at all times and  
4 24 that meets all of the following criteria:
- 4 25 a. Is operated solely for a recreational, fraternal,  
4 26 social, patriotic, political, benevolent, or athletic purpose,  
4 27 but not for pecuniary gain.
- 4 28 b. Sells alcoholic beverages only as incidental to its  
4 29 operation.
- 4 30 c. Is managed by a board of directors, executive committee,  
4 31 or similar body chosen by the members.
- 4 32 d. Has established bylaws or another document to govern its  
4 33 activities.
- 4 34 e. Has been granted an exemption from the payment of  
4 35 federal income tax as a club pursuant to 26 U.S.C. } 501.
- 4 36 16. "Public place" means an enclosed area to which the  
4 37 public is invited or in which the public is permitted,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

- 5 1 including common areas, and including but not limited to all of  
5 2 the following:
- 5 3 a. Financial institutions.
  - 5 4 b. Restaurants.
  - 5 5 c. Bars.
  - 5 6 d. Public and private educational facilities.
  - 5 7 e. Health care provider locations.
  - 5 8 f. Hotels and motels.
  - 5 9 g. Laundromats.
  - 5 10 h. Public transportation facilities and conveyances under  
5 11 the authority of the state or its political subdivisions,  
5 12 including buses and taxicabs, and including the ticketing,  
5 13 boarding, and waiting areas of these facilities.
  - 5 14 i. Aquariums, galleries, libraries, and museums.
  - 5 15 j. Retail food production and marketing establishments.
  - 5 16 k. Retail service establishments.
  - 5 17 l. Retail stores.
  - 5 18 m. Shopping malls.
  - 5 19 n. Entertainment venues including but not limited to  
5 20 theaters; concert halls; auditoriums and other facilities  
5 21 primarily used for exhibiting motion pictures, stage  
5 22 performances, lectures, musical recitals, and other similar  
5 23 performances; bingo facilities; and indoor arenas including  
5 24 sports arenas.
  - 5 25 o. Polling places.
  - 5 26 p. Convention facilities and meeting rooms.
  - 5 27 q. Public buildings and vehicles owned, leased, or operated  
5 28 by or under the control of the state government or its  
5 29 political subdivisions and including the entirety of the  
5 30 private residence of any state employee any portion of which is  
5 31 open to the public.
  - 5 32 r. Service lines.
  - 5 33 s. Private clubs only when being used for a function to  
5 34 which the general public is invited.
  - 5 35 t. Private residences only when used as a child care  
5 36 facility, a child care home, or health care provider location.
  - 5 37 u. Child care facilities and child care homes.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

- 6 1 v. Gambling structures, excursion gambling boats, and  
6 2 racetrack enclosures.
- 6 3 17. "Restaurant" means eating establishments, including  
6 4 private and public school cafeterias, which offer food to the  
6 5 public, guests, or employees, including the kitchen and  
6 6 catering facilities in which food is prepared on the premises  
6 7 for serving elsewhere, and including a bar area within a  
6 8 restaurant.
- 6 9 18. "Retail tobacco store" means a retail store utilized  
6 10 primarily for the sale of tobacco products and accessories and  
6 11 in which the sale of other products is incidental to the sale  
6 12 of tobacco products.
- 6 13 19. "Service line" means an indoor line in which one or  
6 14 more individuals are waiting for or receiving service of any  
6 15 kind, whether or not the service involves the exchange of  
6 16 money.
- 6 17 20. "Shopping mall" means an enclosed public walkway or  
6 18 hall area that serves to connect retail or professional  
6 19 establishments.
- 6 20 21. "Smoking" means inhaling, exhaling, burning, or  
6 21 carrying any lighted cigar, cigarette, pipe, or other tobacco  
6 22 product in any manner or in any form. "Smoking" does not  
6 23 include smoking that is associated with a recognized religious  
6 24 ceremony, ritual, or activity, including but not limited to  
6 25 burning of incense.
- 6 26 22. "Sports arena" means a sports pavilion, stadium,  
6 27 gymnasium, health spa, boxing arena, swimming pool, roller or  
6 28 ice rink, bowling alley, or other similar place where members  
6 29 of the general public assemble to engage in physical exercise,  
6 30 participate in athletic competition, or witness sports or other  
6 31 events.
- 6 32 Sec. 3. NEW SECTION. 142D.3 PROHIBITION OF SMOKING ==  
6 33 PUBLIC PLACES, PLACES OF EMPLOYMENT, AND OUTDOOR AREAS.
- 6 34 1. Smoking is prohibited and a person shall not smoke in  
6 35 any of the following:
- 6 36 a. Public places.
- 6 37 b. All enclosed areas within places of employment including



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

7 1 but not limited to work areas, private offices, conference and  
7 2 meeting rooms, classrooms, auditoriums, employee lounges and  
7 3 cafeterias, hallways, medical facilities, restrooms, elevators,  
7 4 stairways and stairwells, and vehicles owned, leased, or  
7 5 provided by the employer unless otherwise provided under this  
7 6 chapter.

7 7 2. In addition to the prohibitions specified in subsection  
7 8 1, smoking is prohibited and a person shall not smoke in or on  
7 9 any of the following outdoor areas:

7 10 a. The seating areas of outdoor sports arenas, stadiums,  
7 11 amphitheaters and other entertainment venues where members of  
7 12 the general public assemble to witness entertainment events.

7 13 b. Outdoor seating or serving areas of restaurants.

7 14 c. Public transit stations, platforms, and shelters under  
7 15 the authority of the state or its political subdivisions.

7 16 d. School grounds, including parking lots, athletic fields,  
7 17 playgrounds, tennis courts, and any other outdoor area under  
7 18 the control of a public or private educational facility,  
7 19 including inside any vehicle located on such school grounds.

7 20 e. The grounds of any public buildings owned, leased, or  
7 21 operated by or under the control of the state government or its  
7 22 political subdivisions, including the grounds of a private  
7 23 residence of any state employee any portion of which is open to  
7 24 the public with the following exceptions:

7 25 (1) This paragraph shall not apply to the Iowa state  
7 26 fairgrounds, or fairgrounds as defined in section 174.1.

7 27 (2) This paragraph shall not apply to institutions  
7 28 administered by the department of corrections, except that  
7 29 smoking on the grounds shall be limited to designated smoking  
7 30 areas.

7 31 (3) This paragraph shall not apply to facilities of the  
7 32 Iowa national guard as defined in section 29A.1, except that  
7 33 smoking on the grounds shall be limited to designated smoking  
7 34 areas.

7 35 Sec. 4. NEW SECTION. 142D.4 AREAS WHERE SMOKING NOT  
7 36 REGULATED.

7 37 Notwithstanding any provision of this chapter to the



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

Conference Committee Report 2212 continued

8 1 contrary, the following areas are exempt from the prohibitions  
8 2 of section 142D.3:  
8 3 1. Private residences, unless used as a child care  
8 4 facility, child care home, or a health care provider location.  
8 5 2. Hotel and motel rooms that are rented to guests and are  
8 6 designated as smoking rooms; provided that not more than twenty  
8 7 percent of the rooms of a hotel or motel rented to guests are  
8 8 designated as smoking rooms, all smoking rooms on the same  
8 9 floor are contiguous, and smoke from smoking rooms does not  
8 10 infiltrate into areas in which smoking is otherwise prohibited  
8 11 under this chapter. The status of smoking and nonsmoking rooms  
8 12 shall not be changed, except to provide additional nonsmoking  
8 13 rooms.  
8 14 3. Retail tobacco stores, provided that smoke from these  
8 15 locations does not infiltrate into areas in which smoking is  
8 16 otherwise prohibited under this chapter.  
8 17 4. Private and semiprivate rooms in long-term care  
8 18 facilities, occupied by one or more individuals, all of whom  
8 19 are smokers and have requested in writing to be placed in a  
8 20 room where smoking is permitted, provided that smoke from these  
8 21 locations does not infiltrate into areas in which smoking is  
8 22 otherwise prohibited under this chapter.  
8 23 5. Private clubs that have no employees, except when being  
8 24 used for a function to which the general public is invited,  
8 25 provided that smoke from these locations does not infiltrate  
8 26 into areas in which smoking is otherwise prohibited under this  
8 27 chapter. This exemption shall not apply to any entity that is  
8 28 established for the purpose of avoiding compliance with this  
8 29 chapter.  
8 30 6. Outdoor areas that are places of employment except those  
8 31 areas where smoking is prohibited pursuant to section 142D.3,  
8 32 subsection 2.  
8 33 7. Limousines under private hire; vehicles owned, leased,  
8 34 or provided by a private employer that are for the sole use of  
8 35 the driver and are not used by more than one person in the  
8 36 course of employment either as a driver or passenger; privately  
8 37 owned vehicles not otherwise defined as a place of employment



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

9 1 or public place; and cabs of motor trucks or truck tractors if  
9 2 no nonsmoking employees are present.

9 3 8. An enclosed area within a place of employment or public  
9 4 place that provides a smoking cessation program or a medical or  
9 5 scientific research or therapy program, if smoking is an  
9 6 integral part of the program.

9 7 9. Farm tractors, farm trucks, and implements of husbandry  
9 8 when being used for their intended purposes.

9 9 10. Only the gaming floor of a premises licensed pursuant  
9 10 to chapter 99F exclusive of any bar or restaurant located  
9 11 within the gaming floor which is an enclosed area and subject  
9 12 to the prohibitions of section 142D.3.

9 13 11. The Iowa veterans home.

9 14 Sec. 5. NEW SECTION. 142D.5 DECLARATION OF AREA AS  
9 15 NONSMOKING.

9 16 1. Notwithstanding any provision of this chapter to the  
9 17 contrary, an owner, operator, manager, or other person having  
9 18 custody or control of an area otherwise exempt from the  
9 19 prohibitions of section 142D.3 may declare the entire area as a  
9 20 nonsmoking place.

9 21 2. Smoking shall be prohibited in any location of an area  
9 22 declared a nonsmoking place under this section if a sign is  
9 23 posted conforming to the provisions of section 142D.6.

9 24 Sec. 6. NEW SECTION. 142D.6 NOTICE OF NONSMOKING  
9 25 REQUIREMENTS == POSTING OF SIGNS.

9 26 1. Notice of the provisions of this chapter shall be  
9 27 provided to all applicants for a business license in this  
9 28 state, to all law enforcement agencies, and to any business  
9 29 required to be registered with the office of the secretary of  
9 30 state.

9 31 2. All employers subject to the prohibitions of this  
9 32 chapter shall communicate to all existing employees and to all  
9 33 prospective employees upon application for employment the  
9 34 smoking prohibitions prescribed in this chapter.

9 35 3. The owner, operator, manager, or other person having  
9 36 custody or control of a public place, place of employment, area  
9 37 declared a nonsmoking place pursuant to section 142D.5, or



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

10 1 outdoor area where smoking is prohibited under this chapter  
10 2 shall clearly and conspicuously post in and at every entrance  
10 3 to the public place, place of employment, area declared a  
10 4 nonsmoking place pursuant to section 142D.5, or outdoor area,  
10 5 "no smoking" signs or the international "no smoking" symbol.  
10 6 Additionally, a "no smoking" sign or the international "no  
10 7 smoking" symbol shall be placed in every vehicle that  
10 8 constitutes a public place, place of employment, or area  
10 9 declared a nonsmoking place pursuant to section 142D.5 under  
10 10 this chapter, visible from the exterior of the vehicle. All  
10 11 signs shall contain the telephone number for reporting  
10 12 complaints and the internet site of the department of public  
10 13 health. The owner, operator, manager, or other person having  
10 14 custody or control of the public place, place of employment,  
10 15 area declared a nonsmoking place pursuant to section 142D.5, or  
10 16 outdoor area may use the sample signs provided on the  
10 17 department of public health's internet site, or may use another  
10 18 sign if the contents of the sign comply with the requirements  
10 19 of this subsection.

10 20 4. The owner, operator, manager, or other person having  
10 21 custody or control of a public place, place of employment, area  
10 22 declared a nonsmoking place pursuant to section 142D.5, or  
10 23 outdoor area where smoking is prohibited under this chapter  
10 24 shall remove all ashtrays from these locations.

10 25 Sec. 7. NEW SECTION. 142D.7 NONRETALIATION == NONWAIVER  
10 26 OF RIGHTS.

10 27 1. A person or employer shall not discharge, refuse to  
10 28 employ, or in any manner retaliate against an employee,  
10 29 applicant for employment, or customer because that employee,  
10 30 applicant, or customer exercises any rights afforded under this  
10 31 chapter, registers a complaint, or attempts to prosecute a  
10 32 violation of this chapter.

10 33 2. An employee who works in a location where an employer  
10 34 allows smoking does not waive or surrender any legal rights the  
10 35 employee may have against the employer or any other person.

10 36 Sec. 8. NEW SECTION. 142D.8 ENFORCEMENT.

10 37 1. This chapter shall be enforced by the department of



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

11 1 public health or the department's designee. The department of  
11 2 public health shall adopt rules to administer this chapter,  
11 3 including rules regarding enforcement. The department of  
11 4 public health shall provide information regarding the  
11 5 provisions of this chapter and related compliance issues to  
11 6 employers, owners, operators, managers, and other persons  
11 7 having custody or control of a public place, place of  
11 8 employment, area declared a nonsmoking place pursuant to  
11 9 section 142D.5, or outdoor area where smoking is prohibited,  
11 10 and the general public via the department's internet site. The  
11 11 internet site shall include sample signage and the telephone  
11 12 number for reporting complaints. Judicial magistrates shall  
11 13 hear and determine violations of this chapter.

11 14 2. If a public place is subject to any state or political  
11 15 subdivision inspection process or is under contract with the  
11 16 state or a political subdivision, the person performing the  
11 17 inspection shall assess compliance with the requirements of  
11 18 this chapter and shall report any violations to the department  
11 19 of public health or the department's designee.

11 20 3. An owner, operator, manager, or other person having  
11 21 custody or control of a public place, place of employment, area  
11 22 declared a nonsmoking place pursuant to section 142D.5, or  
11 23 outdoor area regulated under this chapter shall inform persons  
11 24 violating this chapter of the provisions of this chapter.

11 25 4. An employee or private citizen may bring a legal action  
11 26 to enforce this chapter. Any person may register a complaint  
11 27 under this chapter by filing a complaint with the department of  
11 28 public health or the department's designee.

11 29 5. In addition to the remedies provided in this section,  
11 30 the department of public health or the department's designee or  
11 31 any other person aggrieved by the failure of the owner,  
11 32 operator, manager, or other person having custody or control of  
11 33 a public place, place of employment, area declared a nonsmoking  
11 34 place pursuant to section 142D.5, or outdoor area regulated by  
11 35 this chapter to comply with this chapter may seek injunctive  
11 36 relief to enforce this chapter.

11 37 Sec. 9. NEW SECTION. 142D.9 CIVIL PENALTIES.



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

Conference Committee Report 2212 continued

12 1       1. A person who smokes in an area where smoking is  
12 2 prohibited pursuant to this chapter shall pay a civil penalty  
12 3 pursuant to section 805.8C, subsection 3, paragraph "a", for  
12 4 each violation.

12 5       2. A person who owns, operates, manages, or otherwise has  
12 6 custody or control of a public place, place of employment, area  
12 7 declared a nonsmoking place pursuant to section 142D.5, or  
12 8 outdoor area regulated under this chapter and who fails to  
12 9 comply with this chapter shall pay a civil penalty as follows:

12 10       a. For a first violation, a monetary penalty not to exceed  
12 11 one hundred dollars.

12 12       b. For a second violation within one year, a monetary  
12 13 penalty not to exceed two hundred dollars.

12 14       c. For each violation in excess of a second violation  
12 15 within one year, a monetary penalty not to exceed five hundred  
12 16 dollars for each additional violation.

12 17       3. An employer who discharges or in any manner  
12 18 discriminates against an employee because the employee has made  
12 19 a complaint or has provided information or instituted a legal  
12 20 action under this chapter shall pay a civil penalty of not less  
12 21 than two thousand dollars and not more than ten thousand  
12 22 dollars for each violation.

12 23       4. In addition to the penalties established in this  
12 24 section, violation of this chapter by a person who owns,  
12 25 operates, manages, or who otherwise has custody or control of a  
12 26 public place, place of employment, area declared a nonsmoking  
12 27 place pursuant to section 142D.5, or outdoor area regulated  
12 28 under this chapter may result in the suspension or revocation  
12 29 of any permit or license issued to the person for the premises  
12 30 on which the violation occurred.

12 31       5. Violation of this chapter constitutes a public nuisance  
12 32 which may be abated by the department of public health or the  
12 33 department's designee by restraining order, preliminary or  
12 34 permanent injunction, or other means provided by law, and the  
12 35 entity abating the public nuisance may take action to recover  
12 36 the costs of such abatement.

12 37       6. Each day on which a violation of this chapter occurs is



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Conference Committee Report 2212 continued

13 1 considered a separate and distinct violation.

13 2 7. Civil penalties paid pursuant to this chapter shall be  
13 3 deposited in the general fund of the state, unless a local  
13 4 authority as designated by the department in administrative  
13 5 rules is involved in the enforcement, in which case the civil  
13 6 penalties paid shall be deposited in the general fund of the  
13 7 respective city or county.

13 8 Sec. 10. Section 135.1, unnumbered paragraph 1, Code 2007,  
13 9 is amended to read as follows:

13 10 For the purposes of chapter 155 and Title IV, subtitle 2,  
13 11 excluding chapters ~~142B~~, 145B, and 146, unless otherwise  
13 12 defined:

13 13 Sec. 11. Section 135.11, subsection 14, Code Supplement  
13 14 2007, is amended to read as follows:

13 15 14. Establish, publish, and enforce rules not inconsistent  
13 16 with law for the enforcement of the provisions of chapters 125  
13 17 and 155, and Title IV, subtitle 2, excluding chapters ~~142B~~,  
13 18 145B, and 146 and for the enforcement of the various laws, the  
13 19 administration and supervision of which are imposed upon the  
13 20 department.

13 21 Sec. 12. Section 237A.3A, subsection 5, Code 2007, is  
13 22 amended by striking the subsection.

13 23 Sec. 13. NEW SECTION. 237A.3B SMOKING PROHIBITED.

13 24 Smoking, as defined in section 142D.2, shall not be  
13 25 permitted in a child care facility or child care home.

13 26 Sec. 14. Section 331.427, subsection 1, unnumbered  
13 27 paragraph 1, Code Supplement 2007, is amended to read as  
13 28 follows:

13 29 Except as otherwise provided by state law, county revenues  
13 30 from taxes and other sources for general county services shall  
13 31 be credited to the general fund of the county, including  
13 32 revenues received under sections 9I.11, 101A.3, 101A.7, 123.36,  
13 33 123.143, ~~142B.6~~, 142D.9, 176A.8, 321.105, 321.152, 321G.7,  
13 34 321I.8, section 331.554, subsection 6, sections 341A.20, 364.3,  
13 35 368.21, 423A.7, 428A.8, 433.15, 434.19, 445.57, 453A.35,  
13 36 458A.21, 483A.12, 533.329, 556B.1, 583.6, 602.8108, 904.908,  
13 37 and 906.17, and the following:



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

Conference Committee Report 2212 continued

14 1     Sec. 15. Section 805.8C, subsection 3, paragraph a, Code  
 14 2 Supplement 2007, is amended to read as follows:  
 14 3     a. For violations ~~of section 142B.6~~ described in section  
 14 4 142D.9, subsection 1, the scheduled fine is ~~twenty-five~~ fifty  
 14 5 dollars, and is a civil penalty, and the criminal penalty  
 14 6 surcharge under section 911.1 shall not be added to the  
 14 7 penalty, and the court costs pursuant to section 805.9,  
 14 8 subsection 6, shall not be imposed. If the civil penalty  
 14 9 assessed for a violation ~~of~~ described in section 142B.6 142D.9,  
 14 10 subsection 1, is not paid in a timely manner, a citation shall  
 14 11 be issued for the violation in the manner provided in section  
 14 12 804.1. However, a person under age eighteen shall not be  
 14 13 detained in a secure facility for failure to pay the civil  
 14 14 penalty. The complainant shall not be charged a filing fee.  
 14 15     Sec. 16. Chapter 142B, Code 2007, is repealed.>

14 16		
14 17	ON THE PART OF THE HOUSE:	ON THE PART OF THE SENATE:
14 18		
14 19		
14 20		
14 21		
14 22	TYLER OLSON, CHAIRPERSON	STACI APPEL, CHAIRPERSON
14 23		
14 24		
14 25		
14 26	JOE BOLKCOM	WILLIAM DOTZLER
14 27		
14 28		
14 29		
14 30	JANET PETERSEN	MIKE REASONER
14 31		
14 32		
14 33	CCH 2212.1	
14 34	pf/rj/24	



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

# House Amendment 8435

PAG LIN

```

1 1 Amend House File 2662 as follows:
1 2 #1. Page 9, line 19, by striking the word
1 3 <AGRICULTURAL> and inserting the following:
1 4 <AGRICHEMICAL>.
1 5 #2. Page 17, by inserting after line 5 the
1 6 following:
1 7
1 8 <DIVISION
1 9 CODE PROVISIONS
1 10 Sec. _____. Section 466A.3, Code 2007, is amended by
1 11 adding the following new subsection:
1 12 NEW SUBSECTION. 1A. A voting member other than a
1 13 representative of a state agency shall be compensated
1 14 as provided in section 7E.6 and is allowed actual and
1 15 necessary expenses incurred in the performance of
1 16 their duties. The moneys used to pay for compensation
1 17 and expenses shall be paid from available interest or
1 18 earnings on moneys in the fund.>
1 19 #3. By renumbering as necessary.
1 20
1 21
1 22 KUHN of Floyd
1 23
1 24
1 25
1 26 DE BOEF of Keokuk
1 27 HF 2662.301 82
1 28 da/jp/11454
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50

```



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

## House Amendment 8436

PAG LIN

1 1 Amend Senate File 2337, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 87.4, Code 2007, is amended to  
1 6 read as follows:  
1 7 87.4 GROUP AND SELF=INSURED PLANS == TAX EXEMPTION  
1 8 == PLAN APPROVAL.  
1 9 For the purpose of complying with this chapter,  
1 10 groups of employers by themselves or in an association  
1 11 with any or all of their workers, may form insurance  
1 12 associations as hereafter provided, subject to such  
1 13 reasonable conditions and restrictions as may be fixed  
1 14 by the insurance commissioner; and membership in such  
1 15 mutual insurance organization as approved, together  
1 16 with evidence of the payment of premiums due, shall be  
1 17 evidence of compliance with this chapter.  
1 18 A self=insurance association formed under this  
1 19 section and an association comprised of cities or  
1 20 counties, or both, or the association of county fairs  
1 21 or a fair as defined in section 174.1, or community  
1 22 colleges as defined in section 260C.2 or school  
1 23 corporations, or both, or other political  
1 24 subdivisions, which have entered into an agreement  
1 25 under chapter 28E for the purpose of establishing a  
1 26 self=insured program for the payment of workers'  
1 27 compensation benefits are exempt from taxation under  
1 28 section 432.1.  
1 29 A plan shall be submitted to the commissioner of  
1 30 insurance for review and approval prior to its  
1 31 implementation. The commissioner shall adopt rules  
1 32 for the review and approval of a self=insured group  
1 33 plan provided under this section. The rules shall  
1 34 include, but are not limited to, the following:  
1 35 1. Procedures for submitting a plan for approval  
1 36 including the establishment of a fee schedule to cover  
1 37 the costs of conducting the review.  
1 38 2. Establishment of minimum financial standards to  
1 39 ensure the ability of the plan to adequately cover the  
1 40 reasonably anticipated expenses.  
1 41 A self=insured program for the payment of workers'  
1 42 compensation benefits established by an association  
1 43 comprised of cities or counties, or both, or the  
1 44 association of county fairs or a fair as defined in  
1 45 section 174.1, or community colleges, as defined in  
1 46 section 260C.2, or other political subdivisions, which  
1 47 have entered into an agreement under chapter 28E, is  
1 48 not insurance, and is not subject to regulation under  
1 49 chapters 505 through 523C. Membership in such an  
1 50 association together with payment of premiums due



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8436 continued

2 1 relieves the member from obtaining insurance as  
2 2 required in section 87.1. Such an association is not  
2 3 required to submit its plan or program to the  
2 4 commissioner of insurance for review and approval  
2 5 prior to its implementation and is not subject to  
2 6 rules or rates adopted by the commissioner relating to  
2 7 workers' compensation group self=insurance programs.  
2 8 Such a program is deemed to be in compliance with this  
2 9 chapter.  
2 10 The workers' compensation premium written on a  
2 11 municipality which is a member of an insurance pool  
2 12 which provides workers' compensation insurance  
2 13 coverage to a statewide group of municipalities, as  
2 14 defined in section 670.1, shall not be considered in  
2 15 the determination of any assessments levied pursuant  
2 16 to an agreement established under section 515A.15.>  
2 17 #2. Title page, line 1, by inserting after the  
2 18 word <insurance> the following: <and to  
2 19 self=insurance>.  
2 20 #3. By renumbering as necessary.  
2 21  
2 22  
2 23  
2 24 HOFFMAN of Crawford  
2 25 SF 2337.303 82  
2 26 av/rj/21130



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

**House Amendment 8437**

PAG LIN

1 1 Amend House File 2498 as follows:  
 1 2 #1. Page 1, by inserting before line 1 the  
 1 3 following:  
 1 4 <DIVISION I  
 1 5 SOLID WASTE DISPOSAL>  
 1 6 #2. Page 16, by inserting before line 13 the  
 1 7 following:  
 1 8 <DIVISION  
 1 9 ACQUISITION OF NATURAL  
 1 10 RESOURCES PROPERTY  
 1 11 Sec. \_\_\_\_\_. Section 6A.1, Code 2007, is amended to  
 1 12 read as follows:  
 1 13 6A.1 EXERCISE OF POWER BY STATE.  
 1 14 1. Proceedings may be instituted and maintained by  
 1 15 the state of Iowa, or for the use and benefit thereof,  
 1 16 for the condemnation of such private property as may  
 1 17 be necessary for any public improvement which the  
 1 18 general assembly has authorized to be undertaken by  
 1 19 the state, and for which an available appropriation  
 1 20 has been made. The executive council shall institute  
 1 21 and maintain such proceedings in case authority to so  
 1 22 do be not otherwise delegated.  
 1 23 2. All proceedings instituted and maintained by  
 1 24 the department of natural resources or the natural  
 1 25 resource commission shall not commence without the  
 1 26 signed authorization of the governor.>  
 1 27 #3. Title page, by striking line 1 and inserting  
 1 28 the following: <An Act relating to the department of  
 1 29 natural resources by modifying eminent domain  
 1 30 authority and by changing solid waste disposal>.  
 1 31 #4. By renumbering as necessary.  
 1 32  
 1 33  
 1 34  
 1 35 GRASSLEY of Butler  
 1 36 HF 2498.701 82  
 1 37 sc/nh/11601  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# House Amendment 8438

PAG LIN

1 1 Amend House File 2670 as follows:  
1 2 #1. Title page, line 1, by inserting before the  
1 3 word <administration> the following: <the technical>.  
1 4  
1 5  
1 6  
1 7 SCHUELLER of Jackson  
1 8 HF 2670.701 82  
1 9 mg/mg/10661  
1 10  
1 11  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439

PAG LIN

1 1 Amend House File 2539, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. By striking page 1, line 3, through page 2,  
1 4 line 4, and inserting the following:  
1 5 <Section 1. DECLARATION OF INTENT.  
1 6 1. It is the intent of the general assembly to  
1 7 progress toward achievement of the goal that all  
1 8 Iowans have health care coverage with the following  
1 9 priorities:  
1 10 a. The goal that all children in the state have  
1 11 health care coverage which meets certain standards of  
1 12 quality and affordability with the following  
1 13 priorities:  
1 14 (1) Covering all children who are declared  
1 15 eligible for the medical assistance program or the  
1 16 hawk=i program pursuant to chapter 514I no later than  
1 17 January 1, 2011.  
1 18 (2) Building upon the current hawk=i program by  
1 19 creating a hawk=i expansion program to provide  
1 20 coverage to children who meet the hawk=i program's  
1 21 eligibility criteria but whose income is at or below  
1 22 three hundred percent of the federal poverty level,  
1 23 beginning July 1, 2009.  
1 24 (3) If federal reauthorization of the state  
1 25 children's health insurance program provides  
1 26 sufficient federal allocations to the state and  
1 27 authorization to cover such children as an option  
1 28 under the state children's health insurance program,  
1 29 requiring the department of human services to expand  
1 30 coverage under the state children's health insurance  
1 31 program to cover children with family incomes at or  
1 32 below three hundred percent of the federal poverty  
1 33 level, with appropriate cost sharing established for  
1 34 families with incomes above two hundred percent of the  
1 35 federal poverty level.  
1 36 b. The goal that the Iowa comprehensive health  
1 37 insurance association, in consultation with the  
1 38 advisory council established in section 514E.5A,  
1 39 develop a comprehensive plan to cover all children  
1 40 without health care coverage that utilizes and  
1 41 modifies existing public programs including the  
1 42 medical assistance program, the hawk=i program, and  
1 43 the hawk=i expansion program, and provide access to  
1 44 unsubsidized, affordable, qualified health care  
1 45 coverage for children, adults, and families with  
1 46 family incomes as specified under the Iowa choice  
1 47 health care coverage program who are not otherwise  
1 48 eligible for health care coverage through public  
1 49 programs.  
1 50 c. The goal of decreasing health care costs and



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

2 1 health care coverage costs by:  
2 2 (1) Instituting health insurance reforms that  
2 3 assure the availability of private health insurance  
2 4 coverage for Iowans by addressing issues involving  
2 5 guaranteed availability and issuance to applicants,  
2 6 preexisting condition exclusions, portability, and  
2 7 allowable or required pooling and rating  
2 8 classifications.  
2 9 (2) Requiring children who have health care  
2 10 coverage through a public program administered by the  
2 11 state, with the exception of any public program that  
2 12 provides health care coverage through private  
2 13 insurers, and children who are insured through plans  
2 14 created by the Iowa choice health care coverage  
2 15 program to have a medical home.  
2 16 (3) Establishing a statewide health information  
2 17 technology system.  
2 18 (4) Implementing cost containment strategies and  
2 19 initiatives such as chronic care management, long-term  
2 20 living planning and patient autonomy in health care  
2 21 decision making, and transparency in health care costs  
2 22 and quality information.>  
2 23 #2. Page 2, by inserting before line 5 the  
2 24 following:  
2 25 <DIVISION  
2 26 HAWK=I AND MEDICAID EXPANSION  
2 27 Sec. \_\_\_\_\_. Section 249A.3, subsection 1, paragraph  
2 28 1, Code Supplement 2007, is amended to read as  
2 29 follows:  
2 30 1. Is an infant whose income is not more than two  
2 31 hundred percent of the federal poverty level, as  
2 32 defined by the most recently revised income guidelines  
2 33 published by the United States department of health  
2 34 and human services. Additionally, effective July 1,  
2 35 2009, medical assistance shall be provided to an  
2 36 infant whose family income is at or below three  
2 37 hundred percent of the federal poverty level, as  
2 38 defined by the most recently revised poverty income  
2 39 guidelines published by the United States department  
2 40 of health and human services.  
2 41 Sec. \_\_\_\_\_. Section 249A.3, Code Supplement 2007, is  
2 42 amended by adding the following new subsection:  
2 43 NEW SUBSECTION. 14. The department shall provide  
2 44 continuous eligibility for twelve months under the  
2 45 medical assistance program for a child who was  
2 46 eligible for enrollment at the time of the most recent  
2 47 enrollment.  
2 48 Sec. \_\_\_\_\_. Section 514I.1, subsection 4, Code 2007,  
2 49 is amended to read as follows:  
2 50 4. It is the intent of the general assembly that



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

3 1 the hawk=i program be an integral part of the  
3 2 continuum of health insurance coverage and that the  
3 3 program be developed and implemented in such a manner  
3 4 as to facilitate movement of families between health  
3 5 insurance providers and to facilitate the transition  
3 6 of families to private sector health insurance  
3 7 coverage. It is the intent of the general assembly in  
3 8 developing such continuum of health insurance coverage  
3 9 and in facilitating such transition, that beginning  
3 10 July 1, 2009, the department implement the hawk=i  
3 11 expansion program.

3 12 Sec. \_\_\_\_\_. Section 514I.1, Code 2007, is amended by  
3 13 adding the following new subsection:

3 14 NEW SUBSECTION. 5. It is the intent of the  
3 15 general assembly that if federal reauthorization of  
3 16 the state children's health insurance program provides  
3 17 sufficient federal allocations to the state and  
3 18 authorization to cover such children as an option  
3 19 under the state children's health insurance program,  
3 20 the department shall expand coverage under the state  
3 21 children's health insurance program to cover children  
3 22 with family incomes at or below three hundred percent  
3 23 of the federal poverty level.

3 24 Sec. \_\_\_\_\_. Section 514I.2, Code 2007, is amended by  
3 25 adding the following new subsection:

3 26 NEW SUBSECTION. 7A. "Hawk=i expansion program" or  
3 27 "hawk=i expansion" means the healthy and well kids in  
3 28 Iowa expansion program created in section 514I.12 to  
3 29 provide health insurance to children who meet the  
3 30 hawk=i program eligibility criteria pursuant to  
3 31 section 514I.8, with the exception of the family  
3 32 income criteria, and whose family income is at or  
3 33 below three hundred percent of the federal poverty  
3 34 level, as defined by the most recently revised poverty  
3 35 income guidelines published by the United States  
3 36 department of health and human services.

3 37 Sec. \_\_\_\_\_. Section 514I.5, subsection 7, paragraph  
3 38 d, Code Supplement 2007, is amended to read as  
3 39 follows:

3 40 d. Develop, with the assistance of the department,  
3 41 an outreach plan, and provide for periodic assessment  
3 42 of the effectiveness of the outreach plan. The plan  
3 43 shall provide outreach to families of children likely  
3 44 to be eligible for assistance under the program, to  
3 45 inform them of the availability of and to assist the  
3 46 families in enrolling children in the program. The  
3 47 outreach efforts may include, but are not limited to,  
3 48 solicitation of cooperation from programs, agencies,  
3 49 and other persons who are likely to have contact with  
3 50 eligible children, including but not limited to those



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

4 1 associated with the educational system, and the  
4 2 development of community plans for outreach and  
4 3 marketing. Other state agencies including but not  
4 4 limited to the department of revenue, the department  
4 5 of economic development, and the department of  
4 6 education shall cooperate with the department in  
4 7 providing marketing and outreach to potentially  
4 8 eligible children and their families.

4 9 Sec. \_\_\_\_\_. Section 514I.5, subsection 7, Code  
4 10 Supplement 2007, is amended by adding the following  
4 11 new paragraph:

4 12 NEW PARAGRAPH. 1. Develop options and  
4 13 recommendations to allow children eligible for the  
4 14 hawk=i or hawk=i expansion program to participate in  
4 15 qualified employer=sponsored health plans through a  
4 16 premium assistance program. The options and  
4 17 recommendations shall ensure reasonable alignment  
4 18 between the benefits and costs of the hawk=i and  
4 19 hawk=i expansion programs and the employer=sponsored  
4 20 health plans consistent with federal law. The options  
4 21 and recommendations shall be completed by January 1,  
4 22 2009, and submitted to the governor and the general  
4 23 assembly for consideration as part of the hawk=i and  
4 24 hawk=i expansion programs.

4 25 Sec. \_\_\_\_\_. Section 514I.7, subsection 2, paragraph  
4 26 a, Code 2007, is amended to read as follows:

4 27 a. Determine individual eligibility for program  
4 28 enrollment based upon review of completed applications  
4 29 and supporting documentation. The administrative  
4 30 contractor shall not enroll a child who has group  
4 31 health coverage ~~or any child who has dropped coverage~~  
~~4 32 in the previous six months, unless the coverage was~~  
~~4 33 involuntarily lost or unless the reason for dropping~~  
~~4 34 coverage is allowed by rule of the board.~~

4 35 Sec. \_\_\_\_\_. Section 514I.8, subsection 1, Code 2007,  
4 36 is amended to read as follows:

4 37 1. Effective July 1, 1998, and notwithstanding any  
4 38 medical assistance program eligibility criteria to the  
4 39 contrary, medical assistance shall be provided to, or  
4 40 on behalf of, an eligible child under the age of  
4 41 nineteen whose family income does not exceed one  
4 42 hundred thirty=three percent of the federal poverty  
4 43 level, as defined by the most recently revised poverty  
4 44 income guidelines published by the United States  
4 45 department of health and human services.  
4 46 Additionally, effective July 1, 2000, and  
4 47 notwithstanding any medical assistance program  
4 48 eligibility criteria to the contrary, medical  
4 49 assistance shall be provided to, or on behalf of, an  
4 50 eligible infant whose family income does not exceed



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

5 1 two hundred percent of the federal poverty level, as  
5 2 defined by the most recently revised poverty income  
5 3 guidelines published by the United States department  
5 4 of health and human services. Effective July 1, 2009,  
5 5 and notwithstanding any medical assistance program  
5 6 eligibility criteria to the contrary, medical  
5 7 assistance shall be provided to, or on behalf of, an  
5 8 eligible infant whose family income is at or below  
5 9 three hundred percent of the federal poverty level, as  
5 10 defined by the most recently revised poverty income  
5 11 guidelines published by the United States department  
5 12 of health and human services.

5 13 Sec. \_\_\_\_\_. Section 514I.10, subsection 2, Code  
5 14 2007, is amended to read as follows:

5 15 2. Cost sharing for eligible children whose family  
5 16 income ~~equals or exceeds~~ is one hundred fifty percent  
5 17 but does not exceed two hundred percent of the federal  
5 18 poverty level may include a premium or copayment  
5 19 amount which does not exceed five percent of the  
5 20 annual family income. The amount of any premium or  
5 21 the copayment amount shall be based on family income  
5 22 and size.

5 23 Sec. \_\_\_\_\_. Section 514I.11, subsections 1 and 3,  
5 24 Code 2007, are amended to read as follows:

5 25 1. A hawk=i trust fund is created in the state  
5 26 treasury under the authority of the department of  
5 27 human services, in which all appropriations and other  
5 28 revenues of the program and the hawk=i expansion  
5 29 program such as grants, contributions, and participant  
5 30 payments shall be deposited and used for the purposes  
5 31 of the program and the hawk=i expansion program. The  
5 32 moneys in the fund shall not be considered revenue of  
5 33 the state, but rather shall be funds of the program.

5 34 3. Moneys in the fund are appropriated to the  
5 35 department and shall be used to offset any program and  
5 36 hawk=i expansion program costs.

5 37 Sec. \_\_\_\_\_. NEW SECTION. 514I.12 HAWK=I EXPANSION  
5 38 PROGRAM.

5 39 1. All children less than nineteen years of age  
5 40 who meet the hawk=i program eligibility criteria  
5 41 pursuant to section 514I.8, with the exception of the  
5 42 family income criteria, and whose family income is at  
5 43 or below three hundred percent of the federal poverty  
5 44 level, shall be eligible for the hawk=i expansion  
5 45 program.

5 46 2. To the greatest extent possible, the provisions  
5 47 of section 514I.4, relating to the director and  
5 48 department duties and powers, section 514I.5 relating  
5 49 to the hawk=i board, section 514I.6 relating to  
5 50 participating insurers, and section 514I.7 relating to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

6 1 the administrative contractor shall apply to the  
6 2 hawk=i expansion program. The department shall adopt  
6 3 any rules necessary, pursuant to chapter 17A, and  
6 4 shall amend any existing contracts to facilitate the  
6 5 application of such sections to the hawk=i expansion  
6 6 program.

6 7 3. The hawk=i board shall establish by rule  
6 8 pursuant to chapter 17A, the cost-sharing amounts for  
6 9 children under the hawk=i expansion program. The  
6 10 rules shall include criteria for modification of the  
6 11 cost-sharing amounts by the board. Beginning July 1,  
6 12 2009, the board shall establish the cost-sharing  
6 13 amounts under the hawk=i expansion program as follows:

6 14 a. For children with family incomes of more than  
6 15 two hundred percent but less than two hundred fifty  
6 16 percent of the federal poverty level, the monthly  
6 17 cost-sharing amount shall be not less than ten dollars  
6 18 per individual and twenty dollars per family if not  
6 19 otherwise prohibited by federal law.

6 20 b. For children with family incomes of at least  
6 21 two hundred fifty percent but at or below three  
6 22 hundred percent of the federal poverty level, the  
6 23 monthly cost-sharing amount shall be forty dollars per  
6 24 individual and eighty dollars per family if not  
6 25 otherwise prohibited by federal law.

6 26 Sec. \_\_\_\_ . MAXIMIZATION OF ENROLLMENT AND RETENTION  
6 27 == MEDICAL ASSISTANCE AND HAWK=I PROGRAMS.

6 28 1. The department of human services, in  
6 29 collaboration with the department of education, the  
6 30 department of public health, the division of insurance  
6 31 of the department of commerce, the hawk=i board, the  
6 32 covering kids and families coalition, and the covering  
6 33 kids now task force, shall develop a plan to maximize  
6 34 enrollment and retention of eligible children in the  
6 35 hawk=i and medical assistance programs. In developing  
6 36 the plan, the collaborative shall review, at a  
6 37 minimum, all of the following strategies:

6 38 a. Streamlined enrollment in the hawk=i and  
6 39 medical assistance programs. The collaborative shall  
6 40 identify information and documentation that may be  
6 41 shared across departments and programs to simplify the  
6 42 determination of eligibility or eligibility factors,  
6 43 and any interagency agreements necessary to share  
6 44 information consistent with state and federal  
6 45 confidentiality and other applicable requirements.

6 46 b. Conditional eligibility for the hawk=i and  
6 47 medical assistance programs.

6 48 c. Retroactive eligibility for the hawk=i program.

6 49 d. Expedited renewal for the hawk=i and medical  
6 50 assistance programs.





Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

8 1 NEW SUBSECTION. 14C. "Iowa choice health  
8 2 insurance" means the health insurance product  
8 3 established by the Iowa choice health care coverage  
8 4 program that is offered by a private health insurance  
8 5 carrier.

8 6 NEW SUBSECTION. 14D. "Iowa choice health  
8 7 insurance carrier" means any entity licensed by the  
8 8 division of insurance of the department of commerce to  
8 9 provide health insurance in Iowa or an organized  
8 10 delivery system licensed by the director of public  
8 11 health that has contracted with the association to  
8 12 provide health insurance coverage to eligible  
8 13 individuals under the Iowa choice health care coverage  
8 14 program.

8 15 NEW SUBSECTION. 21. "Qualified health care  
8 16 coverage" means creditable coverage which meets  
8 17 minimum standards of quality and affordability as  
8 18 determined by the association by rule.

8 19 Sec. \_\_\_\_\_. Section 514E.2, subsections 1 and 3,  
8 20 Code 2007, are amended to read as follows:

8 21 1. The Iowa comprehensive health insurance  
8 22 association is established as a nonprofit corporation.  
8 23 The association shall assure that benefit plans as  
8 24 authorized in section 514E.1, subsection 2, for an  
8 25 association policy, are made available to each  
8 26 eligible Iowa resident and each federally eligible  
8 27 individual applying to the association for coverage.  
8 28 The association shall also be responsible for  
8 29 administering the Iowa individual health benefit  
8 30 reinsurance association pursuant to all of the terms  
8 31 and conditions contained in chapter 513C. The  
8 32 association shall also assure that benefit plans as  
8 33 authorized in section 514E.1, subsection 14C, for an  
8 34 Iowa choice health care policy are made available to  
8 35 each eligible individual applying to the association  
8 36 for coverage.

8 37 a. All carriers and all organized delivery systems  
8 38 licensed by the director of public health providing  
8 39 health insurance or health care services in Iowa,  
8 40 whether on an individual or group basis, and all other  
8 41 insurers designated by the association's board of  
8 42 directors and approved by the commissioner shall be  
8 43 members of the association.

8 44 b. The association shall operate under a plan of  
8 45 operation established and approved under subsection 3  
8 46 and shall exercise its powers through a board of  
8 47 directors established under this section.

8 48 3. The association shall submit to the  
8 49 commissioner a plan of operation for the association  
8 50 and any amendments necessary or suitable to assure the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

9 1 fair, reasonable, and equitable administration of the  
9 2 association. The plan of operation shall include  
9 3 provisions for the issuance of Iowa choice health care  
9 4 policies and shall include provisions for the  
9 5 development of a comprehensive plan to provide health  
9 6 care coverage to all children without such coverage,  
9 7 that utilizes and modifies existing public programs,  
9 8 including the medical assistance program, hawk=i,  
9 9 IowaCare, and hawk=i expansion, and provides for the  
9 10 implementation of the Iowa choice health care coverage  
9 11 program established in section 514E.5. In developing  
9 12 the plan of operation for the comprehensive plan and  
9 13 for the Iowa choice health care coverage program, the  
9 14 association shall give deference to the  
9 15 recommendations made by the advisory council as  
9 16 provided in section 514E.5A, subsection 1. The  
9 17 association shall approve or disapprove but shall not  
9 18 modify recommendations made by the advisory council.  
9 19 Recommendations that are approved shall be included in  
9 20 the plan of operation submitted to the commissioner.  
9 21 Recommendations that are disapproved shall be  
9 22 submitted to the commissioner with reasons for the  
9 23 disapproval. The plan of operation becomes effective  
9 24 upon approval in writing by the commissioner prior to  
9 25 the date on which the coverage under this chapter must  
9 26 be made available. After notice and hearing, the  
9 27 commissioner shall approve the plan of operation if  
9 28 the plan is determined to be suitable to assure the  
9 29 fair, reasonable, and equitable administration of the  
9 30 association, and provides for the sharing of  
9 31 association losses, if any, on an equitable and  
9 32 proportionate basis among the member carriers. If the  
9 33 association fails to submit a suitable plan of  
9 34 operation within one hundred eighty days after the  
9 35 appointment of the board of directors, or if at any  
9 36 later time the association fails to submit suitable  
9 37 amendments to the plan, the commissioner shall adopt,  
9 38 pursuant to chapter 17A, rules necessary to implement  
9 39 this section. The rules shall continue in force until  
9 40 modified by the commissioner or superseded by a plan  
9 41 submitted by the association and approved by the  
9 42 commissioner. In addition to other requirements, the  
9 43 plan of operation shall provide for all of the  
9 44 following:  
9 45     a. The handling and accounting of assets and  
9 46     moneys of the association.  
9 47     b. The amount and method of reimbursing members of  
9 48     the board.  
9 49     c. Regular times and places for meeting of the  
9 50     board of directors.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

10 1 d. Records to be kept of all financial  
10 2 transactions, and the annual fiscal reporting to the  
10 3 commissioner.  
10 4 e. Procedures for selecting the board of directors  
10 5 and submitting the selections to the commissioner for  
10 6 approval.  
10 7 f. The periodic advertising of the general  
10 8 availability of health insurance coverage from the  
10 9 association.  
10 10 g. Additional provisions necessary or proper for  
10 11 the execution of the powers and duties of the  
10 12 association.  
10 13 Sec. \_\_\_\_\_. NEW SECTION. 514E.5 IOWA CHOICE HEALTH  
10 14 CARE COVERAGE PROGRAM.  
10 15 1. The association, in consultation with the  
10 16 advisory council, shall develop a comprehensive plan  
10 17 to provide health care coverage to all children  
10 18 without such coverage, that utilizes and modifies  
10 19 existing public programs including the medical  
10 20 assistance program, hawk=i program, and hawk=i  
10 21 expansion program, and establishes the Iowa choice  
10 22 health care coverage program to provide access to  
10 23 private unsubsidized, affordable, qualified health  
10 24 care coverage to children who are not otherwise  
10 25 eligible for health care coverage through public  
10 26 programs.  
10 27 2. As part of the comprehensive plan developed by  
10 28 the association and the advisory council, the Iowa  
10 29 choice health care coverage program shall provide  
10 30 access to private unsubsidized, affordable, qualified  
10 31 health care coverage to all Iowa children less than  
10 32 nineteen years of age with a family income that is  
10 33 more three hundred percent of the federal poverty  
10 34 level and to adults and families with a family income  
10 35 that is less than four hundred percent of the federal  
10 36 poverty level and who are not otherwise eligible for  
10 37 coverage under chapter 249A, 249J, or 514I. However,  
10 38 a child, adult, or family shall not be eligible for  
10 39 health care coverage under the Iowa choice health care  
10 40 coverage program if the child, adult, or family is  
10 41 enrolled in group health coverage or has dropped  
10 42 coverage in the previous six months, unless the  
10 43 coverage was involuntarily lost or unless the reason  
10 44 for dropping coverage is allowed by rule of the  
10 45 association, in consultation with the advisory  
10 46 council.  
10 47 3. As part of the comprehensive plan developed,  
10 48 the association, in consultation with the advisory  
10 49 council, shall define what constitutes qualified  
10 50 health care coverage for children less than nineteen



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

11 1 years of age. An Iowa choice health care policy for  
11 2 such children shall provide qualified health care  
11 3 coverage. For the purposes of this definition and for  
11 4 designing Iowa choice health care policies for  
11 5 children, requirements for coverage and benefits shall  
11 6 include but are not limited to all of the following:  
11 7 a. Inpatient hospital services including medical,  
11 8 surgical, intensive care unit, mental health, and  
11 9 substance abuse services.  
11 10 b. Nursing care services including skilled nursing  
11 11 facility services.  
11 12 c. Outpatient hospital services including  
11 13 emergency room, surgery, lab, and x-ray services and  
11 14 other services.  
11 15 d. Physician services, including surgical and  
11 16 medical, office visits, newborn care, well=baby and  
11 17 well=child care, immunizations, urgent care,  
11 18 specialist care, allergy testing and treatment, mental  
11 19 health visits, and substance abuse visits.  
11 20 e. Ambulance services.  
11 21 f. Physical therapy.  
11 22 g. Speech therapy.  
11 23 h. Durable medical equipment.  
11 24 i. Home health care.  
11 25 j. Hospice services.  
11 26 k. Prescription drugs.  
11 27 l. Dental services including preventive services.  
11 28 m. Medically necessary hearing services.  
11 29 n. Vision services including corrective lenses.  
11 30 o. No underwriting requirements and no preexisting  
11 31 condition exclusions.  
11 32 p. Chiropractic services.  
11 33 4. As part of the comprehensive plan developed,  
11 34 the association, in consultation with the advisory  
11 35 council, shall develop Iowa choice health care policy  
11 36 options that are available for purchase for children  
11 37 less than nineteen years of age with a family income  
11 38 that is more than three hundred percent of the federal  
11 39 poverty level. The program shall require a copayment  
11 40 in an amount determined by the association for all  
11 41 services received under such a policy except that the  
11 42 contribution requirement for all cost=sharing expenses  
11 43 of the policy shall be an amount that is no more than  
11 44 two percent of family income per each child covered,  
11 45 up to a maximum of six and one=half percent of family  
11 46 income per family. Policies developed pursuant to  
11 47 this subsection shall be available for purchase no  
11 48 later than January 1, 2010.  
11 49 5. As part of the comprehensive plan, the  
11 50 association, in consultation with the advisory



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

House Amendment 8439 continued

12 1 council, shall define what constitutes qualified  
12 2 health care coverage for adults and families who are  
12 3 not eligible for a public program and have a family  
12 4 income that is less than four hundred percent of the  
12 5 federal poverty level. Iowa choice health care  
12 6 policies for adults and families shall provide  
12 7 qualified health care coverage. The association, in  
12 8 consultation with the advisory council, shall develop  
12 9 Iowa choice health care policy options that are  
12 10 available for purchase by adults and families who are  
12 11 not eligible for a public program and have a family  
12 12 income that is less than four hundred percent of the  
12 13 federal poverty level. The Iowa choice health care  
12 14 policy options that are offered for purchase by such  
12 15 adults and families shall provide a selection of  
12 16 health benefit plans and standardized benefits with  
12 17 the objective of providing health care coverage for  
12 18 which all cost-sharing expenses do not exceed six and  
12 19 one-half percent of family income. Policies developed  
12 20 pursuant to this subsection shall be available for  
12 21 purchase no later than January 1, 2010.

12 22 6. As part of the comprehensive plan, the Iowa  
12 23 choice health care coverage program shall provide for  
12 24 health benefits coverage through private health  
12 25 insurance carriers that apply to the association and  
12 26 meet the qualifications described in this section and  
12 27 any additional qualifications established by rules of  
12 28 the association. The Iowa choice health care coverage  
12 29 program shall provide for the sale of Iowa choice  
12 30 health care policies by licensed insurance producers  
12 31 that apply to the association and meet the  
12 32 qualifications established by rules of the  
12 33 association. The association shall collaborate with  
12 34 potential Iowa choice health insurance carriers to do  
12 35 the following, including but not limited to:

12 36 a. Assure the availability of private qualified  
12 37 health care coverage to all eligible individuals by  
12 38 designing solutions to issues relating to guaranteed  
12 39 issuance of insurance, preexisting condition  
12 40 exclusions, portability, and allowable pooling and  
12 41 rating classifications.

12 42 b. Formulate principles that ensure fair and  
12 43 appropriate practices relating to issues involving  
12 44 individual Iowa choice health care policies such as  
12 45 rescission and preexisting condition clauses, and that  
12 46 provide for a binding third-party review process to  
12 47 resolve disputes related to such issues.

12 48 c. Design affordable, portable Iowa choice health  
12 49 care policies that specifically meet the needs of  
12 50 eligible individuals.



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

House Amendment 8439 continued

13 1       7. The association, in developing the  
13 2 comprehensive plan, and in administering the  
13 3 comprehensive plan and the Iowa choice health care  
13 4 coverage program, may do any of the following:  
13 5       a. Seek and receive any grant funding from the  
13 6 federal government, departments, or agencies of this  
13 7 state, and private foundations.  
13 8       b. Contract with professional service firms as may  
13 9 be necessary, and fix their compensation.  
13 10       c. Employ persons necessary to carry out the  
13 11 duties of the program.  
13 12       d. Design a premium schedule to be published by  
13 13 the association by December 1 of each year, which  
13 14 includes the development of rating factors that are  
13 15 consistent with market conditions.  
13 16       8. The association shall submit the comprehensive  
13 17 plan required by this section to the governor and the  
13 18 general assembly by December 15, 2008. The  
13 19 appropriations to cover children under the medical  
13 20 assistance, hawk=i, and hawk=i expansion programs as  
13 21 provided in this Act and to provide related outreach  
13 22 for fiscal year 2009=2010 and fiscal year 2010=2011  
13 23 are contingent upon enactment of a comprehensive plan  
13 24 during the 2009 legislative session that provides  
13 25 health care coverage for all children in the state.  
13 26 Enactment of a comprehensive plan shall include a  
13 27 determination of what the prospects are of federal  
13 28 action which may impact the comprehensive plan and the  
13 29 fiscal impact of the comprehensive plan on the state  
13 30 budget.  
13 31       9. Beginning on January 15, 2010, and on January  
13 32 15 of each year thereafter, the association shall  
13 33 submit an annual report to the governor and the  
13 34 general assembly regarding implementation of the  
13 35 comprehensive plan required by this section, including  
13 36 all activities of the Iowa choice health care coverage  
13 37 program including but not limited to membership in the  
13 38 program, the administrative expenses of the program,  
13 39 the extent of coverage, the effect on premiums, the  
13 40 number of covered lives, the number of Iowa choice  
13 41 health care policies issued or renewed, and Iowa  
13 42 choice health care coverage program premiums earned  
13 43 and claims incurred by Iowa choice health insurance  
13 44 carriers offering Iowa choice health care policies.  
13 45 The association shall also report specifically on the  
13 46 impact of the comprehensive plan and the Iowa choice  
13 47 health care coverage program on the small group and  
13 48 individual health insurance markets and any reduction  
13 49 in the number of uninsured individuals, particularly  
13 50 children less than nineteen years of age, in the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

14 1 state.  
14 2 10. The association may grant not more than two  
14 3 six-month extensions of the deadlines established in  
14 4 this section as deemed necessary by the association to  
14 5 promote orderly administration of the program and to  
14 6 facilitate public outreach and information concerning  
14 7 the program.  
14 8 11. Any state obligation to provide services  
14 9 pursuant to this section is limited to the extent of  
14 10 the funds appropriated or provided for implementation  
14 11 of this section.  
14 12 12. Section 514E.7 is not applicable to Iowa  
14 13 choice health care policies issued pursuant to this  
14 14 section.  
14 15 Sec. \_\_\_\_ . NEW SECTION. 514E.5A ADVISORY COUNCIL.  
14 16 1. An advisory council is created for the purpose  
14 17 of assisting the association with developing a  
14 18 comprehensive plan to cover all children without  
14 19 health care coverage that utilizes and modifies  
14 20 existing public programs and provides access to  
14 21 unsubsidized, affordable, qualified private health  
14 22 care coverage through the Iowa choice health care  
14 23 coverage program as provided in section 514E.5. The  
14 24 advisory council shall make recommendations concerning  
14 25 the design and implementation of the comprehensive  
14 26 plan and the Iowa choice health care coverage program  
14 27 including a plan of operation which includes but is  
14 28 not limited to a definition of what constitutes  
14 29 qualified health care coverage, suggestions for the  
14 30 design of Iowa choice health insurance options,  
14 31 implementation of the health care coverage reporting  
14 32 requirement, and plans for implementing the Iowa  
14 33 choice health care coverage program.  
14 34 2. The advisory council consists of the following  
14 35 persons who are voting members unless otherwise  
14 36 provided:  
14 37 a. The two most recent former governors, or if one  
14 38 or both of them are unable or unwilling to serve, a  
14 39 person or persons appointed by the governor.  
14 40 b. Six members appointed by the governor, subject  
14 41 to confirmation by the senate:  
14 42 (1) A representative of the federation of Iowa  
14 43 insurers.  
14 44 (2) A health economist.  
14 45 (3) Two consumers, one of whom shall be a  
14 46 representative of a children's advocacy organization.  
14 47 (4) A representative of organized labor.  
14 48 (5) A representative of an organization of  
14 49 employers.  
14 50 c. The following members shall be ex officio,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

15 1 nonvoting members of the council:  
15 2 (1) The commissioner of insurance, or a designee.  
15 3 (2) The director of human services, or a designee.  
15 4 (3) The director of public health, or a designee.  
15 5 (4) Four members of the general assembly, one  
15 6 appointed by the speaker of the house of  
15 7 representatives, one appointed by the minority leader  
15 8 of the house of representatives, one appointed by the  
15 9 majority leader of the senate, and one appointed by  
15 10 the minority leader of the senate.  
15 11 3. The members of the council appointed by the  
15 12 governor shall be appointed for terms of six years  
15 13 beginning and ending as provided in section 69.19.  
15 14 Such a member of the board is eligible for  
15 15 reappointment. The governor shall fill a vacancy for  
15 16 the remainder of the unexpired term.  
15 17 4. The members of the council shall annually elect  
15 18 one voting member as chairperson and one as vice  
15 19 chairperson. Meetings of the council shall be held at  
15 20 the call of the chairperson or at the request of a  
15 21 majority of the council's members.  
15 22 5. The members of the council shall not receive  
15 23 compensation for the performance of their duties as  
15 24 members but each member shall be paid necessary  
15 25 expenses while engaged in the performance of duties of  
15 26 the council.  
15 27 6. The members of the council are subject to and  
15 28 are officials within the meaning of chapter 68B.  
15 29 Sec. \_\_\_\_\_. NEW SECTION. 514E.6 IOWA CHOICE HEALTH  
15 30 CARE COVERAGE PROGRAM FUND == APPROPRIATION.  
15 31 The Iowa choice health care coverage program fund  
15 32 is created in the state treasury as a separate fund  
15 33 under the control of the association for deposit of  
15 34 any funds for initial operating expenses of the Iowa  
15 35 choice health care coverage program, payments made by  
15 36 employers and individuals, and any funds received from  
15 37 any public or private source. All moneys credited to  
15 38 the fund are appropriated and available to the  
15 39 association to be used for the purposes of designing  
15 40 and implementing a comprehensive plan and the Iowa  
15 41 choice health care coverage program as provided in  
15 42 section 514E.5. Notwithstanding section 8.33, any  
15 43 balance in the fund on June 30 of each fiscal year  
15 44 shall not revert to the general fund of the state, but  
15 45 shall be available for the purposes set forth for the  
15 46 program in this chapter in subsequent years.  
15 47 Sec. \_\_\_\_\_. IOWA CHOICE HEALTH CARE COVERAGE PROGRAM  
15 48 == APPROPRIATION. There is appropriated from the  
15 49 general fund of the state to the insurance division of  
15 50 the department of commerce for the fiscal year





Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

17 1 care decisions. The commission shall provide  
17 2 oversight for the development, implementation, and  
17 3 coordination of an interoperable electronic health  
17 4 records system, telehealth expansion efforts, the  
17 5 health information technology infrastructure, and  
17 6 other health information technology initiatives in  
17 7 this state.

17 8 b. All health information technology efforts shall  
17 9 endeavor to represent the interests and meet the needs  
17 10 of consumers and the health care sector, protect the  
17 11 privacy of individuals and the confidentiality of  
17 12 individuals' information, promote physician best  
17 13 practices, and make information easily accessible to  
17 14 the appropriate parties. The system developed shall  
17 15 be consumer-driven, flexible, and expandable.

17 16 2. The commission shall consist of the following  
17 17 voting members:

17 18 a. Individuals with broad experience and vision in  
17 19 health care and health information technology and one  
17 20 member representing the health care consumer. The  
17 21 voting members shall be appointed by the governor,  
17 22 subject to confirmation by the senate. The voting  
17 23 members shall include all of the following:

17 24 (1) The director of the Iowa communications  
17 25 network.

17 26 (2) Three members who are the chief information  
17 27 officers of the three largest private health care  
17 28 systems.

17 29 (3) One member who is the chief information  
17 30 officer of a public health care system.

17 31 (4) A representative of the private  
17 32 telecommunications industry.

17 33 (5) A representative of a rural hospital that is a  
17 34 member of the Iowa hospital association.

17 35 (6) A consumer advocate.

17 36 (7) A representative of the Iowa safety net  
17 37 provider network created in section 135.153.

17 38 (8) A licensed practicing physician.

17 39 (9) A licensed health care provider who is not a  
17 40 licensed practicing physician.

17 41 b. In addition, the director of public health and  
17 42 the director of human services shall be ex officio,  
17 43 nonvoting members of the commission.

17 44 3. a. The members shall select a chairperson,  
17 45 annually, from among the membership, and shall serve  
17 46 terms of three years beginning and ending as provided  
17 47 in section 69.19. Voting member appointments shall  
17 48 comply with sections 69.16 and 69.16A. Vacancies  
17 49 shall be filled by the original appointing authority  
17 50 and in the manner of the original appointments.



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

House Amendment 8439 continued

18 1 Members shall receive reimbursement for actual  
18 2 expenses incurred while serving in their official  
18 3 capacity and voting members may also be eligible to  
18 4 receive compensation as provided in section 7E.6. A  
18 5 person appointed to fill a vacancy for a member shall  
18 6 serve only for the unexpired portion of the term. A  
18 7 member is eligible for reappointment for two  
18 8 successive terms.

18 9     b. The commission shall meet at least quarterly  
18 10 and at the call of the chairperson. A majority of the  
18 11 voting members of the commission constitutes a quorum.  
18 12 Any action taken by the commission must be adopted by  
18 13 the affirmative vote of a majority of its voting  
18 14 membership.

18 15     c. The commission is located for administrative  
18 16 purposes within the department of public health. The  
18 17 department shall provide office space, staff  
18 18 assistance, administrative support, and necessary  
18 19 supplies and equipment for the commission.

18 20     4. The commission shall do all of the following:

18 21     a. Establish an advisory council which shall  
18 22 consist of the representatives of entities involved in  
18 23 the electronic health records system task force  
18 24 established pursuant to section 217.41A, Code 2007,  
18 25 and any other members the commission determines  
18 26 necessary to assist in the commission's duties  
18 27 including but not limited to consumers and consumer  
18 28 advocacy organizations; physicians and health care  
18 29 professionals; pharmacists; leadership of community  
18 30 hospitals and major integrated health care delivery  
18 31 networks; state agencies including the department of  
18 32 public health, the department of human services, the  
18 33 department of elder affairs, the division of insurance  
18 34 of the department of commerce, and the office of the  
18 35 attorney general; health plans and health insurers;  
18 36 legal experts; academics and ethicists; business  
18 37 leaders; and professional associations. Public  
18 38 members of the advisory council shall receive  
18 39 reimbursement for actual expenses incurred while  
18 40 serving in their official capacity only if they are  
18 41 not eligible for reimbursement by the organization  
18 42 that they represent. Any legislative member shall be  
18 43 paid the per diem and expenses specified in section  
18 44 2.10.

18 45     b. Adopt a statewide health information technology  
18 46 plan by July 1, 2009. In developing the plan, the  
18 47 commission shall seek the input of providers, payers,  
18 48 and consumers. Standards and policies developed for  
18 49 the plan shall promote and be consistent with national  
18 50 standards developed by the office of the national



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

19 1 coordinator for health information technology of the  
19 2 United States department of health and human services  
19 3 and shall address or provide for all of the following:  
19 4 (1) The effective, efficient, statewide use of  
19 5 electronic health information in patient care, health  
19 6 care policymaking, clinical research, health care  
19 7 financing, and continuous quality improvement. The  
19 8 commission shall adopt requirements for interoperable  
19 9 electronic health records in this state including a  
19 10 recognized interoperability standard.  
19 11 (2) Education of the public and health care  
19 12 sectors about the value of health information  
19 13 technology in improving patient care, and methods to  
19 14 promote increased support and collaboration of state  
19 15 and local public health agencies, health care  
19 16 professionals, and consumers in health information  
19 17 technology initiatives.  
19 18 (3) Standards for the exchange of health care  
19 19 information.  
19 20 (4) Policies relating to the protection of privacy  
19 21 of patients and the security and confidentiality of  
19 22 patient information.  
19 23 (5) Policies relating to health information  
19 24 ownership.  
19 25 (6) Policies relating to governance of the various  
19 26 facets of the health information technology system.  
19 27 (7) A single patient identifier or alternative  
19 28 mechanism to share secure patient information. If no  
19 29 alternative mechanism is acceptable to the commission,  
19 30 all health care professionals shall utilize the  
19 31 mechanism selected by the commission by July 1, 2010.  
19 32 (8) A standard continuity of care record and other  
19 33 issues related to the content of electronic  
19 34 transmissions. All health care professionals shall  
19 35 utilize the standard continuity of care record by July  
19 36 1, 2010.  
19 37 (9) Requirements for electronic prescribing.  
19 38 (10) Economic incentives and support to facilitate  
19 39 participation in an interoperable system by health  
19 40 care professionals.  
19 41 c. Identify existing and potential health  
19 42 information technology efforts in this state,  
19 43 regionally, and nationally, and integrate existing  
19 44 efforts to avoid incompatibility between efforts and  
19 45 avoid duplication.  
19 46 d. Coordinate public and private efforts to  
19 47 provide the network backbone infrastructure for the  
19 48 health information technology system. In coordinating  
19 49 these efforts, the commission shall do all of the  
19 50 following:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

20 1 (1) Adopt policies to effectuate the logical  
20 2 cost=effective usage of and access to the state=owned  
20 3 network, and support of telecommunication carrier  
20 4 products, where applicable.  
20 5 (2) Complete a memorandum of understanding with  
20 6 the Iowa communications network for governmental  
20 7 access usage, with private fiber optic networks for  
20 8 core backbone usage of private fiber optic networks,  
20 9 and with any other communications entity for  
20 10 state=subsidized usage of the communications entity's  
20 11 products to access any backbone network.  
20 12 (3) Establish protocols to ensure compliance with  
20 13 any applicable federal standards.  
20 14 (4) Determine costs for accessing the network at a  
20 15 level that provides sufficient funding for the  
20 16 network.  
20 17 e. Promote the use of telemedicine.  
20 18 (1) Examine existing barriers to the use of  
20 19 telemedicine and make recommendations for eliminating  
20 20 these barriers.  
20 21 (2) Examine the most efficient and effective  
20 22 systems of technology for use and make recommendations  
20 23 based on the findings.  
20 24 f. Address the workforce needs generated by  
20 25 increased use of health information technology.  
20 26 g. Adopt rules in accordance with chapter 17A to  
20 27 implement all aspects of the statewide plan and the  
20 28 network.  
20 29 h. Coordinate, monitor, and evaluate the adoption,  
20 30 use, interoperability, and efficiencies of the various  
20 31 facets of health information technology in this state.  
20 32 i. Seek and apply for any federal or private  
20 33 funding to assist in the implementation and support of  
20 34 the health information technology system and make  
20 35 recommendations for funding mechanisms for the ongoing  
20 36 development and maintenance costs of the health  
20 37 information technology system.  
20 38 j. Identify state laws and rules that present  
20 39 barriers to the development of the health information  
20 40 technology system and recommend any changes to the  
20 41 governor and the general assembly.  
20 42 Sec. \_\_\_\_\_. Section 8D.13, Code 2007, is amended by  
20 43 adding the following new subsection:  
20 44 NEW SUBSECTION. 20. Access shall be offered to  
20 45 the Iowa hospital association only for the purposes of  
20 46 collection, maintenance, and dissemination of health  
20 47 and financial data for hospitals and for hospital  
20 48 education services. The Iowa hospital association  
20 49 shall be responsible for all costs associated with  
20 50 becoming part of the network, as determined by the



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

House Amendment 8439 continued

21 1 commission.

21 2     Sec. \_\_\_\_\_. Section 217.41A, Code 2007, is repealed.

21 3     Sec. \_\_\_\_\_. IOWA HEALTH INFORMATION TECHNOLOGY

21 4 SYSTEM == APPROPRIATION. There is appropriated from

21 5 the general fund of the state to the department of

21 6 public health for the fiscal year beginning July 1,

21 7 2008, and ending June 30, 2009, the following amount,

21 8 or so much thereof as is necessary, for the purpose

21 9 designated:

21 10     For administration of the Iowa health information

21 11 technology system, and for not more than the following

21 12 full-time equivalent positions:

21 13 .....	\$	118,800
21 14 .....	FTEs	2.00>

21 15 #5. Page 9, by striking line 1 and inserting the

21 16 following:

21 17     <LONG=TERM LIVING PLANNING AND

21 18     PATIENT AUTONOMY IN HEALTH CARE>

21 19 #6. Page 9, by inserting after line 14 the

21 20 following:

21 21     <Sec. \_\_\_\_\_. END=OF=LIFE CARE DECISION MAKING ==

21 22 APPROPRIATION. There is appropriated from the general

21 23 fund of the state to the department of elder affairs

21 24 for the fiscal year beginning July 1, 2008, and ending

21 25 June 30, 2009, the following amount, or so much

21 26 thereof as is necessary, for the purpose designated:

21 27     For activities associated with the end-of-life care

21 28 decision-making requirements of this division:

21 29 .....	\$	10,000
-------------	----	--------

21 30     Sec. \_\_\_\_\_. LONG=TERM LIVING PLANNING TOOLS ==

21 31 PUBLIC EDUCATION CAMPAIGN. The legal services

21 32 development and substitute decision maker programs of

21 33 the department of elder affairs, in collaboration with

21 34 other appropriate agencies and interested parties,

21 35 shall research existing long-term living planning

21 36 tools that are designed to increase quality of life

21 37 and contain health care costs and recommend a public

21 38 education campaign strategy on long-term living to the

21 39 general assembly by January 1, 2009.

21 40     Sec. \_\_\_\_\_. LONG=TERM CARE OPTIONS PUBLIC EDUCATION

21 41 CAMPAIGN. The department of elder affairs, in

21 42 collaboration with the insurance division of the

21 43 department of commerce, shall implement a long-term

21 44 care options public education campaign. The campaign

21 45 may utilize such tools as the "Own Your Future

21 46 Planning Kit" administered by the centers for Medicare

21 47 and Medicaid services, the administration on aging,

21 48 and the office of the assistant secretary for planning

21 49 and evaluation of the United States department of

21 50 health and human services, and other tools developed





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

House Amendment 8439 continued

23 1 entities with interest in the pilot project, including  
23 2 but not limited to the Iowa hospital association, the  
23 3 Iowa medical society, organizations representing  
23 4 health care facilities, representatives of health care  
23 5 providers, and the Iowa trial lawyers association, to  
23 6 develop recommendations for expanding the pilot  
23 7 project statewide. The advisory council shall hold  
23 8 meetings throughout the state to obtain input  
23 9 regarding the pilot project and its statewide  
23 10 application. Based on information collected regarding  
23 11 the pilot project and information obtained through its  
23 12 meetings, the advisory council shall report its  
23 13 findings and recommendations, including  
23 14 recommendations for legislation, to the governor and  
23 15 the general assembly by January 1, 2010.  
23 16 3. The pilot project shall not alter the rights of  
23 17 individuals who do not execute a physician order for  
23 18 scope of treatment.  
23 19 a. If an individual is a qualified patient as  
23 20 defined in section 144A.2, the individual's  
23 21 declaration executed under chapter 144A shall control  
23 22 health care decision making for the individual in  
23 23 accordance with chapter 144A. A physician order for  
23 24 scope of treatment shall not supersede a declaration  
23 25 executed pursuant to chapter 144A. If an individual  
23 26 has not executed a declaration pursuant to chapter  
23 27 144A, health care decision making relating to  
23 28 life=sustaining procedures for the individual shall be  
23 29 governed by section 144A.7.  
23 30 b. If an individual has executed a durable power  
23 31 of attorney for health care pursuant to chapter 144B,  
23 32 the individual's durable power of attorney for health  
23 33 care shall control health care decision making for the  
23 34 individual in accordance with chapter 144B. A  
23 35 physician order for scope of treatment shall not  
23 36 supersede a durable power of attorney for health care  
23 37 executed pursuant to chapter 144B.  
23 38 c. In the absence of actual notice of the  
23 39 revocation of a physician order for scope of  
23 40 treatment, a physician, health care provider, or any  
23 41 other person who complies with a physician order for  
23 42 scope of treatment shall not be subject to liability,  
23 43 civil or criminal, for actions taken under this  
23 44 section which are in accordance with reasonable  
23 45 medical standards. Any physician, health care  
23 46 provider, or other person against whom criminal or  
23 47 civil liability is asserted because of conduct in  
23 48 compliance with this section may interpose the  
23 49 restriction on liability in this paragraph as an  
23 50 absolute defense.





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

House Amendment 8439 continued

25 1 words <recipients of> the following: <full benefits  
 25 2 under>.  
 25 3 #12. Page 20, lines 33 and 34, by striking the  
 25 4 words <adult recipients of medical assistance> and  
 25 5 inserting the following: <adults who are recipients  
 25 6 of full benefits under the medical assistance  
 25 7 program>.  
 25 8 #13. Page 21, line 25, by striking the figure <12>  
 25 9 and inserting the following: <11>.  
 25 10 #14. Page 22, by inserting after line 1 the  
 25 11 following:  
 25 12 <Sec. \_\_\_\_ . MEDICAL HOME SYSTEM == APPROPRIATION.  
 25 13 There is appropriated from the general fund of the  
 25 14 state to the department of public health for the  
 25 15 fiscal year beginning July 1, 2008, and ending June  
 25 16 30, 2009, the following amount, or so much thereof as  
 25 17 is necessary, for the purpose designated:  
 25 18 For activities associated with the medical home  
 25 19 system requirements of this division and for not more  
 25 20 than the following full-time equivalent positions:  
 25 21 ..... \$ 137,800  
 25 22 ..... FTEs 4.00>  
 25 23 #15. Page 28, by striking lines 2 through 6.  
 25 24 #16. Page 28, by inserting after line 29 the  
 25 25 following:  
 25 26 <Sec. \_\_\_\_ . Section 136.3, Code 2007, is amended by  
 25 27 adding the following new subsection:  
 25 28 NEW SUBSECTION. 12. Perform those duties  
 25 29 authorized pursuant to section 135.161.  
 25 30 Sec. \_\_\_\_ . PREVENTION AND CHRONIC CARE MANAGEMENT  
 25 31 == APPROPRIATION. There is appropriated from the  
 25 32 general fund of the state to the department of public  
 25 33 health for the fiscal year beginning July 1, 2008, and  
 25 34 ending June 30, 2009, the following amount, or so much  
 25 35 thereof as is necessary, for the purpose designated:  
 25 36 For activities associated with the prevention and  
 25 37 chronic care management requirements of this division:  
 25 38 ..... \$ 150,500>  
 25 39 #17. Page 29, line 25, by inserting after the  
 25 40 figure <249J.16.> the following: <The council shall  
 25 41 also coordinate its efforts with the efforts of the  
 25 42 department of public health regarding health care  
 25 43 quality, cost containment, and consumer information  
 25 44 under section 135.163>.  
 25 45 #18. Page 31, by inserting after line 8, the  
 25 46 following:  
 25 47 <DIVISION  
 25 48 HEALTH CARE QUALITY, COST CONTAINMENT, AND  
 25 49 CONSUMER INFORMATION  
 25 50 DIVISION XXIV



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

26 1 HEALTH CARE QUALITY, COST CONTAINMENT,  
26 2 AND CONSUMER INFORMATION  
26 3 Sec. \_\_\_\_\_. NEW SECTION. 135.163 HEALTH CARE  
26 4 QUALITY, COST CONTAINMENT, AND CONSUMER INFORMATION.  
26 5 1. The department shall, at a minimum, do all of  
26 6 the following, to improve health care quality, cost  
26 7 containment and consumer information:  
26 8 a. Develop cost=containment measures that help to  
26 9 contain costs while improving quality in the health  
26 10 care system.  
26 11 b. Provide for coordination of public and private  
26 12 cost=containment, quality, and safety efforts in this  
26 13 state, including but not limited to efforts of the  
26 14 Iowa healthcare collaborative, the Iowa health buyers'  
26 15 alliance, the state's Medicare quality improvement  
26 16 organization, the Iowa Medicaid enterprise, and the  
26 17 medical assistance quality improvement council  
26 18 established pursuant to section 249A.36.  
26 19 c. Carry out other health care price, quality, and  
26 20 safety=related research as directed by the governor  
26 21 and the general assembly.  
26 22 d. Develop strategies to contain health care costs  
26 23 which may include:  
26 24 (1) Promoting adoption of health information  
26 25 technology through provider incentives.  
26 26 (2) Considering a four=tier prescription drug  
26 27 copayment system within a prescription drug benefit  
26 28 that includes a zero copayment tier for select  
26 29 medications to improve patient compliance.  
26 30 (3) Providing a standard medication therapy  
26 31 management program as a prescription drug benefit to  
26 32 optimize high=risk patients' medication outcomes.  
26 33 (4) Investigating whether pooled purchasing for  
26 34 prescription drug benefits, such as a common statewide  
26 35 preferred drug list, would decrease costs.  
26 36 e. Develop strategies to increase the public's  
26 37 role and responsibility in personal health care  
26 38 choices and decisions which may include:  
26 39 (1) Creating a public awareness campaign to  
26 40 educate consumers on smart health care choices.  
26 41 (2) Promoting public reporting of quality  
26 42 performance measures.  
26 43 f. Develop implementation strategies which may  
26 44 include piloting the various quality,  
26 45 cost=containment, and public involvement strategies  
26 46 utilizing publicly funded health care coverage groups  
26 47 such as the medical assistance program, state of Iowa  
26 48 employee group health plans, and regents institutions  
26 49 health care plans, consistent with collective  
26 50 bargaining agreements in effect.



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

House Amendment 8439 continued

27 1 g. Develop a method for health care providers to  
27 2 provide a patient, upon request, with a reasonable  
27 3 estimate of charges for the services.  
27 4 h. Identify the process and time frames for  
27 5 implementation of any initiatives, identify any  
27 6 barriers to implementation of initiatives, and  
27 7 recommend any changes in law or rules necessary to  
27 8 eliminate the barriers and to implement the  
27 9 initiatives.

27 10 Sec. \_\_\_\_ . HEALTH CARE QUALITY, COST CONTAINMENT,  
27 11 AND CONSUMER INFORMATION == APPROPRIATION. There is  
27 12 appropriated from the general fund of the state to the  
27 13 department of public health for the fiscal year  
27 14 beginning July 1, 2008, and ending June 30, 2009, the  
27 15 following amount, or so much thereof as is necessary,  
27 16 for the purpose designated:

27 17 For activities associated with the health care  
27 18 quality, cost containment, and consumer information  
27 19 requirements of this division and for not more than  
27 20 the following full-time equivalent positions:  
27 21 ..... \$ 135,900  
27 22 ..... FTEs 3.00

27 23 DIVISION XXV  
27 24 HEALTH AND LONG-TERM CARE ACCESS  
27 25 Sec. \_\_\_\_ . NEW SECTION. 135.164 HEALTH AND  
27 26 LONG-TERM CARE ACCESS.

27 27 The department shall coordinate public and private  
27 28 efforts to develop and maintain an appropriate health  
27 29 care delivery infrastructure and a stable,  
27 30 well-qualified, diverse, and sustainable health care  
27 31 workforce in this state. The health care delivery  
27 32 infrastructure and the health care workforce shall  
27 33 address the broad spectrum of health care needs of  
27 34 Iowans throughout their lifespan including long-term  
27 35 care needs. The department shall, at a minimum, do  
27 36 all of the following:

- 27 37 1. Develop a strategic plan for health care  
27 38 delivery infrastructure and health care workforce  
27 39 resources in this state.
- 27 40 2. Provide for the continuous collection of data  
27 41 to provide a basis for health care strategic planning  
27 42 and health care policymaking.
- 27 43 3. Make recommendations regarding the health care  
27 44 delivery infrastructure and the health care workforce  
27 45 that assist in monitoring current needs, predicting  
27 46 future trends, and informing policymaking.
- 27 47 4. Advise and provide support to the health  
27 48 facilities council established in section 135.62.

27 49 Sec. \_\_\_\_ . NEW SECTION. 135.165 STRATEGIC PLAN.  
27 50 1. The strategic plan for health care delivery



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

House Amendment 8439 continued

28 1 infrastructure and health care workforce resources  
28 2 shall describe the existing health care system,  
28 3 describe and provide a rationale for the desired  
28 4 health care system, provide an action plan for  
28 5 implementation, and provide methods to evaluate the  
28 6 system. The plan shall incorporate expenditure  
28 7 control methods and integrate criteria for  
28 8 evidence-based health care. The department shall do  
28 9 all of the following in developing the strategic plan  
28 10 for health care delivery infrastructure and health  
28 11 care workforce resources:  
28 12 a. Conduct strategic health planning activities  
28 13 related to preparation of the strategic plan.  
28 14 b. Develop a computerized system for accessing,  
28 15 analyzing, and disseminating data relevant to  
28 16 strategic health planning. The department may enter  
28 17 into data sharing agreements and contractual  
28 18 arrangements necessary to obtain or disseminate  
28 19 relevant data.  
28 20 c. Conduct research and analysis or arrange for  
28 21 research and analysis projects to be conducted by  
28 22 public or private organizations to further the  
28 23 development of the strategic plan.  
28 24 d. Establish a technical advisory committee to  
28 25 assist in the development of the strategic plan. The  
28 26 members of the committee may include but are not  
28 27 limited to health economists, health planners,  
28 28 representatives of health care purchasers,  
28 29 representatives of state and local agencies that  
28 30 regulate entities involved in health care,  
28 31 representatives of health care providers and health  
28 32 care facilities, and consumers.  
28 33 2. The strategic plan shall include statewide  
28 34 health planning policies and goals related to the  
28 35 availability of health care facilities and services,  
28 36 the quality of care, and the cost of care. The  
28 37 policies and goals shall be based on the following  
28 38 principles:  
28 39 a. That a strategic health planning process,  
28 40 responsive to changing health and social needs and  
28 41 conditions, is essential to the health, safety, and  
28 42 welfare of Iowans. The process shall be reviewed and  
28 43 updated as necessary to ensure that the strategic plan  
28 44 addresses all of the following:  
28 45 (1) Promoting and maintaining the health of all  
28 46 Iowans.  
28 47 (2) Providing accessible health care services  
28 48 through the maintenance of an adequate supply of  
28 49 health facilities and an adequate workforce.  
28 50 (3) Controlling excessive increases in costs.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

29 1 (4) Applying specific quality criteria and  
29 2 population health indicators.  
29 3 (5) Recognizing prevention and wellness as  
29 4 priorities in health care programs to improve quality  
29 5 and reduce costs.  
29 6 (6) Addressing periodic priority issues including  
29 7 disaster planning, public health threats, and public  
29 8 safety dilemmas.  
29 9 (7) Coordinating health care delivery and resource  
29 10 development efforts among state agencies including  
29 11 those tasked with facility, services, and professional  
29 12 provider licensure; state and federal reimbursement;  
29 13 health service utilization data systems; and others.  
29 14 (8) Recognizing long-term care as an integral  
29 15 component of the health care delivery infrastructure  
29 16 and as an essential service provided by the health  
29 17 care workforce.  
29 18 b. That both consumers and providers throughout  
29 19 the state must be involved in the health planning  
29 20 process, outcomes of which shall be clearly  
29 21 articulated and available for public review and use.  
29 22 c. That the supply of a health care service has a  
29 23 substantial impact on utilization of the service,  
29 24 independent of the effectiveness, medical necessity,  
29 25 or appropriateness of the particular health care  
29 26 service for a particular individual.  
29 27 d. That given that health care resources are not  
29 28 unlimited, the impact of any new health care service  
29 29 or facility on overall health expenditures in this  
29 30 state must be considered.  
29 31 e. That excess capacity of health care services  
29 32 and facilities places an increased economic burden on  
29 33 the public.  
29 34 f. That the likelihood that a requested new health  
29 35 care facility, service, or equipment will improve  
29 36 health care quality and outcomes must be considered.  
29 37 g. That development and ongoing maintenance of  
29 38 current and accurate health care information and  
29 39 statistics related to cost and quality of health care  
29 40 and projections of the need for health care facilities  
29 41 and services are necessary to developing an effective  
29 42 health care planning strategy.  
29 43 h. That the certificate of need program as a  
29 44 component of the health care planning regulatory  
29 45 process must balance considerations of access to  
29 46 quality care at a reasonable cost for all Iowans,  
29 47 optimal use of existing health care resources,  
29 48 fostering of expenditure control, and elimination of  
29 49 unnecessary duplication of health care facilities and  
29 50 services, while supporting improved health care



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

House Amendment 8439 continued

30 1 outcomes.

30 2 i. That strategic health care planning must be  
30 3 concerned with the stability of the health care  
30 4 system, encompassing health care financing, quality,  
30 5 and the availability of information and services for  
30 6 all residents.

30 7 3. The health care delivery infrastructure and  
30 8 health care workforce resources strategic plan  
30 9 developed by the department shall include all of the  
30 10 following:

30 11 a. A health care system assessment and objectives  
30 12 component that does all of the following:

30 13 (1) Describes state and regional population  
30 14 demographics, health status indicators, and trends in  
30 15 health status and health care needs.

30 16 (2) Identifies key policy objectives for the state  
30 17 health care system related to access to care, health  
30 18 care outcomes, quality, and cost-effectiveness.

30 19 b. A health care facilities and services plan that  
30 20 assesses the demand for health care facilities and  
30 21 services to inform state health care planning efforts  
30 22 and direct certificate of need determinations, for  
30 23 those facilities and services subject to certificate  
30 24 of need. The plan shall include all of the following:

30 25 (1) An inventory of each geographic region's  
30 26 existing health care facilities and services.

30 27 (2) Projections of the need for each category of  
30 28 health care facility and service, including those  
30 29 subject to certificate of need.

30 30 (3) Policies to guide the addition of new or  
30 31 expanded health care facilities and services to  
30 32 promote the use of quality, evidence-based,  
30 33 cost-effective health care delivery options, including  
30 34 any recommendations for criteria, standards, and  
30 35 methods relevant to the certificate of need review  
30 36 process.

30 37 (4) An assessment of the availability of health  
30 38 care providers, public health resources,  
30 39 transportation infrastructure, and other  
30 40 considerations necessary to support the needed health  
30 41 care facilities and services in each region.

30 42 c. A health care data resources plan that  
30 43 identifies data elements necessary to properly conduct  
30 44 planning activities and to review certificate of need  
30 45 applications, including data related to inpatient and  
30 46 outpatient utilization and outcomes information, and  
30 47 financial and utilization information related to  
30 48 charity care, quality, and cost. The plan shall  
30 49 provide all of the following:

30 50 (1) An inventory of existing data resources, both



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

House Amendment 8439 continued

31 1 public and private, that store and disclose  
31 2 information relevant to the health care planning  
31 3 process, including information necessary to conduct  
31 4 certificate of need activities. The plan shall  
31 5 identify any deficiencies in the inventory of existing  
31 6 data resources and the data necessary to conduct  
31 7 comprehensive health care planning activities. The  
31 8 plan may recommend that the department be authorized  
31 9 to access existing data sources and conduct  
31 10 appropriate analyses of such data or that other  
31 11 agencies expand their data collection activities as  
31 12 statutory authority permits. The plan may identify  
31 13 any computing infrastructure deficiencies that impede  
31 14 the proper storage, transmission, and analysis of  
31 15 health care planning data.  
31 16 (2) Recommendations for increasing the  
31 17 availability of data related to health care planning  
31 18 to provide greater community involvement in the health  
31 19 care planning process and consistency in data used for  
31 20 certificate of need applications and determinations.  
31 21 The plan shall also integrate the requirements for  
31 22 annual reports by hospitals and health care facilities  
31 23 pursuant to section 135.75, the provisions relating to  
31 24 analyses and studies by the department pursuant to  
31 25 section 135.76, the data compilation provisions of  
31 26 section 135.78, and the provisions for contracts for  
31 27 assistance with analyses, studies, and data pursuant  
31 28 to section 135.83.  
31 29 d. An assessment of emerging trends in health care  
31 30 delivery and technology as they relate to access to  
31 31 health care facilities and services, quality of care,  
31 32 and costs of care. The assessment shall recommend any  
31 33 changes to the scope of health care facilities and  
31 34 services covered by the certificate of need program  
31 35 that may be warranted by these emerging trends. In  
31 36 addition, the assessment may recommend any changes to  
31 37 criteria used by the department to review certificate  
31 38 of need applications, as necessary.  
31 39 e. A rural health care resources plan to assess  
31 40 the availability of health resources in rural areas of  
31 41 the state, assess the unmet needs of these  
31 42 communities, and evaluate how federal and state  
31 43 reimbursement policies can be modified, if necessary,  
31 44 to more efficiently and effectively meet the health  
31 45 care needs of rural communities. The plan shall  
31 46 consider the unique health care needs of rural  
31 47 communities, the adequacy of the rural health care  
31 48 workforce, and transportation needs for accessing  
31 49 appropriate care.  
31 50 f. A health care workforce resources plan to



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

House Amendment 8439 continued

32 1 assure a competent, diverse, and sustainable health  
32 2 care workforce in Iowa and to improve access to health  
32 3 care in underserved areas and among underserved  
32 4 populations. The plan shall include the establishment  
32 5 of an advisory council to inform and advise the  
32 6 department and policymakers regarding issues relevant  
32 7 to the health care workforce in Iowa. The health care  
32 8 workforce resources plan shall recognize long-term  
32 9 care as an essential service provided by the health  
32 10 care workforce.

32 11 4. The department shall submit the initial  
32 12 statewide health care delivery infrastructure and  
32 13 resources strategic plan to the governor and the  
32 14 general assembly by January 1, 2010, and shall submit  
32 15 an updated strategic plan to the governor and the  
32 16 general assembly every two years thereafter.

32 17 Sec. \_\_\_\_ . HEALTH CARE ACCESS == APPROPRIATION.

32 18 There is appropriated from the general fund of the  
32 19 state to the department of public health for the  
32 20 fiscal year beginning July 1, 2008, and ending June  
32 21 30, 2009, the following amount, or so much thereof as  
32 22 is necessary, for the purpose designated:

32 23 For activities associated with the health care  
32 24 access requirements of this division, and for not more  
32 25 than the following full-time equivalent positions:

32 26 .....	\$	135,900
32 27 .....	FTEs	3.00>

32 28 #19. Page 33, by inserting after line 22 the  
32 29 following:

32 30 <Sec. \_\_\_\_ . IOWA HEALTHY COMMUNITIES INITIATIVE ==  
32 31 APPROPRIATION. There is appropriated from the general  
32 32 fund of the state to the department of public health  
32 33 for the fiscal year beginning July 1, 2008, and ending  
32 34 June 30, 2009, the following amount, or so much  
32 35 thereof as is necessary, for the purpose designated:

32 36 For Iowa healthy communities initiative grants  
32 37 distributed beginning January 1, 2009, and for not  
32 38 more than the following full-time equivalent  
32 39 positions:

32 40 .....	\$	450,000
32 41 .....	FTEs	3.00

32 42 Sec. \_\_\_\_ . NEW SECTION. 135.40A HEALTHCARE  
32 43 COLLABORATIVE REQUIREMENTS.

32 44 1. In order for the healthcare collaborative to  
32 45 receive state funding, the voting membership of the  
32 46 board of directors of the healthcare collaborative, as  
32 47 defined in section 135.40, shall include at least a  
32 48 majority of consumer representatives.

32 49 2. The healthcare collaborative shall model its  
32 50 health care indicators including but not limited to



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

House Amendment 8439 continued

33 1 quality indicators and measures, patient safety  
 33 2 indicators and measures, pediatric care indicators,  
 33 3 patient satisfaction measures, and health care  
 33 4 acquired infection measures on nationally recognized  
 33 5 indicators and measures developed by such entity as  
 33 6 the agency for healthcare research and quality of the  
 33 7 United States department of health and human services  
 33 8 and the center for Medicare and Medicaid services of  
 33 9 the United States department of health and human  
 33 10 services, or similar national entities. In addition,  
 33 11 infection validity measures shall be developed in  
 33 12 conjunction with the state epidemiologist and shall  
 33 13 address legal protections for health care providers  
 33 14 who report infection rates based on the measures  
 33 15 developed.

33 16 Sec. \_\_\_\_\_. GOVERNOR'S COUNCIL ON PHYSICAL FITNESS  
 33 17 AND NUTRITION == APPROPRIATION. There is appropriated  
 33 18 from the general fund of the state to the department  
 33 19 of public health for the fiscal period beginning July  
 33 20 1, 2008, and ending June 30, 2009, the following  
 33 21 amount, or so much thereof as is necessary, for the  
 33 22 purpose designated:

33 23 For the governor's council on physical fitness:  
 33 24 ..... \$ 112,100>

33 25 #20. Page 34, line 7, by striking the word and  
 33 26 figure <DIVISION V> and inserting the following:  
 33 27 <DIVISION XXVI>.

33 28 #21. Page 34, by inserting after line 8 the  
 33 29 following:

33 30 <Sec. \_\_\_\_\_. Section 135.62, subsection 2,  
 33 31 unnumbered paragraph 1, Code 2007, is amended to read  
 33 32 as follows:

33 33 There is established a state health facilities  
 33 34 council consisting of ~~five~~ seven persons appointed by  
 33 35 the governor, one of whom shall be a health economist,  
 33 36 one of whom shall be an actuary, and at least one of  
 33 37 whom shall be a health care consumer. The council  
 33 38 shall be within the department for administrative and  
 33 39 budgetary purposes.>

33 40 #22. Page 34, line 9, by striking the figure  
 33 41 <135.45> and inserting the following: <135.166>.

33 42 #23. Page 34, line 17, by inserting after the word  
 33 43 <validation> the following: <and shall be modeled on  
 33 44 national indicators as specified in section 135.40A>.

33 45 #24. Page 34, by inserting after line 23 the  
 33 46 following:

33 47 <\_\_\_\_\_. Each hospital in the state that is  
 33 48 recognized by the Internal Revenue Code as a nonprofit  
 33 49 organization or entity shall submit, to the department  
 33 50 of public health and to the legislative services





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

House Amendment 8439 continued

35 1 in living independently in the community and which  
35 2 require no physical contact between the direct care  
35 3 worker and the consumer, and which require no special  
35 4 education or training beyond task-specific  
35 5 orientation. Such services may include but are not  
35 6 limited to heavy household cleaning, lawn care, and  
35 7 home maintenance.

35 8 h. "Health monitoring and maintenance" means  
35 9 medically oriented care that assists a consumer in  
35 10 maintaining the consumer's health on a daily basis and  
35 11 which generally requires physical contact between a  
35 12 direct care worker and a consumer. Such services may  
35 13 include but are not limited to checking of vital  
35 14 signs, collecting specimens or samples, and assisting  
35 15 with range of motion exercises.

35 16 i. "Personal care support" means support provided  
35 17 to a consumer as the consumer performs personal and  
35 18 instrumental activities of daily living which require  
35 19 no physical contact between the direct care worker and  
35 20 the consumer. Such support includes testing and  
35 21 training, observation, recording, documenting,  
35 22 coaching, and supervising.

35 23 j. "Specialty skill services" means services that  
35 24 require the care of a direct care worker with  
35 25 additional education and training, and generally  
35 26 requires physical contact between a direct care worker  
35 27 and a consumer. Such services include dementia or  
35 28 Alzheimer's care, psychiatric care, monitoring and  
35 29 administration of medications, collecting specimens or  
35 30 samples, giving shots, hospice and palliative care,  
35 31 protective services, restorative and strengthening  
35 32 exercises, and mentoring.

35 33 2. A direct care worker advisory council shall be  
35 34 appointed by the director and shall include  
35 35 representatives of direct care workers, consumers of  
35 36 direct care services, educators of direct care  
35 37 workers, other health professionals, employers of  
35 38 direct care workers, and appropriate state agencies.

35 39 3. Membership, terms of office, quorum, and  
35 40 expenses shall be determined by the director pursuant  
35 41 to chapter 135.

35 42 4. The direct care worker advisory council shall  
35 43 advise the director regarding regulation and  
35 44 certification of direct care workers and shall develop  
35 45 recommendations regarding all of the following:

35 46 a. Direct care worker classifications based on  
35 47 functions and services provided by direct care  
35 48 workers. The classifications shall include those  
35 49 based on environmental and chore services, assistance  
35 50 with instrumental activities of daily living, personal



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

36 1 care support, assistance with personal care activities  
36 2 of daily living, health monitoring and maintenance,  
36 3 and specialty skill services.  
36 4 b. Functions for each direct care worker  
36 5 classification based upon categories of core  
36 6 competencies.  
36 7 c. An education and training orientation to be  
36 8 provided by employers which addresses the components  
36 9 of confidentiality; ethics and legal requirements;  
36 10 consumer and worker rights; person-directed and  
36 11 consumer-centered care; cultural competency; growth,  
36 12 development, and disability-specific competency;  
36 13 observation, referral, and reporting; communication  
36 14 and interpersonal skills; problem solving; safety and  
36 15 emergency procedures; infection control and  
36 16 occupational safety and health administration  
36 17 guidelines; and professional education and training.  
36 18 d. Education and training requirements for each of  
36 19 the direct care worker classifications.  
36 20 e. The standard curriculum required in training of  
36 21 direct care workers for each of the direct care worker  
36 22 classifications, based on training required for the  
36 23 duties specified and related core competencies. The  
36 24 curriculum shall be standard notwithstanding the  
36 25 entity offering the curriculum, and shall meet or  
36 26 exceed federal or state requirements. The curriculum  
36 27 shall include a requirement that any direct care  
36 28 worker who will be assisting with prescribed  
36 29 medications complete a medication aide course.  
36 30 f. Education and training equivalency standards  
36 31 for individuals who have completed higher education in  
36 32 a health care profession based on core competencies  
36 33 for each direct care worker classification and in  
36 34 correlation with specific institutional curricula in  
36 35 health care professions. The standards shall provide  
36 36 that those meeting the equivalency standards may take  
36 37 any prescribed examination for the appropriate direct  
36 38 care worker classification.  
36 39 g. Guidelines that allow individuals who are  
36 40 members of the direct care workforce prior to the date  
36 41 of required certification to be incorporated into the  
36 42 new regulatory system based on education, training,  
36 43 current certifications, or demonstration of core  
36 44 competencies.  
36 45 h. Continuing education requirements and standards  
36 46 to ensure that direct care workers remain competent  
36 47 and adapt to the changing needs of the direct care  
36 48 workforce, employers, and consumers. The requirements  
36 49 and standards shall meet or exceed federal or state  
36 50 continuing education requirements for the applicable



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

37 1 direct care worker classification existing prior to  
37 2 the date of required certification.  
37 3 i. Standards to ensure that direct care worker  
37 4 educators and trainers retain a level of competency  
37 5 and adapt to the changing needs of the direct care  
37 6 workforce, employers, and consumers. The standards  
37 7 shall meet or exceed federal or state continuing  
37 8 education requirements existing prior to the date of  
37 9 required certification.  
37 10 j. Certification requirements for each  
37 11 classification of direct care worker.  
37 12 k. Protections for the title "certified direct  
37 13 care worker".  
37 14 l. (1) Standardized requirements across care  
37 15 settings for supervision, if applicable, for each  
37 16 classification of direct care worker based on the  
37 17 functions being performed.  
37 18 (2) The roles and responsibilities of direct care  
37 19 worker supervisory positions which shall meet or  
37 20 exceed federal and state requirements existing prior  
37 21 to the date of required certification.  
37 22 m. Required responsibility for maintenance of  
37 23 credentialing and continuing education and training by  
37 24 individual direct care workers rather than employers.  
37 25 n. Provision of information to income maintenance  
37 26 workers and case managers under the purview of the  
37 27 department of human services about the education and  
37 28 training requirements for direct care workers to  
37 29 provide the care and services to meet a consumer's  
37 30 needs under the home and community-based services  
37 31 waiver options under the medical assistance program.  
37 32 5. The direct care worker advisory council shall  
37 33 report its recommendations to the director by November  
37 34 30, 2008, including recommendations for any changes in  
37 35 law or rules necessary to implement certification of  
37 36 direct care workers beginning July 1, 2009.  
37 37 Sec. \_\_\_\_\_. DIRECT CARE WORKER COMPENSATION ADVISORY  
37 38 COMMITTEE == REVIEWS.  
37 39 1. a. The general assembly recognizes that direct  
37 40 care workers play a vital role and make a valuable  
37 41 contribution in providing care to Iowans with a  
37 42 variety of needs in both institutional and home and  
37 43 community-based settings. Recruiting and retaining  
37 44 qualified, highly competent direct care workers is a  
37 45 challenge across all employment settings. High rates  
37 46 of employee vacancies and staff turnover threaten the  
37 47 ability of providers to achieve the core mission of  
37 48 providing safe and high quality support to Iowans.  
37 49 However, the general assembly also recognizes that the  
37 50 high turnover rate and its resulting negative impact



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

38 1 on the quality of care provided, is perpetuated and  
38 2 exacerbated by the inadequate wages and other  
38 3 compensation paid to direct care workers.  
38 4 b. It is the intent of the general assembly to  
38 5 reduce the turnover rate of and improve the quality of  
38 6 health care delivered by direct care workers by  
38 7 substantially increasing the wages and other  
38 8 compensation paid to direct care workers in this  
38 9 state.  
38 10 c. It is the intent of the general assembly that  
38 11 the initial review of and recommendations for  
38 12 improving wages and other compensation paid to direct  
38 13 care workers focus on nonlicensed direct care workers  
38 14 in the nursing facility setting. However, following  
38 15 the initial review of wages and other compensation  
38 16 paid to direct care workers in the nursing facility  
38 17 setting, the department of human services shall  
38 18 convene subsequent advisory committees with  
38 19 appropriate representatives of public and private  
38 20 organizations and consumers to review the wages and  
38 21 other compensation paid to and turnover rates of the  
38 22 entire spectrum of direct care workers in the various  
38 23 settings in which they are employed as a means of  
38 24 demonstrating the general assembly's commitment to  
38 25 ensuring a stable and quality direct care workforce in  
38 26 this state.  
38 27 2. The department of human services shall convene  
38 28 an initial direct care worker compensation advisory  
38 29 committee to develop recommendations for consideration  
38 30 by the general assembly during the 2009 legislative  
38 31 session regarding wages and other compensation paid to  
38 32 direct care workers in nursing facilities. The  
38 33 committee shall consist of the following members,  
38 34 selected by their respective organizations:  
38 35 a. The director of human services, or the  
38 36 director's designee.  
38 37 b. The director of public health, or the  
38 38 director's designee.  
38 39 c. The director of the department of elder  
38 40 affairs, or the director's designee.  
38 41 d. The director of the department of inspections  
38 42 and appeals, or the director's designee.  
38 43 e. A representative of the Iowa caregivers  
38 44 association.  
38 45 f. A representative of the Iowa health care  
38 46 association.  
38 47 g. A representative of the Iowa association of  
38 48 homes and services for the aging.  
38 49 h. A representative of the AARP Iowa chapter.  
38 50 3. The advisory committee shall also include two



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

39 1 members of the senate and two members of the house of  
39 2 representatives, with not more than one member from  
39 3 each chamber being from the same political party. The  
39 4 legislative members shall serve in an ex officio,  
39 5 nonvoting capacity. The two senators shall be  
39 6 appointed respectively by the majority leader of the  
39 7 senate and the minority leader of the senate, and the  
39 8 two representatives shall be appointed respectively by  
39 9 the speaker of the house of representatives and the  
39 10 minority leader of the house of representatives.

39 11 4. Public members of the committee shall receive  
39 12 actual expenses incurred while serving in their  
39 13 official capacity and may also be eligible to receive  
39 14 compensation as provided in section 7E.6. Legislative  
39 15 members of the committee are eligible for per diem and  
39 16 reimbursement of actual expenses as provided in  
39 17 section 2.10.

39 18 5. The department of human services shall provide  
39 19 administrative support to the committee and the  
39 20 director of human services, or the director's designee  
39 21 shall serve as chairperson of the committee.

39 22 6. The department shall convene the committee no  
39 23 later than May 15, 2008. Prior to the initial  
39 24 meeting, the department of human services shall  
39 25 provide all members of the committee with a detailed  
39 26 analysis of trends in wages and other compensation  
39 27 paid to direct care workers.

39 28 7. The committee shall consider options related  
39 29 but not limited to all of the following:

39 30 a. Revision of the modified price-based case-mix  
39 31 reimbursement system for nursing facilities under the  
39 32 medical assistance program.

39 33 b. The shortening of the time delay between a  
39 34 nursing facility's submittal of cost reports and  
39 35 receipt of the reimbursement based upon these cost  
39 36 reports.

39 37 c. The targeting of appropriations to provide  
39 38 increases in direct care worker compensation.

39 39 d. Creation of a nursing facility provider tax.

39 40 8. Following its deliberations, the committee  
39 41 shall submit a report of its findings and  
39 42 recommendations regarding improvement in direct care  
39 43 worker wages and compensation in the nursing facility  
39 44 setting to the governor and the general assembly no  
39 45 later than December 12, 2008.

39 46 9. For the purposes of the initial review, "direct  
39 47 care worker" means nonlicensed nursing facility staff  
39 48 who provide hands-on care including but not limited to  
39 49 certified nurse aides and medication aides.

39 50 Sec. \_\_\_\_\_. DIRECT CARE WORKER IN NURSING FACILITIES



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

40 1 == TURNOVER REPORT.  
40 2 The department of human services shall modify the  
40 3 nursing facility cost reports utilized for the medical  
40 4 assistance program to capture data by the distinct  
40 5 categories of nonlicensed direct care workers and  
40 6 other employee categories for the purposes of  
40 7 documenting the turnover rates of direct care workers  
40 8 and other employees of nursing facilities. The  
40 9 department shall submit a report on an annual basis to  
40 10 the governor and the general assembly which provides  
40 11 an analysis of direct care worker and other nursing  
40 12 facility employee turnover by individual nursing  
40 13 facility, a comparison of the turnover rate in each  
40 14 individual nursing facility with the state average,  
40 15 and an analysis of any improvement or decline in  
40 16 meeting any accountability goals or other measures  
40 17 related to turnover rates. The annual reports shall  
40 18 also include any data available regarding turnover  
40 19 rate trends, and other information the department  
40 20 deems appropriate. The initial report shall be  
40 21 submitted no later than December 1, 2008, and  
40 22 subsequent reports shall be submitted no later than  
40 23 December 1, annually, thereafter.  
40 24 Sec. \_\_\_\_\_. EMPLOYER=SPONSORED HEALTH CARE COVERAGE  
40 25 DEMONSTRATION PROJECT == DIRECT CARE WORKERS.  
40 26 1. The department of human services shall  
40 27 implement a three-year demonstration project to  
40 28 provide a health care coverage premium assistance  
40 29 program for nonlicensed direct care workers beginning  
40 30 July 1, 2009. The department of human services shall  
40 31 convene an advisory council consisting of  
40 32 representatives of the Iowa caregivers association,  
40 33 the Iowa child and family policy center, the Iowa  
40 34 association of homes and services for the aging, the  
40 35 Iowa health care association, the AARP Iowa chapter,  
40 36 the senior living coordinating unit, and other public  
40 37 and private entities with interest in the  
40 38 demonstration project to assist in designing the  
40 39 project. The department shall also review the  
40 40 experiences of other states and the medical assistance  
40 41 premium assistance program in designing the  
40 42 demonstration project. The department, in  
40 43 consultation with the advisory council, shall  
40 44 establish criteria to determine which nonlicensed  
40 45 direct care workers shall be eligible to participate  
40 46 in the demonstration project. The project shall allow  
40 47 up to five hundred direct care workers and their  
40 48 dependents to access health care coverage sponsored by  
40 49 the direct care worker's employer subject to all of  
40 50 the following:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8439 continued

41 1 a. A participating employer provides health care  
41 2 coverage that meets certain parameters of coverage and  
41 3 cost specified by the department and the health care  
41 4 coverage is available to the employee and the  
41 5 employee's dependents.  
41 6 b. A participating employer contributes payment  
41 7 for at least sixty percent of the total premium cost.  
41 8 c. The family income of the direct care worker is  
41 9 less than four hundred percent of the federal poverty  
41 10 level as defined by the most recently revised poverty  
41 11 income guidelines published by the United States  
41 12 department of health and human services.  
41 13 d. The employee meets any requirement for minimum  
41 14 number of hours of work necessary to be eligible for  
41 15 the employer's health care coverage.  
41 16 e. The premium cost to the employee does not  
41 17 exceed seventy-five dollars per month for individual  
41 18 employee coverage or one hundred ten dollars per month  
41 19 for family coverage, and the employee contributes to  
41 20 the cost of the premium on a sliding fee schedule  
41 21 specified by the department.  
41 22 f. The state may offer additional coverage for  
41 23 health care services not provided or paid for by the  
41 24 employer-sponsored plan that are in addition to the  
41 25 requirements specified by the department. To the  
41 26 extent possible, the demonstration project shall also  
41 27 incorporate a medical home, wellness and prevention  
41 28 services, and chronic care management.  
41 29 2. Six months prior to the completion of the  
41 30 three-year demonstration project, the department of  
41 31 human services, in cooperation with the Iowa  
41 32 caregivers association, the AARP Iowa chapter,  
41 33 representatives of the senior living coordinating  
41 34 unit, the Iowa child and family policy center, and  
41 35 representatives of the participating employers, shall  
41 36 review the project and make recommendations for  
41 37 continuation, termination, modification, or expansion  
41 38 of the project. The review shall also determine the  
41 39 impact that premium and cost-sharing assistance has on  
41 40 employee health care coverage take-up rates, on the  
41 41 recruitment and retention of employees, on the ability  
41 42 of the state to achieve cost savings by utilizing  
41 43 employer contributions to offset the costs of health  
41 44 care coverage, and on the lives of the direct care  
41 45 workers and their dependents who participate in the  
41 46 project. The department shall submit a written  
41 47 summary of the review to the general assembly at least  
41 48 ninety days prior to the scheduled completion of the  
41 49 project.  
41 50 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this



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

House Amendment 8439 continued

42 1 Act, being deemed of immediate importance, takes  
42 2 effect upon enactment.>  
42 3 #25. Title page, line 3, by striking the words  
42 4 <end=of=life care decision making> and inserting the  
42 5 following: <long=term living planning and patient  
42 6 autonomy in health care>.  
42 7 #26. Title page, by striking line 8 and inserting  
42 8 the following: <transparency, health care quality,  
42 9 cost containment and consumer information, health care  
42 10 access, the long=term care workforce, making  
42 11 appropriations, and providing effective date and  
42 12 applicability provisions>.  
42 13 #27. By renumbering, relettering, or redesignating  
42 14 and correcting internal references as necessary.  
42 15 HF 2539.1  
42 16 pf/mj/12



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

**House Amendment 8440**

PAG LIN

1 1 Amend Senate File 2392, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 45, line 2, by striking the figure <6.>  
1 4 and inserting the following: <9.>  
1 5 #2. By renumbering as necessary.  
1 6  
1 7  
1 8  
1 9 WISE of Lee  
1 10 SF 2392.207 82  
1 11 da/rj/21133  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8441

PAG LIN

1 1 Amend House File 2498 as follows:  
1 2 #1. Page 2, by striking lines 11 through 17 and  
1 3 inserting the following: <remedial responses.  
1 4 a. The instrument shall be sufficient to ensure  
1 5 adequate response the lifetime of the project and for  
~~1 6 the thirty years following closure, and to provide for~~  
~~1 7 the closure of the facility and postclosure care~~  
~~1 8 required by rules adopted by the commission in the~~  
~~1 9 event that the operator fails to correctly perform~~  
~~1 10 closure and postclosure care requirements pursuant to~~  
1 11 section 455B.304, subsection 6.>  
1 12 #2. Page 16, line 4, by striking the word  
1 13 ~~<department.>~~ and inserting the following:  
1 14 ~~<department.>~~  
1 15 #3. Page 16, line 8, by striking the word  
1 16 ~~<department.>~~ and inserting the following:  
1 17 ~~<department.>~~  
1 18  
1 19  
1 20  
1 21 T. OLSON of Linn  
1 22 HF 2498.501 82  
1 23 tw/nh/11491  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# House Amendment 8442

PAG LIN

1 1 Amend House File 2602 as follows:  
1 2 #1. Page 3, by inserting after line 13 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 543B.54, subsection 2, Code  
1 5 Supplement 2007, is amended to read as follows:  
1 6 2. Twenty=five dollars per license from fees  
1 7 deposited for each real estate salesperson's license  
1 8 and each broker's license shall be distributed and are  
1 9 appropriated to the real estate commission for the  
1 10 purpose of establishing and maintaining a program to  
1 11 provide grants to community colleges and other  
1 12 colleges and universities in the state providing  
1 13 programs under this section and using the curriculum  
1 14 maintained by the commission. Grants shall be awarded  
1 15 by a grant committee established by the real estate  
1 16 commission. The committee shall consist of seven  
1 17 members: two members of the commission, four members  
1 18 ~~of~~ appointed by the Iowa association of realtors, and  
1 19 one member of the general public. The commission  
1 20 shall promulgate rules, in consultation with the Iowa  
1 21 association of realtors, relating to the organization  
1 22 and operation of the committee, which shall include  
1 23 the term of membership, and establishing standards for  
1 24 awarding grants. The members of the committee may be  
1 25 reimbursed for actual and necessary expenses incurred  
1 26 in the performance of their duties but shall not  
1 27 receive a per diem payment.>  
1 28 #2. By renumbering as necessary.  
1 29  
1 30  
1 31  
1 32 KRESSIG of Black Hawk  
1 33 HF 2602.501 82  
1 34 jr/nh/21136  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



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

**House Amendment 8443**

PAG LIN

1 1 Amend House File 2652 as follows:  
 1 2 #1. Page 7, by inserting after line 8 the  
 1 3 following:  
 1 4 <Sec. \_\_\_\_\_. Section 459.102, Code 2007, is amended  
 1 5 by adding the following new subsection:  
 1 6 NEW SUBSECTION. 46A. "Tourist attraction" means a  
 1 7 portion of real estate having unique archaeological,  
 1 8 cultural, historical, recreational, scenic, or  
 1 9 scientific significance, and that tends to attract the  
 1 10 visiting public.  
 1 11 Sec. \_\_\_\_\_. Section 459.202, Code 2007, is amended  
 1 12 by adding the following new subsection:  
 1 13 NEW SUBSECTION. 7. A confinement feeding  
 1 14 operation structure shall not be constructed or  
 1 15 expanded within three miles from a museum, historic  
 1 16 site, or tourist attraction.>  
 1 17 #2. By renumbering as necessary.  
 1 18  
 1 19  
 1 20  
 1 21 GASKILL of Wapello  
 1 22 HF 2652.202 82  
 1 23 da/nh/21135  
 1 24  
 1 25  
 1 26  
 1 27  
 1 28  
 1 29  
 1 30  
 1 31  
 1 32  
 1 33  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



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

## House Amendment 8444

PAG LIN

1 1 Amend House File 2384, as passed by the House, as  
 1 2 follows:  
 1 3 #1. Page 2, by inserting after line 4 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 533.301, subsection 25, Code  
 1 6 Supplement 2007, is amended to read as follows:  
 1 7 25. Engage in any activity ~~authorized by the~~  
~~1 8 superintendent~~ which would be permitted if the state  
 1 9 credit union were federally chartered ~~and which is~~  
~~1 10 consistent with state law, unless prohibited by the~~  
 1 11 superintendent.>  
 1 12 #2. Title page, by striking lines 1 and 2 and  
 1 13 inserting the following: <An Act relating to the  
 1 14 operation of credit unions, providing for  
 1 15 modifications regarding the deposit of public funds  
 1 16 with corporate credit unions and regarding specified  
 1 17 powers of state credit unions.>  
 1 18 #3. By renumbering as necessary.  
 1 19 HF 2384.S  
 1 20 rn/rj/cc/26  
 1 21  
 1 22  
 1 23  
 1 24  
 1 25  
 1 26  
 1 27  
 1 28  
 1 29  
 1 30  
 1 31  
 1 32  
 1 33  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8445

PAG LIN

1 1 Amend House File 2662 as follows:  
1 2 #1. Page 17, by inserting after line 5 the  
1 3 following:  
1 4 <DIVISION  
1 5 LAND REPLACEMENT  
1 6 Sec. \_\_\_\_ . LAND REPLACEMENT. The department of  
1 7 natural resources shall allow the city of Richmond to  
1 8 remove from public use a parcel of land which is part  
1 9 of a city park which would otherwise be subject to  
1 10 restrictions placed upon the parcel by the department  
1 11 and the United States department of interior under the  
1 12 federal Land and Water Conservation Fund Act, as  
1 13 codified in 16 U.S.C. ch. 1. The city shall replace  
1 14 such parcel with comparable land that it received from  
1 15 a private donation that is adjacent to the parcel.>  
1 16 #2. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 DE BOEF of Keokuk  
1 21 HF 2662.302 82  
1 22 da/jp/21142  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# House Amendment 8446

PAG LIN

1 1 Amend the amendment, H=8445, to House File 2662, as  
1 2 follows:  
1 3 #1. Page 1, line 7, by striking the word  
1 4 <Richmond> and inserting the following: <Richland>.  
1 5 #2. By renumbering as necessary.  
1 6  
1 7  
1 8  
1 9 DE BOEF of Keokuk  
1 10 HF 2662.503 82  
1 11 da/nh/21146  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



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

**House Amendment 8447**

PAG LIN

```

1 1 Amend House File 2662 as follows:
1 2 #1. Page 4, by inserting after line 13, the
1 3 following:
1 4 <Sec. _____. AGRICHEMICAL REMEDIATION FUND == SOIL
1 5 AND WATER CONSERVATION NEEDS ASSESSMENT ASSOCIATED
1 6 WITH THE LITTLE SIOUX RIVER. There is appropriated
1 7 from the agrichemical remediation fund created in
1 8 section 161.7 to the department of agriculture and
1 9 land stewardship for the fiscal year beginning July 1,
1 10 2008, and ending June 30, 2009, the following amount,
1 11 or so much thereof as is necessary, to be used for the
1 12 purposes designated:
1 13 For a grant to the governing body of a soil and
1 14 water conservation district of a county bordering the
1 15 Missouri river through which the Little Sioux and Big
1 16 Sioux rivers flow for purposes of supporting a needs
1 17 assessment of soil and water conservation structures
1 18 associated with the Little Sioux river, which may
1 19 include the identification and evaluation of aging and
1 20 deteriorating soil and water conservation structures
1 21 subject to major renovation in the watershed:
1 22 ..... $ 15,000>
1 23 #2. By renumbering as necessary.
1 24
1 25
1 26
1 27 RANTS of Woodbury
1 28 HF 2662.502 82
1 29 da/rj/11453
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50

```



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

**House Amendment 8448**

PAG LIN

1 1 Amend the amendment, H=8374, to Senate File 2337,  
 1 2 as passed by the Senate, as follows:  
 1 3 #1. Page 1, by inserting after line 7 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 321.234, subsection 2, Code  
 1 6 2007, is amended to read as follows:  
 1 7 2. A person, including a peace officer, riding a  
 1 8 bicycle on the highway is subject to the provisions of  
 1 9 this chapter and has all the rights and duties under  
 1 10 this chapter applicable to the driver of a vehicle,  
 1 11 except those provisions of this chapter which by their  
 1 12 nature can have no application or those provisions for  
 1 13 which specific exceptions have been set forth  
 1 14 regarding police bicycles. A municipality, as defined  
 1 15 in section 670.1, shall not be liable for an injury  
 1 16 resulting from riding or operating a bicycle on a road  
 1 17 under the jurisdiction of the municipality unless the  
 1 18 injury was caused by a defective or unreasonably  
 1 19 dangerous condition and the municipality failed to  
 1 20 remedy the defect or condition after receiving actual  
 1 21 notice of the defect or condition.>  
 1 22 #2. Page 2, by inserting after line 25 the  
 1 23 following:  
 1 24 <#\_\_\_\_\_. Title page, by striking lines 1 and 2 and  
 1 25 inserting the following: <An Act relating to  
 1 26 liability considerations of certain municipalities.>>  
 1 27  
 1 28  
 1 29  
 1 30 GRASSLEY of Butler  
 1 31  
 1 32  
 1 33  
 1 34 WINDSCHITL of Harrison  
 1 35  
 1 36  
 1 37  
 1 38 HORBACH of Tama  
 1 39  
 1 40  
 1 41  
 1 42 VAN FOSSEN of Scott  
 1 43 SF 2337.302 82  
 1 44 av/rj/11476  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8449

PAG LIN

1 1 Amend Senate File 2400, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 23 the  
1 4 following:  
1 5 <It is the intent of the general assembly that the  
1 6 department and the general assembly cooperate in  
1 7 providing for the utilization of electronic, paperless  
1 8 paystubs for members and employees of the general  
1 9 assembly.>  
1 10  
1 11  
1 12  
1 13 ALONS of Sioux  
1 14 SF 2400.504 82  
1 15 ec/mg/21141  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# House Amendment 8450

PAG LIN

1 1 Amend House File 2663 as follows:  
1 2 #1. Page 18, line 3, by inserting after the word  
1 3 <board.> the following: <The election ballot shall be  
1 4 designed so that the voter may approve either the  
1 5 question of the approval of the revenue purpose  
1 6 statement or the question of the approval of the use  
1 7 of the moneys for property tax relief. The voter  
1 8 shall only vote to approve one question.>  
1 9  
1 10  
1 11  
1 12  
1 13  
1 14 PAULSEN of Linn  
1 15  
1 16  
1 17  
1 18 STRUYK of Pottawattamie  
1 19  
1 20 HF 2663.203 82  
1 21 mg/mg/10664  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# House Amendment 8451

PAG LIN

1 1 Amend the amendment, H=8350, to Senate File 2392,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. By striking page 2, line 50, through page 3,  
1 5 line 5, and inserting the following:  
1 6 <) The viator has filed for bankruptcy or sought  
1 7 reorganization in a court of competent jurisdiction,  
1 8 or a court of competent jurisdiction has appointed a  
1 9 receiver, trustee, or liquidator to all>.  
1 10 #2. Page 3, line 36, by striking the words  
1 11 <requested from and provided by> and inserting the  
1 12 following: <submitted to>.  
1 13 #3. By renumbering as necessary.  
1 14  
1 15  
1 16  
1 17 WISE of Lee  
1 18 SF 2392.507 82  
1 19 da/rj/11497  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8452

PAG LIN

1 1 Amend Senate File 2394, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 5, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 715A.8A IDENTITY THEFT  
1 6 == AIDING AND ABETTING.  
1 7 A person who knowingly assists an unauthorized  
1 8 alien obtain false identification in order to obtain  
1 9 employment commits the offense of identity theft under  
1 10 section 715A.8 by aiding and abetting the commission  
1 11 of the offense as provided in section 703.1.>  
1 12 #2. Title page, line 4, by inserting after the  
1 13 word <fund,> the following: <relating to the crime of  
1 14 identity theft committed by aiding and abetting the  
1 15 offense,>.  
1 16 #3. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 ALONS of Sioux  
1 21 SF 2394.502 82  
1 22 dea/nh/12256  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8453

PAG LIN

1 1 Amend Senate File 2394, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 5, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 715A.8A IDENTITY THEFT  
1 6 == FALSIFYING DOCUMENTS.  
1 7 It is an aggravated misdemeanor for a person to do  
1 8 any of the following:  
1 9 1. Make a driver's license, a nonoperator's  
1 10 identification card, a blank driver's license form, or  
1 11 any other form or document used to establish a  
1 12 person's identity if the person has no authority or  
1 13 right to make the license, card, or form in order to  
1 14 assist an unauthorized alien to obtain employment.  
1 15 2. Obtain, possess, or have in the person's  
1 16 control or on the person's premises, driver's license  
1 17 or nonoperator's identification card forms, or any  
1 18 other forms or documents used to establish a person's  
1 19 identity in order to assist an unauthorized alien to  
1 20 obtain employment.  
1 21 3. Obtain, possess, or have in the person's  
1 22 control or on the person's premises, a driver's  
1 23 license or a nonoperator's identification card, or  
1 24 blank driver's license or nonoperator's identification  
1 25 card form, or any other form or document which could  
1 26 be used to establish a person's identity, which has  
1 27 been made by a person having no authority or right to  
1 28 make the license, card, or form in order to assist an  
1 29 unauthorized alien to obtain employment.  
1 30 4. Use a false or fictitious name in any  
1 31 application for a driver's license or nonoperator's  
1 32 identification card or to knowingly make a false  
1 33 statement or knowingly conceal a material fact or  
1 34 otherwise commit fraud on an application in order to  
1 35 assist an unauthorized alien to obtain employment.>  
1 36 #2. Title page, line 4, by inserting after the  
1 37 word <fund,> the following: <relating to crimes  
1 38 involving the use of a driver's license or  
1 39 nonoperator's identification card, providing a  
1 40 penalty,>.  
1 41 #3. By renumbering as necessary.  
1 42  
1 43  
1 44  
1 45 S. OLSON of Clinton  
1 46 SF 2394.503 82  
1 47 dea/nh/12254  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8454

PAG LIN

1 1 Amend Senate File 2394, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 5, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 321.177, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 10. To any person who is an  
1 8 unauthorized alien. For the purpose of this section,  
1 9 an "unauthorized alien" means a person who is not a  
1 10 citizen or legal resident and who has not been  
1 11 lawfully admitted to the United States pursuant to  
1 12 federal law.  
1 13 Sec. \_\_\_\_\_. Section 321.190, subsection 1, Code  
1 14 2007, is amended by adding the following new  
1 15 paragraph:  
1 16 NEW PARAGRAPH. e. The department shall not issue  
1 17 a card to a person who is an unauthorized alien as  
1 18 defined in section 321.177.>  
1 19 #2. Title page, line 4, by inserting after the  
1 20 word <fund,> the following: <relating to  
1 21 qualifications for issuance of a driver's license or  
1 22 nonoperator's identification card,>.  
1 23 #3. By renumbering as necessary.  
1 24  
1 25  
1 26  
1 27 PAULSEN of Linn  
1 28 SF 2394.201 82  
1 29 dea/nh/12257  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

## House Amendment 8455

PAG LIN

1 1 Amend Senate File 2394, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 5, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 22.15 PROTECTION OF  
1 6 PERSONAL INFORMATION == DESTRUCTION OF PUBLIC RECORDS  
1 7 == PENALTY.  
1 8 1. "Personal information" means an individual's  
1 9 first name or first initial and last name in  
1 10 combination with any one or more of the following data  
1 11 elements that relate to the individual if neither the  
1 12 name nor the data elements are encrypted, redacted, or  
1 13 otherwise altered by any method or technology in such  
1 14 a manner that the name or data elements are  
1 15 unreadable:  
1 16 a. Social security number.  
1 17 b. Driver's license number or other unique  
1 18 identification number created or collected by a  
1 19 government body.  
1 20 c. Financial account number, credit card number,  
1 21 or debit card number in combination with any required  
1 22 security code, access code, or password that would  
1 23 permit access to an individual's financial account.  
1 24 d. Unique electronic identifier or routing code,  
1 25 in combination with any required security code, access  
1 26 code, or password.  
1 27 e. Unique biometric data, such as a fingerprint,  
1 28 voice print or recording, retina or iris image, or  
1 29 other unique physical representation or digital  
1 30 representation of the biometric data.  
1 31 2. Unless otherwise required by federal or state  
1 32 law, each government body shall take reasonable steps  
1 33 to destroy or arrange for the destruction of a public  
1 34 record, or portion thereof, containing personal  
1 35 information within its control, which is no longer  
1 36 required to be retained by the government body.  
1 37 Destruction of a public record, or portion thereof,  
1 38 shall be in accordance with the following minimum  
1 39 standards:  
1 40 a. Paper documents containing personal information  
1 41 shall be either redacted, burned, pulverized, or  
1 42 shredded so that personal information cannot  
1 43 practicably be read or reconstructed.  
1 44 b. Electronic media and other nonpaper media  
1 45 containing personal information shall be destroyed or  
1 46 erased so that personal information cannot practicably  
1 47 be read, reconstructed, or deciphered through any  
1 48 means.  
1 49 3. A government body may contract with a third  
1 50 party to destroy public records containing personal



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8455 continued

2 1 information in accordance with the requirements of  
2 2 this section. Any third party hired to destroy public  
2 3 records containing personal information shall  
2 4 implement and monitor compliance with policies and  
2 5 procedures that prohibit unauthorized access to or  
2 6 acquisition of or use of personal information during  
2 7 the collection, transportation, and destruction of  
2 8 personal information.  
2 9 4. A government body or third party that violates  
2 10 the provisions of this section shall be subject to a  
2 11 civil penalty of not more than one hundred dollars per  
2 12 public record affected, provided such penalty shall  
2 13 not exceed fifty thousand dollars for each instance of  
2 14 improper destruction. The office of attorney general  
2 15 or a county attorney may enforce the provisions of  
2 16 this section.  
2 17 Sec. \_\_\_\_ . IMPLEMENTATION OF ACT. Section 25B.2,  
2 18 subsection 3, shall not apply to the section of this  
2 19 Act enacting section 22.15.>  
2 20 #2. Title page, line 4, by inserting after the  
2 21 word <fund,> the following: <and relating to identity  
2 22 protection by requiring the destruction of certain  
2 23 public records containing personal information,>.  
2 24 #3. By renumbering as necessary.  
2 25  
2 26  
2 27  
2 28 PETTENGILL of Benton  
2 29 SF 2394.501 82  
2 30 dea/nh/12253



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Amendment 8456

PAG LIN

1 1 Amend Senate File 2394, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 5, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 321.199, Code 2007, is amended  
1 6 by adding the following new unnumbered paragraph:  
1 7 NEW UNNUMBERED PARAGRAPH. Upon determining that a  
1 8 person used false identity information to obtain a  
1 9 driver's license or nonoperator's identification card,  
1 10 the department shall remove the person's false  
1 11 identity information from the department's records, as  
1 12 applicable.>  
1 13 #2. Title page, line 4, by inserting after the  
1 14 word <fund,> the following: <relating to certain  
1 15 records maintained by the department,>.  
1 16 #3. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 PETTENGILL of Benton  
1 21 SF 2394.301 82  
1 22 dea/nh/21144  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2676 - Introduced

HOUSE FILE  
BY McCARTHY

(COMPANION TO LSB 6651XS  
BY GRONSTAL)

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

A BILL FOR

- 1 An Act relating to uninsured and underinsured motor vehicle
- 2 liability coverage requirements.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6651YH 82
- 5 av/nh/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2676 - Introduced continued

PAG LIN

1 1 Section 1. Section 516A.1, Code 2007, is amended to read  
1 2 as follows:

1 3 516A.1 COVERAGE INCLUDED IN EVERY LIABILITY POLICY ==  
1 4 REJECTION BY INSURED.

1 5 No automobile liability or motor vehicle liability  
1 6 insurance policy insuring against liability for bodily injury  
1 7 or death arising out of the ownership, maintenance, or use of  
1 8 a motor vehicle shall be delivered or issued for delivery in  
1 9 this state with respect to any motor vehicle registered or  
1 10 principally garaged in this state, unless coverage is provided  
1 11 in such policy or supplemental thereto, for the protection of  
1 12 persons insured under such policy who are legally entitled to  
1 13 recover damages from the owner or operator of an uninsured  
1 14 motor vehicle or a hit-and-run motor vehicle or an  
1 15 underinsured motor vehicle because of bodily injury, sickness,  
1 16 or disease, including death resulting therefrom, caused by  
1 17 accident and arising out of the ownership, maintenance, or use  
1 18 of such uninsured or underinsured motor vehicle, or arising  
1 19 out of physical contact of such hit-and-run motor vehicle with  
1 20 the person insured or with a motor vehicle which the person  
1 21 insured is occupying at the time of the accident. Both the  
1 22 uninsured motor vehicle or hit-and-run motor vehicle coverage,  
1 23 and the underinsured motor vehicle coverage shall include  
1 24 limits for bodily injury or death at least equal to those  
1 25 stated in section 321A.1, subsection 11 of the bodily injury  
1 26 or death coverage of the insurance policy. However, neither  
1 27 the uninsured motor vehicle or hit-and-run motor vehicle  
1 28 coverage nor the underinsured motor vehicle coverage is  
1 29 required to exceed five hundred thousand dollars. The form  
1 30 and provisions of such coverage shall be examined and approved  
1 31 by the commissioner of insurance.

1 32 However, the named insured may reject all of such coverage,  
1 33 but not only the specific dollar amount of the coverage, or  
1 34 reject the uninsured motor vehicle (hit-and-run motor vehicle)  
1 35 coverage, or reject the underinsured motor vehicle coverage,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2676 - Introduced continued

2 1 by written rejections signed by the named insured. If  
2 2 rejection is made on a form or document furnished by an  
2 3 insurance company or insurance producer, it shall be on a  
2 4 separate sheet of paper which contains only the rejection and  
2 5 information directly related to it. Such coverage need not be  
2 6 provided in or supplemental to a renewal policy if the named  
2 7 insured has rejected the coverage in connection with a policy  
2 8 previously issued to the named insured by the same insurer.

2 9 EXPLANATION

2 10 This bill relates to uninsured or hit-and-run and  
2 11 underinsured motor vehicle liability insurance coverage  
2 12 requirements. The bill provides that limits in insurance  
2 13 policies for such coverage must equal those of the bodily  
2 14 injury or death coverage of the policy, up to an amount of  
2 15 \$500,000 for each coverage. Currently, uninsured or  
2 16 hit-and-run and underinsured coverage limits are required only  
2 17 in the amount required to show proof of financial  
2 18 responsibility, which is \$15,000 for the bodily injury or  
2 19 death of one person and \$40,000 for the bodily injury or death  
2 20 of two or more persons.

2 21 The bill also allows an insured to reject all uninsured or  
2 22 hit-and-run and underinsured coverage, but not only the  
2 23 specific dollar amount of the coverage.

2 24 LSB 6651YH 82

2 25 av/nh/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2677 - Introduced

HOUSE FILE  
BY McCARTHY

(COMPANION TO LSB 6643XS  
BY GRONSTAL)

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

A BILL FOR

- 1 An Act requiring that certain liability insurance policy
- 2 information be given to claimants.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6643YH 82
- 5 av/nh/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2677 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 515.134A POLICY INFORMATION ==  
1 2 DUTY TO PROVIDE.  
1 3 1. Upon the written request of a claimant or a claimant's  
1 4 representative, an insurer that is providing or may provide  
1 5 liability insurance coverage of the claimant's claim or a  
1 6 portion of that claim under a policy of insurance, shall,  
1 7 within thirty days, provide a written statement, made by an  
1 8 authorized person, stating the limits of any liability  
1 9 insurance coverage. The statement shall include the limits of  
1 10 liability insurance coverage with respect to each policy of  
1 11 insurance issued by that insurer, including excess or umbrella  
1 12 insurance, under which such coverage is being provided or may  
1 13 be provided.  
1 14 2. Information provided to a claimant or a claimant's  
1 15 representative pursuant to this section shall be amended  
1 16 within fourteen days of the discovery that the information  
1 17 provided is incorrect.

1 18 EXPLANATION  
1 19 This bill requires insurers to provide certain information  
1 20 about insurance policies that are providing or may provide  
1 21 liability insurance coverage to a claimant, upon the request  
1 22 of the claimant or the claimant's representative, and to  
1 23 update the information provided upon the discovery that it is  
1 24 not correct.  
1 25 LSB 6643YH 82  
1 26 av/nh/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2678 - Introduced

HOUSE FILE  
BY McCARTHY

(COMPANION TO LSB 6650XS  
BY GRONSTAL)

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

A BILL FOR

- 1 An Act prohibiting the use of campaign funds as compensation to a
- 2 candidate and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6650YH 82
- 5 jr/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2678 - Introduced continued

PAG LIN

1 1 Section 1. Section 68A.302, subsection 2, Code 2007, is  
1 2 amended by adding the following new paragraph:

1 3 NEW PARAGRAPH. k. Payment to a candidate as a salary,  
1 4 gratuity, or other compensation. However, reimbursement of  
1 5 expenses as otherwise authorized in this section is permitted.

1 6 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 7 immediate importance, takes effect upon enactment.

1 8 EXPLANATION

1 9 Code section 68A.302 generally limits the use of campaign  
1 10 funds to campaign purposes, educational and other expenses  
1 11 associated with the duties of office, or constituency  
1 12 services. That section prohibits the use of campaign funds  
1 13 for personal expenses or personal benefit and provides a list  
1 14 of prohibited uses.

1 15 This bill adds to the list of prohibited uses the use of  
1 16 campaign funds to pay the candidate a salary, gratuity, or  
1 17 other form of compensation.

1 18 As provided in Code section 68A.701, a willful violation of  
1 19 any provision of the campaign finance chapter is a serious  
1 20 misdemeanor punishable by confinement for up to one year and a  
1 21 fine of at least \$315 but not more than \$1,875. A variety of  
1 22 civil remedies are also available in Code section 68B.32D for  
1 23 a violation of Code chapter 68A or rules of the ethics and  
1 24 campaign disclosure board, ranging from a reprimand to a civil  
1 25 penalty of not more than \$2,000.

1 26 The bill is effective upon enactment.

1 27 LSB 6650YH 82

1 28 jr/rj/14.1



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced

HOUSE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 787)

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

A BILL FOR

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





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

House File 2679 - Introduced continued

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



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

House File 2679 - Introduced continued

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

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

3 10 For purposes of the registered nurse and nurse educator  
 3 11 loan forgiveness program established pursuant to section  
 3 12 261.23:  
 3 13 ..... \$ 100,000

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

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

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

3 29 For purposes of the barber and cosmetology arts and  
 3 30 sciences tuition grant program established pursuant to section  
 3 31 261.18, if enacted by this Act:  
 3 32 ..... \$ 50,000

3 33 Sec. 3. WORK=STUDY APPROPRIATION FOR FY 2008=2009.  
 3 34 Notwithstanding section 261.85, for the fiscal year beginning  
 3 35 July 1, 2008, and ending June 30, 2009, the amount



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

House File 2679 - Introduced continued

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

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

DEPARTMENT OF EDUCATION

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

4 23 1. GENERAL ADMINISTRATION

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

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

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

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



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

House File 2679 - Introduced continued

5 1 allocated to support management of the community college  
5 2 management information system; for the expansion of the state  
5 3 board of education model core curriculum; for the development  
5 4 and implementation of strategic educational goals; for the  
5 5 collection and dissemination of resources related to human  
5 6 growth and development curriculum; for district sharing  
5 7 incentive purposes; and for the senior year plus program  
5 8 study.

5 9 c. Of the full-time equivalent positions authorized in  
5 10 this subsection, 1.00 full-time equivalent position is  
5 11 allocated for district sharing incentive purposes and 4.00  
5 12 full-time equivalent positions are allocated for purposes of  
5 13 the student achievement and teacher quality program.

5 14 d. The director of the department of education shall  
5 15 ensure that all school districts are aware of the state  
5 16 education resources available on the state web site for  
5 17 listing teacher job openings and shall make every reasonable  
5 18 effort to enable qualified practitioners to post their resumes  
5 19 on the state web site. The department shall administer the  
5 20 posting of job vacancies for school districts, accredited  
5 21 nonpublic schools, and area education agencies on the state  
5 22 web site. The department may coordinate this activity with  
5 23 the Iowa school board association or other interested  
5 24 education associations in the state. The department shall  
5 25 strongly encourage school districts to seek direct claiming  
5 26 under the medical assistance program for funding of school  
5 27 district nursing services for students.

5 28 e. The department shall compile a list of state-funded,  
5 29 competitive grant programs administered by the department.  
5 30 The department shall provide specific but nonidentifying  
5 31 information regarding the children served, money spent per  
5 32 program, and the use and availability of private funds to  
5 33 support the programs. The department shall submit the list  
5 34 and information to the general assembly by January 15, 2009.

5 35 2. VOCATIONAL EDUCATION ADMINISTRATION



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

House File 2679 - Introduced continued

6 1 For salaries, support, maintenance, miscellaneous purposes,  
 6 2 and for not more than the following full-time equivalent  
 6 3 positions:  
 6 4 ..... \$ 576,613  
 6 5 ..... FTEs 13.50  
 6 6 3. VOCATIONAL REHABILITATION SERVICES DIVISION  
 6 7 a. For salaries, support, maintenance, miscellaneous  
 6 8 purposes, and for not more than the following full-time  
 6 9 equivalent positions:  
 6 10 ..... \$ 5,667,575  
 6 11 ..... FTEs 281.50  
 6 12 The division of vocational rehabilitation services shall  
 6 13 seek funding from other sources, such as local funds, for  
 6 14 purposes of matching the state's federal vocational  
 6 15 rehabilitation allocation, as well as for matching other  
 6 16 federal vocational rehabilitation funding that may become  
 6 17 available.  
 6 18 Except where prohibited under federal law, the division of  
 6 19 vocational rehabilitation services of the department of  
 6 20 education shall accept client assessments, or assessments of  
 6 21 potential clients, performed by other agencies in order to  
 6 22 reduce duplication of effort.  
 6 23 Notwithstanding the full-time equivalent position limit  
 6 24 established in this lettered paragraph, for the fiscal year  
 6 25 ending June 30, 2009, if federal funding is received to pay  
 6 26 the costs of additional employees for the vocational  
 6 27 rehabilitation services division who would have duties  
 6 28 relating to vocational rehabilitation services paid for  
 6 29 through federal funding, authorization to hire not more than  
 6 30 4.00 additional full-time equivalent employees shall be  
 6 31 provided, the full-time equivalent position limit shall be  
 6 32 exceeded, and the additional employees shall be hired by the  
 6 33 division.  
 6 34 b. For matching funds for programs to enable persons with  
 6 35 severe physical or mental disabilities to function more



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

House File 2679 - Introduced continued

7 1 independently, including salaries and support, and for not  
 7 2 more than the following full-time equivalent position:  
 7 3 ..... \$ 55,145  
 7 4 ..... FTEs 1.00  
 7 5 The highest priority use for the moneys appropriated under  
 7 6 this lettered paragraph shall be for programs that emphasize  
 7 7 employment and assist persons with severe physical or mental  
 7 8 disabilities to find and maintain employment to enable them to  
 7 9 function more independently.  
 7 10 c. For the entrepreneurs with disabilities program  
 7 11 pursuant to section 259.4, subsection 9, if enacted by 2008  
 7 12 Iowa Acts, House File 2214:  
 7 13 ..... \$ 200,000  
 7 14 4. STATE LIBRARY  
 7 15 a. For salaries, support, maintenance, miscellaneous  
 7 16 purposes, and for not more than the following full-time  
 7 17 equivalent positions:  
 7 18 ..... \$ 1,879,827  
 7 19 ..... FTEs 19.00  
 7 20 b. For the enrich Iowa program:  
 7 21 ..... \$ 1,823,432  
 7 22 5. LIBRARY SERVICE AREA SYSTEM  
 7 23 For state aid:  
 7 24 ..... \$ 1,586,000  
 7 25 6. PUBLIC BROADCASTING DIVISION  
 7 26 For salaries, support, maintenance, capital expenditures,  
 7 27 miscellaneous purposes, and for not more than the following  
 7 28 full-time equivalent positions:  
 7 29 ..... \$ 8,804,620  
 7 30 ..... FTEs 84.00  
 7 31 The number of full-time equivalent positions authorized for  
 7 32 the division pursuant to this subsection reflects a reduction  
 7 33 to account for the transfer of four individuals currently  
 7 34 providing Iowa communications network classroom maintenance  
 7 35 from the division to the Iowa communications network.



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

House File 2679 - Introduced continued

8 1       7. REGIONAL TELECOMMUNICATIONS COUNCILS  
8 2       For state aid:  
8 3       ..... \$ 1,364,525  
8 4       The regional telecommunications councils established in  
8 5 section 8D.5 shall use the funds appropriated in this  
8 6 subsection to provide technical assistance for network  
8 7 classrooms, planning and troubleshooting for local area  
8 8 networks, scheduling of video sites, and other related support  
8 9 activities.  
8 10      8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS  
8 11      For reimbursement for vocational education expenditures  
8 12 made by secondary schools:  
8 13      ..... \$ 2,936,904  
8 14      Funds appropriated in this subsection shall be used for  
8 15 expenditures made by school districts to meet the standards  
8 16 set in sections 256.11, 258.4, and 260C.14 as a result of the  
8 17 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used  
8 18 as reimbursement for vocational education expenditures made by  
8 19 secondary schools in the manner provided by the department of  
8 20 education for implementation of the standards set in 1989 Iowa  
8 21 Acts, chapter 278.  
8 22      9. SCHOOL FOOD SERVICE  
8 23      For use as state matching funds for federal programs that  
8 24 shall be disbursed according to federal regulations, including  
8 25 salaries, support, maintenance, miscellaneous purposes, and  
8 26 for not more than the following full-time equivalent  
8 27 positions:  
8 28      ..... \$ 2,509,683  
8 29      ..... FTEs        17.43  
8 30      10. IOWA EMPOWERMENT FUND  
8 31      For deposit in the school ready children grants account of  
8 32 the Iowa empowerment fund created in section 28.9:  
8 33      ..... \$ 21,904,357  
8 34      a. From the moneys deposited in the school ready children  
8 35 grants account for the fiscal year beginning July 1, 2008, and



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

House File 2679 - Introduced continued

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

9 23 b. The Iowa empowerment board shall conduct a study of the  
9 24 role that community empowerment can play in strengthening  
9 25 family, friend, and neighbor care to help achieve empowerment  
9 26 goals. In conducting the study, the board may do any or all  
9 27 of the following:

9 28 (1) Review national models and identify best practices in  
9 29 providing information, networking, and learning opportunities  
9 30 and activities for family, friend, and neighbor caregivers.

9 31 (2) Examine and highlight current efforts of local  
9 32 empowerment boards to strengthen family, friend, and neighbor  
9 33 caregiving.

9 34 (3) Convene a working group, including representatives  
9 35 from child care resource and referral centers, libraries,



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

House File 2679 - Introduced continued

10 1 community centers, and family, friend, and neighbor  
10 2 caregivers, to provide advice to the board on family, friend,  
10 3 and neighbor care.  
10 4 (4) Articulate the ways that community empowerment boards  
10 5 can use school ready children grants account funds to support  
10 6 family, friend, and neighbor care.  
10 7 (5) Host a state summit on family, friend, and neighbor  
10 8 care.  
10 9 (6) Examine potential public and private partnerships to  
10 10 provide information, networking, and learning opportunities  
10 11 for family, friend, and neighbor caregivers.  
10 12 The Iowa empowerment board shall submit its findings and  
10 13 recommendations in a report to the governor and general  
10 14 assembly by January 15, 2009. For purposes of this paragraph,  
10 15 "family, friend, and neighbor care" means child care, usually  
10 16 provided without cost and on a voluntary basis, by a family  
10 17 member, a friend, or a neighbor whose reason for providing  
10 18 that care is a strong existing personal relationship with the  
10 19 parent and the parent's child or children. Particular  
10 20 attention shall be given to grandparents providing such care,  
10 21 including grandparents who may be the primary caregivers for  
10 22 their grandchildren.  
10 23 c. As a condition of receiving funding appropriated in  
10 24 this subsection, each community empowerment area board shall  
10 25 report to the Iowa empowerment board progress on each of the  
10 26 state indicators approved by the state board, as well as  
10 27 progress on local indicators. The community empowerment area  
10 28 board must also submit a written plan amendment extending by  
10 29 one year the area's comprehensive school ready children grant  
10 30 plan developed for providing services for children from birth  
10 31 through five years of age and provide other information  
10 32 specified by the Iowa empowerment board. The amendment may  
10 33 also provide for changes in the programs and services provided  
10 34 under the plan. The Iowa empowerment board shall establish a  
10 35 submission deadline for the plan amendment that allows a



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

House File 2679 - Introduced continued

11 1 reasonable period of time for preparation of the plan  
11 2 amendment and for review and approval or request for  
11 3 modification of the plan amendment by the Iowa empowerment  
11 4 board. In addition, the community empowerment board must  
11 5 continue to comply with reporting provisions and other  
11 6 requirements adopted by the Iowa empowerment board in  
11 7 implementing section 28.8.  
11 8     d. Of the amount appropriated in this subsection for  
11 9 deposit in the school ready children grants account of the  
11 10 Iowa empowerment fund that is used for distribution to  
11 11 community empowerment areas, \$4,650,000 shall be used to  
11 12 assist low-income parents with preschool tuition; for other  
11 13 supportive services for children ages three, four, and five  
11 14 who are not attending kindergarten, in order to increase the  
11 15 basic family income eligibility requirement to not more than  
11 16 200 percent of the federal poverty level; and for preschool  
11 17 program expenses not covered under chapter 256C. In addition,  
11 18 if sufficient funding is available after addressing the needs  
11 19 of those who meet the basic income eligibility requirement, a  
11 20 community empowerment area board may provide for eligibility  
11 21 for those with a family income in excess of the basic income  
11 22 eligibility requirement through use of a sliding scale or  
11 23 other copayment provision.  
11 24     e. Of the amount appropriated in this subsection for  
11 25 deposit in the school ready children grants account of the  
11 26 Iowa empowerment fund, \$1,000,000 shall be used for support of  
11 27 professional development and training activities for persons  
11 28 working in early care, health, and education by the Iowa  
11 29 empowerment board in collaboration with representation from  
11 30 the Iowa state university of science and technology  
11 31 cooperative extension service in agriculture and home  
11 32 economics, area education agencies, community colleges, child  
11 33 care resource and referral services, and community empowerment  
11 34 area boards. Expenditures shall be limited to professional  
11 35 development and training activities agreed upon by the parties



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

House File 2679 - Introduced continued

12 1 participating in the collaboration.  
12 2 f. Of the amount appropriated in this subsection for  
12 3 deposit in the school ready children grants account of the  
12 4 Iowa empowerment fund, \$100,000 shall be allocated to the  
12 5 public broadcasting division of the department of education  
12 6 for support of community empowerment as a ready-to-learn  
12 7 coordinator.  
12 8 g. The school ready children grant amount awarded for the  
12 9 fiscal year beginning July 1, 2008, to a community empowerment  
12 10 area that received a school ready children grant award in the  
12 11 fiscal year beginning July 1, 2007, shall be equivalent to the  
12 12 amount awarded in the fiscal year beginning July 1, 2007,  
12 13 minus the amount of the community empowerment area's fiscal  
12 14 year 2006=2007 ending balance exceeding 20 percent of the  
12 15 area's fiscal year 2006=2007 allocation.  
12 16 h. Notwithstanding section 8.33 or any provision to the  
12 17 contrary, any moneys remaining unencumbered or unobligated  
12 18 from the moneys appropriated to the school ready children  
12 19 grants account of the Iowa empowerment fund for the fiscal  
12 20 year beginning July 1, 2008, shall be used by the Iowa  
12 21 empowerment board to develop and implement a plan to  
12 22 strengthen the fiscal accountability of local areas. The plan  
12 23 shall not include hiring additional staff or for ongoing  
12 24 expenses, but may provide for a contract for services. The  
12 25 plan shall address fiscal accountability for community  
12 26 empowerment area boards, including but not limited to training  
12 27 for board members and coordinators, and shall address  
12 28 contractual arrangements with and fiscal oversight of program  
12 29 providers. The plan shall provide for assistance to the  
12 30 community empowerment office and the community empowerment  
12 31 assistance team to improve state fiscal oversight of local  
12 32 boards and ongoing training for community empowerment area  
12 33 boards and coordinators. The Iowa empowerment board and the  
12 34 community empowerment office shall submit a plan progress  
12 35 report to the general assembly and the legislative services



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

House File 2679 - Introduced continued

13 1 agency by January 1, 2009. The Iowa empowerment board and the  
 13 2 community empowerment office shall submit a final report to  
 13 3 the general assembly by March 15, 2010. Notwithstanding  
 13 4 section 28.9, subsection 1, any moneys remaining unencumbered  
 13 5 or unobligated from the moneys allocated to the school ready  
 13 6 children grants account of the Iowa empowerment fund for the  
 13 7 fiscal year beginning July 1, 2008, at the end of the  
 13 8 2009=2010 fiscal year shall revert to the general fund of the  
 13 9 state.

13 10 11. BIRTH TO AGE THREE SERVICES

13 11 For expansion of the federal Individuals With Disabilities  
 13 12 Education Improvement Act of 2004, Pub. L. No. 108=446, as  
 13 13 amended to January 1, 2008, birth through age three services  
 13 14 due to increased numbers of children qualifying for those  
 13 15 services:

13 16 ..... \$ 1,721,400

13 17 From the funds appropriated in this subsection, \$421,400  
 13 18 shall be allocated to the child health specialty clinic at the  
 13 19 state university of Iowa to provide additional support for  
 13 20 infants and toddlers who are born prematurely, drug=exposed,  
 13 21 or medically fragile.

13 22 12. FOUR=YEAR=OLD PRESCHOOL PROGRAM

13 23 For allocation to eligible school districts for the  
 13 24 four=year=old preschool program under chapter 256C, and for  
 13 25 not more than the following full=time equivalent positions:

13 26 ..... \$ 15,000,000

13 27 ..... FTEs 3.00

13 28 From the moneys appropriated pursuant to this subsection,  
 13 29 not more than \$330,000 shall be used by the department for  
 13 30 administration of the four=year=old preschool program  
 13 31 established pursuant to chapter 256C.

13 32 13. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

13 33 To provide funds for costs of providing textbooks to each  
 13 34 resident pupil who attends a nonpublic school as authorized by  
 13 35 section 301.1:



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

House File 2679 - Introduced continued

14 1 ..... \$ 690,165  
 14 2 Funding under this subsection is limited to \$20 per pupil  
 14 3 and shall not exceed the comparable services offered to  
 14 4 resident public school pupils.  
 14 5 14. JOBS FOR AMERICA'S GRADUATES  
 14 6 For school districts to provide direct services to the most  
 14 7 at-risk senior high school students enrolled in school  
 14 8 districts through direct intervention by a jobs for America's  
 14 9 graduates specialist:  
 14 10 ..... \$ 600,000  
 14 11 15. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION  
 14 12 PROGRAM  
 14 13 For purposes of administering the beginning administrator  
 14 14 mentoring and induction program established pursuant to  
 14 15 chapter 284A:  
 14 16 ..... \$ 250,000  
 14 17 16. CORE CURRICULUM AND CAREER INFORMATION AND  
 14 18 DECISION-MAKING SYSTEM  
 14 19 For purposes of implementing the statewide core curriculum  
 14 20 for school districts and accredited nonpublic schools and a  
 14 21 state-designated career information and decision-making system  
 14 22 as provided in 2008 Iowa Acts, Senate File 2216, if enacted:  
 14 23 ..... \$ 2,590,000  
 14 24 17. COMMUNITY COLLEGES  
 14 25 For general state financial aid to merged areas as defined  
 14 26 in section 260C.2 in accordance with chapters 258 and 260C:  
 14 27 ..... \$180,462,414  
 14 28 Notwithstanding the allocation formula in section 260C.18C,  
 14 29 the funds appropriated in this subsection shall be allocated  
 14 30 as follows:  
 14 31 a. Merged Area I ..... \$ 8,947,645  
 14 32 b. Merged Area II ..... \$ 9,708,909  
 14 33 c. Merged Area III ..... \$ 8,924,638  
 14 34 d. Merged Area IV ..... \$ 4,389,764  
 14 35 e. Merged Area V ..... \$ 9,847,840



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

House File 2679 - Introduced continued

15	1	f.	Merged Area VI .....	\$ 8,540,462
15	2	g.	Merged Area VII .....	\$ 12,653,914
15	3	h.	Merged Area IX .....	\$ 15,747,282
15	4	i.	Merged Area X .....	\$ 27,220,417
15	5	j.	Merged Area XI .....	\$ 27,182,315
15	6	k.	Merged Area XII .....	\$ 10,380,925
15	7	l.	Merged Area XIII .....	\$ 10,535,801
15	8	m.	Merged Area XIV .....	\$ 4,445,124
15	9	n.	Merged Area XV .....	\$ 13,958,524
15	10	o.	Merged Area XVI .....	\$ 7,978,854

15 11     Sec. 6. COMMUNITY COLLEGE SALARIES. There is appropriated  
15 12 from the general fund of the state to the department of  
15 13 education for the fiscal year beginning July 1, 2008, and  
15 14 ending June 30, 2009, the following amount, or so much thereof  
15 15 as is necessary, to be used for the purpose designated:  
15 16     For distribution to community colleges to supplement  
15 17 faculty salaries:  
15 18 ..... \$ 1,000,000

15 19     Sec. 7. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.  
15 20 Notwithstanding section 272.10, subsection 2, in addition to  
15 21 the percentage of licensing fees required to be deposited with  
15 22 the treasurer of state and credited to the general fund of the  
15 23 state pursuant to section 272.10, subsection 2, the executive  
15 24 director of the board of educational examiners shall, at the  
15 25 close of the fiscal year beginning July 1, 2007, transfer the  
15 26 amount of \$300,000 to the department of education. The  
15 27 department shall use the transferred funds during the fiscal  
15 28 year beginning July 1, 2008, for implementation of early head  
15 29 start projects addressing the comprehensive cognitive, social,  
15 30 emotional, and developmental needs of children from birth to  
15 31 age three, including prenatal support for qualified families.  
15 32 The early head start projects shall promote healthy prenatal  
15 33 outcomes, healthy family functioning, and strengthen the  
15 34 development of infants and toddlers in low-income families.  
15 35     Sec. 8. SCHOOL DISTRICT TEACHER BACKGROUND CHECKS == FY



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

House File 2679 - Introduced continued

16 1 2007=2008. A school district that requested a background  
16 2 check of a teacher applicant in the fiscal year beginning July  
16 3 1, 2007, in accordance with section 279.13, subsection 1,  
16 4 paragraph "b", from an entity other than the division of  
16 5 criminal investigation shall meet the requirements of section  
16 6 279.13, subsection 1, paragraph "b", as amended by this Act,  
16 7 if enacted, for the teacher applicant for whom the background  
16 8 check was conducted in the fiscal year beginning July 1, 2007.

16 9       Sec. 9. DEPARTMENT OF EDUCATION == COMMUNITY COLLEGE  
16 10 ACCREDITATION AND ACCOUNTABILITY REVIEW PROCESS.

16 11       1. The department of education shall review the community  
16 12 college accreditation process and the compliance requirements  
16 13 contained in the accreditation criteria. The review shall  
16 14 consider measures to ensure consistency in program quality  
16 15 statewide, adequate oversight of community college programming  
16 16 by the state board of education and, in consultation with the  
16 17 community college management information system standing  
16 18 committee, consistency in definitions for information and data  
16 19 requirements; and identify barriers to providing quality  
16 20 programming, methods to improve compensation of community  
16 21 college faculty, and system performance measures that  
16 22 adequately respond to identified needs and concerns. The  
16 23 review shall include an examination of community college  
16 24 accreditation processes and system performance measures from  
16 25 other states and regions.

16 26       2. In conducting the review, the department shall  
16 27 collaborate with community college accreditation and quality  
16 28 faculty plan committees and the division of community colleges  
16 29 and workforce preparation's accreditation advisory committee,  
16 30 and shall ensure that the advisory committee includes members  
16 31 appointed by the director of the department in consultation  
16 32 with the executive director of the Iowa association of  
16 33 community college trustees.

16 34       3. The department shall submit a progress report to the  
16 35 general assembly by January 15, 2009, and shall submit its



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

House File 2679 - Introduced continued

17 1 findings and recommendations in a final report to the general  
17 2 assembly by January 15, 2010.

17 3       Sec. 10. MINING CAMP SCHOOL LAND == STATE INTEREST. The  
17 4 department of administrative services may transfer by  
17 5 quitclaim deed any tract of land in which the title is vested  
17 6 in the state by reason of it having been provided by state  
17 7 mining camp funds for schools in mining camps pursuant to  
17 8 section 297.26, Code 2007.

17 9                                       STATE BOARD OF REGENTS

17 10       Sec. 11. There is appropriated from the general fund of  
17 11 the state to the state board of regents for the fiscal year  
17 12 beginning July 1, 2008, and ending June 30, 2009, the  
17 13 following amounts, or so much thereof as may be necessary, to  
17 14 be used for the purposes designated:

17 15       1. OFFICE OF STATE BOARD OF REGENTS

17 16       a. For salaries, support, maintenance, miscellaneous  
17 17 purposes, and for not more than the following full-time  
17 18 equivalent positions:

17 19 .....	\$ 1,263,437
17 20 .....	FTEs        16.00

17 21       The state board of regents shall submit a monthly financial  
17 22 report in a format agreed upon by the state board of regents  
17 23 office and the legislative services agency.

17 24       The state board of regents shall not circumvent the  
17 25 requirements of section 270.10 and, as the board develops any  
17 26 plan regarding the Iowa braille and sight saving school, it  
17 27 shall comply with the requirements of section 270.10.

17 28       b. For funds to be allocated to the southwest Iowa  
17 29 graduate studies center:

17 30 .....	\$     108,698
-------------	----------------

17 31       c. For funds to be allocated to the siouxland interstate  
17 32 metropolitan planning council for the tristate graduate center  
17 33 under section 262.9, subsection 21:

17 34 .....	\$       80,467
-------------	-----------------

17 35       d. For funds to be allocated to the quad-cities graduate



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

House File 2679 - Introduced continued

18 1 studies center:  
18 2 ..... \$ 160,806  
18 3 e. For funds to be distributed to the midwestern higher  
18 4 education compact to pay Iowa's member state annual  
18 5 obligation:  
18 6 ..... \$ 90,000  
18 7 2. STATE UNIVERSITY OF IOWA  
18 8 a. General university, including lakeside laboratory  
18 9 For salaries, support, maintenance, equipment,  
18 10 miscellaneous purposes, and for not more than the following  
18 11 full-time equivalent positions:  
18 12 ..... \$258,011,947  
18 13 ..... FTEs 5,058.55  
18 14 b. Center for disabilities and development  
18 15 For salaries, support, maintenance, miscellaneous purposes,  
18 16 and for not more than the following full-time equivalent  
18 17 positions:  
18 18 ..... \$ 6,726,227  
18 19 ..... FTEs 130.37  
18 20 From the funds appropriated in this lettered paragraph,  
18 21 \$200,000 shall be allocated for purposes of the employment  
18 22 policy group.  
18 23 c. Oakdale campus  
18 24 For salaries, support, maintenance, miscellaneous purposes,  
18 25 and for not more than the following full-time equivalent  
18 26 positions:  
18 27 ..... \$ 2,726,485  
18 28 ..... FTEs 38.25  
18 29 d. State hygienic laboratory  
18 30 For salaries, support, maintenance, miscellaneous purposes,  
18 31 and for not more than the following full-time equivalent  
18 32 positions:  
18 33 ..... \$ 4,182,151  
18 34 ..... FTEs 102.50  
18 35 e. Family practice program



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

House File 2679 - Introduced continued

19 1 For allocation by the dean of the college of medicine, with  
 19 2 approval of the advisory board, to qualified participants to  
 19 3 carry out the provisions of chapter 148D for the family  
 19 4 practice program, including salaries and support, and for not  
 19 5 more than the following full-time equivalent positions:  
 19 6 ..... \$ 2,179,043  
 19 7 ..... FTEs 190.40  
 19 8 f. Child health care services  
 19 9 For specialized child health care services, including  
 19 10 childhood cancer diagnostic and treatment network programs,  
 19 11 rural comprehensive care for hemophilia patients, and the Iowa  
 19 12 high-risk infant follow-up program, including salaries and  
 19 13 support, and for not more than the following full-time  
 19 14 equivalent positions:  
 19 15 ..... \$ 732,388  
 19 16 ..... FTEs 57.97  
 19 17 g. Statewide cancer registry  
 19 18 For the statewide cancer registry, and for not more than  
 19 19 the following full-time equivalent positions:  
 19 20 ..... \$ 184,578  
 19 21 ..... FTEs 2.10  
 19 22 h. Substance abuse consortium  
 19 23 For funds to be allocated to the Iowa consortium for  
 19 24 substance abuse research and evaluation, and for not more than  
 19 25 the following full-time equivalent position:  
 19 26 ..... \$ 67,877  
 19 27 ..... FTEs 1.00  
 19 28 i. Center for biocatalysis  
 19 29 For the center for biocatalysis, and for not more than the  
 19 30 following full-time equivalent positions:  
 19 31 ..... \$ 902,687  
 19 32 ..... FTEs 6.28  
 19 33 j. Primary health care initiative  
 19 34 For the primary health care initiative in the college of  
 19 35 medicine, and for not more than the following full-time



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

House File 2679 - Introduced continued

20 1 equivalent positions:  
 20 2 ..... \$ 793,920  
 20 3 ..... FTEs 5.89  
 20 4 From the funds appropriated in this lettered paragraph,  
 20 5 \$330,000 shall be allocated to the department of family  
 20 6 practice at the state university of Iowa college of medicine  
 20 7 for family practice faculty and support staff.  
 20 8 k. Birth defects registry  
 20 9 For the birth defects registry, and for not more than the  
 20 10 following full-time equivalent position:  
 20 11 ..... \$ 46,685  
 20 12 ..... FTEs 1.00  
 20 13 1. Larned A. Waterman Iowa nonprofit resource center  
 20 14 For the Larned A. Waterman Iowa nonprofit resource center:  
 20 15 ..... \$ 200,000  
 20 16 m. Agricultural health and safety programs  
 20 17 For a program for farmers with disabilities:  
 20 18 ..... \$ 130,000  
 20 19 Funds appropriated for purposes of this lettered paragraph  
 20 20 shall be used for a grant to a national nonprofit organization  
 20 21 with over 80 years of experience in assisting children and  
 20 22 adults with disabilities and special needs. The funds shall  
 20 23 be used for a nationally recognized program that began in 1986  
 20 24 and has been replicated in at least 30 other states, but which  
 20 25 is not available through any other entity in this state, that  
 20 26 provides assistance to farmers with disabilities in all 99  
 20 27 counties to allow the farmers to remain in their own homes and  
 20 28 be gainfully engaged in farming through provision of  
 20 29 agricultural worksite and home modification consultations,  
 20 30 peer support services, services to families, information and  
 20 31 referral, and equipment loan services.  
 20 32 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
 20 33 a. General university  
 20 34 For salaries, support, maintenance, equipment,  
 20 35 miscellaneous purposes, and for not more than the following



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

House File 2679 - Introduced continued

21 1 full=time equivalent positions:  
21 2 ..... \$204,145,406  
21 3 ..... FTEs 3,647.42  
21 4     b. Agricultural experiment station  
21 5         For salaries, support, maintenance, miscellaneous purposes,  
21 6 and for not more than the following full=time equivalent  
21 7 positions:  
21 8 ..... \$ 34,493,006  
21 9 ..... FTEs 546.98  
21 10     c. Cooperative extension service in agriculture and home  
21 11 economics  
21 12         For salaries, support, maintenance, miscellaneous purposes,  
21 13 and for not more than the following full=time equivalent  
21 14 positions:  
21 15 ..... \$ 21,900,084  
21 16 ..... FTEs 383.34  
21 17     d. Leopold center  
21 18         For agricultural research grants at Iowa state university  
21 19 of science and technology under section 266.39B, and for not  
21 20 more than the following full=time equivalent positions:  
21 21 ..... \$ 490,572  
21 22 ..... FTEs 11.25  
21 23     e. Livestock disease research  
21 24         For deposit in and the use of the livestock disease  
21 25 research fund under section 267.8:  
21 26 ..... \$ 220,708  
21 27     f. Veterinary diagnostic laboratory  
21 28         For purposes of supporting the college of veterinary  
21 29 medicine for the operation of the veterinary diagnostic  
21 30 laboratory:  
21 31 ..... \$ 1,000,000  
21 32     (1) Iowa state university shall not reduce the amount that  
21 33 it allocates to support the college of veterinary medicine  
21 34 from any other source due to the appropriation made in this  
21 35 lettered paragraph.



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

House File 2679 - Introduced continued

22 1       (2) If by the end of the fiscal year Iowa state university  
 22 2 fails to allocate the moneys appropriated in this lettered  
 22 3 paragraph to the college of veterinary medicine in accordance  
 22 4 with this lettered paragraph, the moneys appropriated in this  
 22 5 lettered paragraph for that fiscal year shall revert to the  
 22 6 general fund.

22 7       (3) It is the intent of the general assembly that a future  
 22 8 general assembly appropriate moneys to Iowa state university  
 22 9 of science and technology for the designated fiscal year, or  
 22 10 so much thereof as is necessary, to be used for the purposes  
 22 11 designated:

22 12       For purposes of supporting the college of veterinary  
 22 13 medicine for the operation of the veterinary diagnostic  
 22 14 laboratory:

22 15 FY 2009=2010 ..... \$ 4,000,000

22 16       4. UNIVERSITY OF NORTHERN IOWA

22 17       a. General university

22 18       For salaries, support, maintenance, equipment,  
 22 19 miscellaneous purposes, and for not more than the following  
 22 20 full-time equivalent positions:

22 21 ..... \$ 92,495,485  
 22 22 ..... FTEs 1,449.48

22 23       b. Recycling and reuse center

22 24       For purposes of the recycling and reuse center, and for not  
 22 25 more than the following full-time equivalent positions:

22 26 ..... \$ 219,279  
 22 27 ..... FTEs 3.00

22 28       5. STATE SCHOOL FOR THE DEAF

22 29       For salaries, support, maintenance, miscellaneous purposes,  
 22 30 and for not more than the following full-time equivalent  
 22 31 positions:

22 32 ..... \$ 9,883,399  
 22 33 ..... FTEs 126.60

22 34       6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

22 35       For salaries, support, maintenance, miscellaneous purposes,



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

House File 2679 - Introduced continued

23 1 and for not more than the following full-time equivalent  
 23 2 positions:  
 23 3 ..... \$ 5,565,229  
 23 4 ..... FTEs 62.87  
 23 5 7. TUITION AND TRANSPORTATION COSTS  
 23 6 For payment to local school boards for the tuition and  
 23 7 transportation costs of students residing in the Iowa braille  
 23 8 and sight saving school and the state school for the deaf  
 23 9 pursuant to section 262.43 and for payment of certain  
 23 10 clothing, prescription, and transportation costs for students  
 23 11 at these schools pursuant to section 270.5:  
 23 12 ..... \$ 15,020  
 23 13 Sec. 12. BOARD OF REGENTS UNIVERSITY STUDY == WOMEN AND  
 23 14 MINORITIES IN STEM PROGRAMS AND COLLEGES.  
 23 15 1. The state board of regents shall require the  
 23 16 universities it governs to collect data and report on the  
 23 17 proportion of women and minorities enrolled in science,  
 23 18 technology, engineering, and mathematics programs and  
 23 19 colleges, including high school programs such as project lead  
 23 20 the way. The state board of regents shall submit the data and  
 23 21 its findings and recommendations in a report to the general  
 23 22 assembly by January 15, 2009.  
 23 23 2. The state board of regents shall direct the  
 23 24 universities it governs to take every reasonable measure to  
 23 25 improve the proportion of women and minorities in university  
 23 26 science, technology, engineering, and mathematics programs and  
 23 27 colleges.  
 23 28 Sec. 13. BABY BOOM GENERATION WORKFORCE STUDY. If  
 23 29 sufficient funding is approved or appropriated by the general  
 23 30 assembly, or if a local political subdivision provides  
 23 31 sufficient funding, or if sufficient private funding becomes  
 23 32 available to the state board of regents for such purpose, the  
 23 33 department of sociology at Iowa state university of science  
 23 34 and technology, in coordination with Iowa state university  
 23 35 extension, shall conduct a study regarding current and



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

24 1 potential efforts to retain Iowans of the baby boom generation  
24 2 and attract those who have emigrated from the state as well as  
24 3 potential new Iowans of the baby boom generation. Such  
24 4 efforts may include but are not limited to community  
24 5 attractions, recreation, health and wellness opportunities,  
24 6 and other quality of life measures. The study shall also  
24 7 consider those who reside in other states for part of the  
24 8 year, the career opportunities available to baby boomers, the  
24 9 educational needs of baby boomers and the career experiences  
24 10 and productivity benefits that baby boomers bring to Iowa's  
24 11 workforce. For purposes of this section, "baby boom  
24 12 generation" and "baby boomers" includes people born no earlier  
24 13 than 1946 and no later than 1964. The results of the study  
24 14 shall be made available in a report to the governor and the  
24 15 general assembly by January 15, 2009.

24 16 Sec. 14. For the fiscal year beginning July 1, 2008, and  
24 17 ending June 30, 2009, the state board of regents may use  
24 18 notes, bonds, or other evidences of indebtedness issued under  
24 19 section 262.48 to finance projects that will result in energy  
24 20 cost savings in an amount that will cause the state board to  
24 21 recover the cost of the projects within an average of six  
24 22 years.

24 23 Sec. 15. Notwithstanding section 270.7, the department of  
24 24 administrative services shall pay the state school for the  
24 25 deaf and the Iowa braille and sight saving school the moneys  
24 26 collected from the counties during the fiscal year beginning  
24 27 July 1, 2008, for expenses relating to prescription drug costs  
24 28 for students attending the state school for the deaf and the  
24 29 Iowa braille and sight saving school.

24 30 Sec. 16. Section 28.8, subsection 3, Code 2007, is amended  
24 31 by adding the following new paragraph:

24 32 NEW PARAGRAPH. d. Support services to prevent the spread  
24 33 of infectious diseases, prevent child injuries, develop health  
24 34 emergency protocols, help with medication, and care for  
24 35 children with special health needs in child care settings.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

25 1 The support services shall be provided by a registered nurse  
25 2 licensed pursuant to chapter 152 who has completed training  
25 3 using a nationally approved curriculum for health and safety  
25 4 in child care and early education and who is employed by or  
25 5 contracting with a maternal and child health center  
25 6 participating in the statewide maternal and child health  
25 7 program administered by the department of public health under  
25 8 section 135.11.

25 9 Sec. 17. Section 28.8, subsection 5, paragraphs a and e,  
25 10 Code 2007, are amended to read as follows:

25 11 a. A school ready children grant shall be awarded to a  
25 12 community board ~~for a three-year period, with annual payments~~  
~~25 13 made to the community board annually.~~ The Iowa empowerment  
25 14 board may grant an extension from the award date and any  
25 15 application deadlines based upon the award date, to allow for  
25 16 a later implementation date in the initial year in which a  
25 17 community board submits a comprehensive school ready grant  
25 18 plan to the Iowa empowerment board. However, receipt of  
25 19 continued funding is subject to submission of the required  
25 20 annual report and the Iowa board's determination that the  
25 21 community board is measuring, through the use of performance  
25 22 and results indicators developed by the Iowa board with input  
25 23 from community boards, progress toward and is achieving the  
25 24 desired results identified in the grant plan. If progress is  
25 25 not measured through the use of performance and results  
25 26 indicators toward achieving the identified results, the Iowa  
25 27 board may request a plan of corrective action, withhold any  
25 28 increase in funding, or withdraw grant funding.

25 29 e. The amount of school ready children grant funding the  
25 30 Iowa empowerment board ~~shall identify and apply limitations on~~  
~~25 31 the carryforward of school ready children grant funding may~~  
25 32 carry forward annually shall not exceed twenty percent. ~~The~~  
~~25 33 limitations shall address an unusually high percentage of a~~  
~~25 34 grant being carried forward, the number of years a grant has~~  
~~25 35 been carried forward which shall not exceed three years, and~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

~~House File 2679 — Introduced continued~~

~~26 1 other objective criteria. The limitations shall make  
26 2 allowances for special circumstances such as the carryforward  
26 3 of funding that is designated for a particular purpose and is  
26 4 scheduled in the grant plan. The board may provide for  
26 5 redistribution or other redirection of the funding that meets  
26 6 the criteria. School ready children grant funds received by a  
26 7 community empowerment board in a fiscal year shall be carried  
26 8 forward to the following fiscal year. However, any funds  
26 9 which remain unencumbered and unobligated in excess of twenty  
26 10 percent of the funds received in a fiscal year shall be  
26 11 subtracted by the Iowa empowerment board from the allocation  
26 12 to the community empowerment board for the following fiscal  
26 13 year.~~

26 14 Sec. 18. Section 256.26, subsection 1, Code Supplement  
26 15 2007, is amended to read as follows:

26 16 1. There is established a before and after school grant  
26 17 program to provide competitive grants to school districts and  
26 18 other public and private organizations to expand the  
26 19 availability of before and after school programs, including  
26 20 but not limited to summer programs. The amount of a grant  
26 21 awarded in accordance with this section shall be not less than  
26 22 thirty thousand dollars nor more than fifty thousand dollars.

26 23 Sec. 19. Section 256.26, subsection 2, paragraph e, Code  
26 24 Supplement 2007, is amended to read as follows:

26 25 e. Provides for not less than ~~a twenty percent~~ an equal  
26 26 match of any state funds received for purposes of the program.  
26 27 The local match shall be in cash or in kind contributions.

26 28 Sec. 20. Section 256.26, subsection 6, Code Supplement  
26 29 2007, is amended by striking the subsection and inserting in  
26 30 lieu thereof the following:

26 31 6. An applicant serving middle and high school-age youth  
26 32 is eligible for funding under this section if the applicant  
26 33 demonstrates that the applicant is serving youth at least once  
26 34 a week or a minimum of two hours per week.

26 35 Sec. 21. Section 256.26, Code Supplement 2007, is amended



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

27 1 by adding the following new subsection:

27 2 NEW SUBSECTION. 7. Grant funding may be used for  
27 3 programming for multiple fiscal years as proposed by the  
27 4 applicant and approved by the department.

27 5 Sec. 22. Section 256B.15, subsection 7, Code 2007, is  
27 6 amended to read as follows:

~~27 7 7. a. The treasurer of the state shall credit receipts  
27 8 received under this section to the department of human  
27 9 services to pay contractual fees incurred by the department to  
27 10 maximize federal funding for special education services. All  
27 11 remaining receipts in excess of the amount necessary to pay  
27 12 contractual fees shall be credited to the department of human  
27 13 services medical assistance account.~~

~~27 14 b. The area education agencies shall, after determining  
27 15 the administrative costs associated with the implementation of  
27 16 medical assistance reimbursement for the eligible services, be  
27 17 permitted to retain up to twenty-five percent of the federal  
27 18 portion of the total amount reimbursed to pay for the  
27 19 administrative costs transfer to the department of education  
27 20 an amount equal to eighty-four percent of the payments~~

~~27 21 received from the medical assistance program provided pursuant  
27 22 to chapter 249A. This limitation requirement does not apply  
27 23 to medical assistance reimbursement for services provided by  
27 24 an area education agency under part C of the federal  
27 25 Individuals With Disabilities Education Act. Funds received  
27 26 under this section shall not be considered or included as part  
27 27 of the area education agencies' budgets when calculating funds  
27 28 that are to be received by area education agencies during a  
27 29 fiscal year.~~

27 30 Sec. 23. Section 257B.1B, subsection 1, Code 2007, is  
27 31 amended to read as follows:

~~27 32 1. For the fiscal year beginning July 1, 2004 2008 and  
27 33 each succeeding fiscal year, fifty-five percent of the moneys  
27 34 deposited in the fund to the department of education for  
27 35 allocation to the Iowa reading recovery council university of~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

~~28 1 northern Iowa to assist school districts in developing reading  
28 2 recovery and literacy programs. The Iowa reading recovery  
28 3 council shall use the area education agency unified budget as  
28 4 its fiscal agent for grant moneys and for other moneys  
28 5 administered by the council.~~

28 6 Sec. 24. Section 260C.18C, subsection 2, unnumbered  
28 7 paragraph 1, Code 2007, is amended to read as follows:

28 8 As used in this section and section 260C.18D, unless the  
28 9 context otherwise requires:

28 10 Sec. 25. NEW SECTION. 260C.18D INSTRUCTOR SALARY  
28 11 DISTRIBUTION FORMULA.

28 12 1. DISTRIBUTION FORMULA. Moneys appropriated by the  
28 13 general assembly to the department for community college  
28 14 instructor salaries shall be distributed among each community  
28 15 college based on the proportion that the number of full-time  
28 16 equivalent instructors employed by a community college bears  
28 17 to the sum of the number of full-time equivalent eligible  
28 18 instructors who are employed by all community colleges in the  
28 19 state for the base year. The state board shall define  
28 20 "eligible full-time equivalent instructor" by rule.

28 21 2. BASE FUNDING ALLOCATION. Moneys distributed to each  
28 22 community college under subsection 1 shall be included in the  
28 23 base funding allocation for all future years. The use of the  
28 24 funds shall remain as described in this section for all future  
28 25 years.

28 26 3. PURPOSES SUPPLEMENTAL. Moneys appropriated and  
28 27 distributed to community colleges under this section shall be  
28 28 used to supplement and not supplant any approved faculty  
28 29 salary increases or negotiated agreements, excluding the  
28 30 distribution of the funds in this section.

28 31 4. ELIGIBLE INSTRUCTORS. Moneys distributed to a  
28 32 community college under this section shall be allocated to all  
28 33 full-time, nonadministrative instructors and part-time  
28 34 instructors covered by a collective bargaining agreement. The  
28 35 moneys shall be allocated by negotiated agreements according



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

29 1 to chapter 20. If no language exists, the moneys shall be  
29 2 allocated equally to all full-time, nonadministrative  
29 3 instructors with part-time instructors covered by a collective  
29 4 bargaining agreement receiving a prorated share of the fund.

29 5 Sec. 26. Section 260C.36, subsection 1, Code Supplement  
29 6 2007, is amended by adding the following new paragraph:

29 7 NEW PARAGRAPH. i. Determination of the faculty that will  
29 8 be included in the plan including but not limited to all  
29 9 instructors, counselors, and media specialists. The plan  
29 10 requirements may be differentiated for each type of employee.

29 11 Sec. 27. Section 260C.36, Code Supplement 2007, is amended  
29 12 by adding the following new subsection:

29 13 NEW SUBSECTION. 4. The department of education shall  
29 14 establish the following committees:

29 15 a. An ad hoc accreditation quality faculty plan protocol  
29 16 committee to advise the department in the development of  
29 17 protocols related to the quality faculty planning process to  
29 18 be used by the accreditation teams during site visits. The  
29 19 committee shall, at a minimum, determine what types of  
29 20 evidence need to be provided, develop interview procedures and  
29 21 visit goals, and propose accreditation protocol revisions.

29 22 b. An ongoing quality faculty plan professional  
29 23 development committee. The committee shall, at a minimum, do  
29 24 the following:

29 25 (1) Develop systemic, ongoing, and sustainable statewide  
29 26 professional development opportunities that support  
29 27 institutional development as well as individual development  
29 28 and support of the quality faculty plans. The opportunities  
29 29 may include web-based systems to share promising practices.

29 30 (2) Determine future professional development needs.

29 31 (3) Develop or identify training and assistance relating  
29 32 to the quality faculty plan process and requirements.

29 33 (4) Assist the department and community colleges in  
29 34 developing professional development consortia.

29 35 (5) Review and identify best practices in each community



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

House File 2679 - Introduced continued

30 1 college quality faculty plan, including best practices  
30 2 regarding adjunct faculty.  
30 3 c. A community college faculty advisory committee  
30 4 consisting of one member and one alternate from each community  
30 5 college, appointed by the committee established pursuant to  
30 6 subsection 1. The committee membership shall be equally  
30 7 represented by individuals from the liberal arts and sciences  
30 8 faculty and the career and technical faculty. The committee  
30 9 shall, at a minimum, keep faculty informed of higher education  
30 10 issues, facilitate communication between the faculty and the  
30 11 department on an ongoing basis, and serve as an advisory  
30 12 committee to the department and community colleges on faculty  
30 13 issues.  
30 14 d. An advisory group to assist with the implementation of  
30 15 the management information system for community colleges. The  
30 16 advisory group shall include but is not limited to community  
30 17 college faculty and administrators. The Iowa association of  
30 18 community college trustees and the Iowa state education  
30 19 association shall each appoint one member. The department, in  
30 20 consultation with the advisory group, shall ensure the  
30 21 community college management information system includes the  
30 22 following data for all instructors and administrators:  
30 23 (1) Degree, certifications, and other qualifications to  
30 24 meet the minimum hiring standards.  
30 25 (2) Salary information including regular contracted salary  
30 26 and total salary.  
30 27 (3) Credit hours and laboratory contact hours and other  
30 28 data on instructional time.  
30 29 (4) Other information comparable to the data regarding  
30 30 teachers collected in the basic education data survey.  
30 31 Sec. 28. Section 260C.48, subsection 1, unnumbered  
30 32 paragraph 1, Code Supplement 2007, is amended to read as  
30 33 follows:  
30 34 The state board shall develop standards and rules for the  
30 35 accreditation of community college programs. Except as



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

31 1 provided in this subsection and subsection 4, standards  
31 2 developed shall be general in nature so as to apply to more  
31 3 than one specific program of instruction. With regard to  
31 4 community college=employed instructors, the standards adopted  
31 5 shall at a minimum require that community college instructors  
31 6 who are under contract for at least half=time or more, and by  
31 7 July 1, 2011, all instructors, meet the following

31 8 requirements:

31 9 Sec. 29. Section 260C.48, subsection 1, paragraph b,  
31 10 subparagraph (2), Code Supplement 2007, is amended to read as  
31 11 follows:

31 12 (2) ~~Has~~ Have two or more years of successful experience in  
31 13 a professional field or area in which the instructor is  
31 14 teaching classes and in which postbaccalaureate recognition or  
31 15 professional licensure is necessary for practice, including  
31 16 but not limited to the fields or areas of accounting,  
31 17 engineering, law, law enforcement, and medicine.

31 18 Sec. 30. Section 261.2, Code Supplement 2007, is amended  
31 19 by adding the following new subsection:

31 20 NEW SUBSECTION. 9. Submit by January 15 annually a report  
31 21 to the general assembly which provides, by program, the number  
31 22 of individuals who received loan forgiveness in the previous  
31 23 fiscal year, the amount paid to individuals under section  
31 24 261.23, 261.73, and 261.112, and the institutions from which  
31 25 individuals graduated, and that includes any proposed  
31 26 statutory changes and the commission's findings and  
31 27 recommendations.

31 28 Sec. 31. NEW SECTION. 261.18 BARBER AND COSMETOLOGY ARTS  
31 29 AND SCIENCES TUITION GRANT PROGRAM.

31 30 1. A barber and cosmetology arts and sciences tuition  
31 31 grant may be awarded to any resident of Iowa who establishes  
31 32 financial need and is admitted and in attendance as a  
31 33 full=time or part=time student in a course of study at an  
31 34 eligible school.

31 35 2. All classes identified by the barber school or school



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

32 1 of cosmetology arts and sciences as required for completion of  
32 2 a course of study required for licensure as provided in  
32 3 section 158.8 or required for licensure as provided in section  
32 4 157.10, shall be considered a part of the student's barber or  
32 5 cosmetology course of study for the purpose of determining the  
32 6 student's eligibility for a grant. Notwithstanding subsection  
32 7 3, if a student is making satisfactory academic progress but  
32 8 the student cannot complete the course of study in the time  
32 9 frame allowed for a student to receive a barber and  
32 10 cosmetology arts and sciences tuition grant as provided in  
32 11 subsection 3 because additional classes are required to  
32 12 complete the course of study, the student may continue to  
32 13 receive a barber and cosmetology arts and sciences tuition  
32 14 grant for not more than one additional enrollment period.

32 15 3. A qualified full-time student may receive a barber and  
32 16 cosmetology arts and sciences tuition grant for not more than  
32 17 four semesters or the trimester or quarter equivalent of two  
32 18 full years of study. A qualified part-time student enrolled  
32 19 in a course of study including at least three semester hours  
32 20 but fewer than twelve semester hours or the trimester or  
32 21 quarter equivalent may receive barber and cosmetology arts and  
32 22 sciences tuition grants for not more than eight semesters or  
32 23 the trimester or quarter equivalent of two full years of  
32 24 full-time study. However, if a student resumes study after at  
32 25 least a two-year absence, the student may again be eligible  
32 26 for the specified amount of time, except that the student  
32 27 shall not receive assistance for courses for which credit was  
32 28 previously received.

32 29 4. a. The amount of a barber and cosmetology arts and  
32 30 sciences tuition grant to a qualified full-time student shall  
32 31 not exceed the lesser of one thousand two hundred dollars per  
32 32 year or the amount of the student's established financial  
32 33 need.

32 34 b. The amount of a barber and cosmetology arts and  
32 35 sciences tuition grant to a qualified part-time student



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

House File 2679 - Introduced continued

33 1 enrolled in a course of study including at least three  
33 2 semester hours but fewer than twelve semester hours or the  
33 3 trimester or quarter equivalent shall be equal to the amount  
33 4 of a barber and cosmetology arts and sciences tuition grant  
33 5 that would be paid to a full-time student, except that the  
33 6 commission shall prorate the amount in a manner consistent  
33 7 with the federal Pell grant program proration.

33 8 5. A barber and cosmetology arts and sciences tuition  
33 9 grant shall be awarded on an annual basis, requiring  
33 10 reapplication by the student for each year. Payments under  
33 11 the grant shall be allocated equally among the semesters or  
33 12 quarters of the year upon certification by the institution  
33 13 that the student is in full-time or part-time attendance in a  
33 14 course of study at a licensed barber school or school of  
33 15 cosmetology arts and sciences. If the student discontinues  
33 16 attendance before the end of any term after receiving payment  
33 17 of the grant, the entire amount of any refund due that  
33 18 student, up to the amount of any payments made under the  
33 19 annual grant, shall be paid by the institution to the state.

33 20 6. If a student receives financial aid under any other  
33 21 program, the full amount of that financial aid shall be  
33 22 considered part of the student's financial resources available  
33 23 in determining the amount of the student's financial need for  
33 24 that period.

33 25 7. The commission shall administer this program and shall:

33 26 a. Provide application forms for distribution to students  
33 27 by Iowa high schools, licensed barber schools and schools of  
33 28 cosmetology arts and sciences, and community colleges.

33 29 b. Adopt rules for determining financial need, defining  
33 30 residence for the purposes of this section, processing and  
33 31 approving applications for grants and determining priority for  
33 32 grants.

33 33 c. Approve and award grants on an annual basis.

33 34 d. Make an annual report to the governor and general  
33 35 assembly. The report shall include the number of students



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

34 1 receiving assistance under this section.  
34 2 8. Each applicant, in accordance with the rules  
34 3 established by the commission, shall:  
34 4 a. Complete and file an application for a barber and  
34 5 cosmetology arts and sciences tuition grant.  
34 6 b. Be responsible for the submission of the financial  
34 7 information required for evaluation of the applicant's need  
34 8 for a grant, on forms determined by the commission.  
34 9 c. Report promptly to the commission any information  
34 10 requested.  
34 11 d. Submit a new application and financial statement for  
34 12 reevaluation of the applicant's eligibility to receive a  
34 13 second-year renewal of the grant.  
34 14 9. For purposes of this section, "eligible school" means a  
34 15 barber school licensed under section 158.7 or a school of  
34 16 cosmetology arts and sciences licensed under chapter 157. An  
34 17 eligible school shall be accredited by a national accrediting  
34 18 agency recognized by the United States department of education  
34 19 and shall meet the criteria in section 261.9, subsection 1,  
34 20 paragraphs "d" through "g". An eligible school shall report  
34 21 promptly to the commission any information requested.  
34 22 Sec. 32. Section 261.25, subsections 1 and 2, Code  
34 23 Supplement 2007, are amended to read as follows:  
34 24 1. There is appropriated from the general fund of the  
34 25 state to the commission for each fiscal year the sum of  
34 26 ~~forty-eight~~ fifty million ~~three hundred~~ seventy-three thousand  
34 27 seven hundred eighteen dollars for tuition grants.  
34 28 2. There is appropriated from the general fund of the  
34 29 state to the commission for each fiscal year the sum of five  
34 30 million ~~three~~ five hundred ~~seventy-four~~ twenty-four thousand  
34 31 eight hundred fifty-eight dollars for tuition grants for  
34 32 students attending for-profit accredited private institutions  
34 33 located in Iowa. A for-profit institution which, effective  
34 34 March 9, 2005, purchased an accredited private institution  
34 35 that was exempt from taxation under section 501(c) of the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

35 1 Internal Revenue Code, shall be an eligible institution under  
35 2 the tuition grant program. In the case of a qualified student  
35 3 who was enrolled in such accredited private institution that  
35 4 was purchased by the for-profit institution effective March 9,  
35 5 2005, and who continues to be enrolled in the eligible  
35 6 institution in succeeding years, the amount the student  
35 7 qualifies for under this subsection shall be not less than the  
35 8 amount the student qualified for in the fiscal year beginning  
35 9 July 1, 2004. For purposes of the tuition grant program,  
35 10 "for-profit accredited private institution" means an  
35 11 accredited private institution which is not exempt from  
35 12 taxation under section 501(c)(3) of the Internal Revenue Code  
35 13 but which otherwise meets the requirements of section 261.9,  
35 14 subsection 1, paragraph "b", and whose students were eligible  
35 15 to receive tuition grants in the fiscal year beginning July 1,  
35 16 2003.

35 17 Sec. 33. NEW SECTION. 261.73 CHIROPRACTIC LOAN  
35 18 FORGIVENESS PROGRAM.

35 19 1. A chiropractic loan forgiveness program is established  
35 20 to be administered by the commission. A chiropractor is  
35 21 eligible for the program if the chiropractor is a resident of  
35 22 this state, is licensed to practice under chapter 151, and is  
35 23 engaged in the practice of chiropractic in this state.

35 24 2. Each applicant for loan forgiveness shall, in  
35 25 accordance with the rules of the commission, do the following:

35 26 a. Complete and file an application for chiropractic loan  
35 27 forgiveness. The individual shall be responsible for the  
35 28 prompt submission of any information required by the  
35 29 commission.

35 30 b. File a new application and submit information as  
35 31 required by the commission annually on the basis of which the  
35 32 applicant's eligibility for the renewed loan forgiveness will  
35 33 be evaluated and determined.

35 34 c. Complete and return on a form approved by the  
35 35 commission an affidavit of practice verifying that the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

36 1 applicant meets the eligibility requirements of subsection 1.  
36 2 3. The annual amount of chiropractic loan forgiveness  
36 3 shall not exceed the resident tuition rate established for  
36 4 institutions of higher learning governed by the state board of  
36 5 regents for the first year following the chiropractor's  
36 6 graduation from a college of chiropractic approved by the  
36 7 board of chiropractic in accordance with section 151.4, or  
36 8 twenty percent of the chiropractor's total federally  
36 9 guaranteed Stafford loan amount under the federal family  
36 10 education loan program or the federal direct loan program,  
36 11 including principal and interest, whichever amount is less. A  
36 12 chiropractor shall be eligible for the loan forgiveness  
36 13 program for not more than five consecutive years.  
36 14 4. A chiropractic loan forgiveness repayment fund is  
36 15 created for deposit of moneys appropriated to or received by  
36 16 the commission for use under the program. Notwithstanding  
36 17 section 8.33, moneys deposited in the fund shall not revert to  
36 18 any fund of the state at the end of any fiscal year but shall  
36 19 remain in the chiropractic loan forgiveness repayment fund and  
36 20 be continuously available for loan forgiveness under the  
36 21 program. Notwithstanding section 12C.7, subsection 2,  
36 22 interest or earnings on moneys deposited in the fund shall be  
36 23 credited to the fund.  
36 24 5. The commission shall adopt rules pursuant to chapter  
36 25 17A to administer this section.  
36 26 Sec. 34. Section 279.13, subsection 1, paragraph b,  
36 27 subparagraphs (1) and (2), Code Supplement 2007, are amended  
36 28 by striking the subparagraphs and inserting the following:  
36 29 (1) Prior to entering into an initial contract with a  
36 30 teacher who holds a license other than an initial license  
36 31 issued by the board of educational examiners under chapter  
36 32 272, the school district shall initiate a state criminal  
36 33 history record check of the applicant through the division of  
36 34 criminal investigation of the department of public safety,  
36 35 submit the applicant's fingerprints to the division for



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

37 1 submission to the federal bureau of investigation for a  
37 2 national criminal history record check, and review the sex  
37 3 offender registry information under section 692A.13, the  
37 4 central registry for child abuse information established under  
37 5 section 235A.14, and the central registry for dependent adult  
37 6 abuse information established under section 235B.5 for  
37 7 information regarding applicants for employment as a teacher.  
37 8 (2) The school district may charge the applicant a fee not  
37 9 to exceed the actual cost charged the school district for the  
37 10 state and national criminal history checks and registry checks  
37 11 conducted pursuant to subparagraph (1).  
37 12 Sec. 35. Section 279.13, subsection 1, paragraph b,  
37 13 subparagraphs (3) and (4), Code Supplement 2007, are amended  
37 14 by striking the subparagraphs.  
37 15 Sec. 36. Section 331.653, subsection 27, Code 2007, is  
37 16 amended to read as follows:  
37 17 27. Give notice of the time and place of making an  
37 18 appraisal of unneeded school land as provided in ~~sections~~  
37 19 section 297.17 and 297.28.  
37 20 Sec. 37. 2006 Iowa Acts, chapter 1157, section 18, as  
37 21 amended by 2007 Iowa Acts, chapter 214, section 41, is amended  
37 22 to read as follows:  
37 23 SEC. 18. EARLY CARE, HEALTH, AND EDUCATION PROGRAMS == FY  
37 24 2007=2008 AND 2008=2009.  
37 25 1. There is appropriated from the general fund of the  
37 26 state to the department of education for deposit in the school  
37 27 ready children grants account of the Iowa empowerment fund for  
37 28 each fiscal year of the fiscal period beginning July 1, 2007,  
37 29 and ending June 30, 2009, the following amount, or so much  
37 30 thereof as is necessary, to be used for the purposes  
37 31 designated:  
37 32 For early care, health, and education and preschool  
37 33 programs, to continue programs and initiatives developed  
37 34 pursuant to the appropriation made in this division of this  
37 35 Act for this purpose for the fiscal year beginning July 1,



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

House File 2679 - Introduced continued

38 1 2006:  
38 2 ..... \$ 10,000,000  
38 3 2. Funds appropriated in this section shall be allocated  
38 4 in the same manner as provided in section 17 except as  
38 5 provided in subsection 3.  
38 6 3. The amount allocated under section 17, subsection 4,  
38 7 paragraph "a", for the fiscal year beginning July 1, 2008,  
38 8 shall be distributed as follows:  
38 9 a. For deposit in the community empowerment gifts and  
38 10 grants account created in section 28.9, subsection 5, as  
38 11 enacted in this Act, the sum of \$250,000.  
38 12 b. For purposes of the before and after school grant  
38 13 program established pursuant to section 256.26, as enacted by  
38 14 2007 Iowa Acts, chapter 214, section 19, the sum of \$595,000.  
38 15 c. For implementation of early head start projects  
38 16 addressing the comprehensive cognitive, social, emotional, and  
38 17 developmental needs of children from birth to age three,  
38 18 including prenatal support for qualified families, the sum of  
38 19 \$100,000.  
38 20 Early head start projects shall promote healthy prenatal  
38 21 outcomes, healthy family functioning, and strengthen the  
38 22 development of infants and toddlers in low-income families.  
38 23 d. To assist a vocational agriculture youth organization  
38 24 sponsored by the schools to support the foundation established  
38 25 by that vocational agriculture youth organization and for  
38 26 other youth activities, the sum of \$50,000. Funds  
38 27 appropriated in this paragraph shall be allocated only to the  
38 28 extent that the state moneys are matched from other sources by  
38 29 the organization on a dollar-for-dollar basis.  
38 30 e. For purposes of the work-study program established  
38 31 pursuant to section 261.81, the sum of \$5,000.  
38 32 Sec. 38. 2006 Iowa Acts, chapter 1180, section 6,  
38 33 subsection 14, as amended by 2007 Iowa Acts, chapter 214,  
38 34 section 42, is amended to read as follows:  
38 35 14. READING INSTRUCTION PILOT PROJECT GRANT PROGRAM



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

House File 2679 - Introduced continued

39 1 For the implementation of the reading instruction pilot  
 39 2 project grant program, if enacted by this Act:  
 39 3 ..... \$ 250,000  
 39 4 From the funds appropriated pursuant to this subsection,  
 39 5 ~~\$62,500~~ \$12,500 shall be allocated equally amongst five pilot  
 39 6 projects for purposes of teacher training in descubriendo la  
 39 7 lectura, the reconstruction of reading recovery in Spanish,  
 39 8 including books and materials for teaching, travel expenses,  
 39 9 and professional development; \$50,000 shall be allocated to  
 39 10 the university of northern Iowa for reading recovery; and  
 39 11 \$187,500 shall be allocated to the Iowa empowerment fund for  
 39 12 implementation of the business community investment advisory  
 39 13 council report and recommendations. Notwithstanding section  
 39 14 8.33, moneys allocated to the university of northern Iowa in  
 39 15 this subsection that remain unencumbered or unobligated at the  
 39 16 close of the fiscal year shall not revert but shall remain  
 39 17 available for expenditure for the purpose designated until the  
 39 18 close of the following fiscal year.  
 39 19 Sec. 39. Sections 297.26 through 297.32, Code 2007, are  
 39 20 repealed.  
 39 21 Sec. 40. Section 279.65, Code Supplement 2007, is  
 39 22 repealed.  
 39 23 Sec. 41. EFFECTIVE DATES.  
 39 24 1. The section of this division of this Act amending 2006  
 39 25 Iowa Acts, chapter 1180, section 6, subsection 14, as amended  
 39 26 by 2007 Iowa Acts, chapter 214, section 42, being deemed of  
 39 27 immediate importance, takes effect upon enactment.  
 39 28 2. The section of this division of this Act amending  
 39 29 section 28.8, subsection 5, paragraphs "a" and "e" takes  
 39 30 effect July 1, 2009.  
 39 31 DIVISION II  
 39 32 SENIOR YEAR PLUS PROGRAM  
 39 33 Sec. 42. Section 11.6, subsection 1, paragraph a,  
 39 34 unnumbered paragraph 1, Code 2007, is amended to read as  
 39 35 follows:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

40 1 The financial condition and transactions of all cities and  
40 2 city offices, counties, county hospitals organized under  
40 3 chapters 347 and 347A, memorial hospitals organized under  
40 4 chapter 37, entities organized under chapter 28E having gross  
40 5 receipts in excess of one hundred thousand dollars in a fiscal  
40 6 year, merged areas, area education agencies, and all school  
40 7 offices in school districts, shall be examined at least once  
40 8 each year, except that cities having a population of seven  
40 9 hundred or more but less than two thousand shall be examined  
40 10 at least once every four years, and cities having a population  
40 11 of less than seven hundred may be examined as otherwise  
40 12 provided in this section. The examination shall cover the  
40 13 fiscal year next preceding the year in which the audit is  
40 14 conducted. The examination of school offices shall include an  
40 15 audit of all school funds including categorical funding  
40 16 provided by the state, the certified annual financial report,  
40 17 the certified enrollment as provided in section 257.6,  
40 18 supplementary weighting as provided in section 257.11, and the  
40 19 revenues and expenditures of any nonprofit school organization  
40 20 established pursuant to section 279.62. Differences in  
40 21 certified enrollment shall be reported to the department of  
40 22 management. The examination of school offices shall include  
40 23 at a minimum a determination that the laws of the state are  
40 24 being followed, that categorical funding is not used to  
40 25 supplant other funding except as otherwise provided, that  
40 26 supplementary weighting is pursuant to an eligible sharing  
40 27 condition, and that postsecondary courses provided in  
40 28 accordance with section 257.11 and chapter 261E supplement,  
40 29 rather than supplant, school district courses. The  
40 30 examination of a city that owns or operates a municipal  
40 31 utility providing local exchange services pursuant to chapter  
40 32 476 shall include an audit of the city's compliance with  
40 33 section 388.10. The examination of a city that owns or  
40 34 operates a municipal utility providing telecommunications  
40 35 services pursuant to section 388.10 shall include an audit of



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

41 1 the city's compliance with section 388.10.  
41 2 Sec. 43. Section 85.61, subsection 2, unnumbered paragraph  
41 3 2, Code Supplement 2007, is amended to read as follows:  
41 4 "Employer" also includes and applies to an eligible  
41 5 postsecondary institution as defined in section ~~261C.3,~~  
~~41 6 subsection 1~~ 261E.2, a school corporation, or an accredited  
41 7 nonpublic school if a student enrolled in the eligible  
41 8 postsecondary institution, school corporation, or accredited  
41 9 nonpublic school is providing unpaid services under a  
41 10 school=to=work program that includes, but is not limited to,  
41 11 the components provided for in section 258.10, subsection 2,  
41 12 paragraphs "a" through "f". However, if a student  
41 13 participating in a school=to=work program is participating in  
41 14 open enrollment under section 282.18, "employer" means the  
41 15 receiving district. "Employer" also includes and applies to a  
41 16 community college as defined in section 260C.2, if a student  
41 17 enrolled in the community college is providing unpaid services  
41 18 under a school=to=work program that includes but is not  
41 19 limited to the components provided for in section 258.10,  
41 20 subsection 2, paragraphs "a" through "f", and that is offered  
41 21 by the community college pursuant to a contractual agreement  
41 22 with a school corporation or accredited nonpublic school to  
41 23 provide the program. If a student participating in a  
41 24 school=to=work program that includes but is not limited to the  
41 25 components provided for in section 258.10, subsection 2,  
41 26 paragraphs "a" through "f", is paid for services provided  
41 27 under the program, "employer" means any entity otherwise  
41 28 defined as an employer under this subsection which pays the  
41 29 student for providing services under the program.  
41 30 Sec. 44. NEW SECTION. 256.17 POSTSECONDARY COURSE AUDIT  
41 31 COMMITTEE.  
41 32 1. The department shall establish and facilitate a  
41 33 postsecondary course audit committee which shall annually  
41 34 audit postsecondary courses offered to high school students in  
41 35 accordance with chapter 261E.



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

House File 2679 - Introduced continued

42 1       2. The committee shall include but not be limited to  
42 2 representatives from the kindergarten through grade twelve  
42 3 education community, community colleges, and regents  
42 4 universities.

42 5       3. The committee shall establish a sampling technique that  
42 6 randomly selects courses for audit. The audit shall include  
42 7 but not be limited to a review of the course syllabus, teacher  
42 8 qualifications, examples of student products, and results of  
42 9 student assessments. Standards for review shall be  
42 10 established by the committee and approved by the department.  
42 11 Audit findings shall be submitted to the institutions  
42 12 providing the classes audited and shall be posted on the  
42 13 department's internet site.

42 14       4. If the committee determines that a postsecondary course  
42 15 offered to high school students in accordance with chapter  
42 16 261E does not meet the standards established by the committee  
42 17 pursuant to subsection 3, the course shall not be eligible for  
42 18 future supplementary weighting under section 257.11. If the  
42 19 institution makes changes to the course sufficient to cause  
42 20 the course to meet the standards of the committee, the  
42 21 committee may reinstate the eligibility of the course for  
42 22 future supplementary weighting under section 257.11.

42 23       Sec. 45. Section 257.6, subsection 1, paragraph a, Code  
42 24 Supplement 2007, is amended by adding the following new  
42 25 subparagraph:

42 26       NEW SUBPARAGRAPH. (7) A student attending an accredited  
42 27 nonpublic school or receiving competent private instruction  
42 28 under chapter 299A, who is participating in a program under  
42 29 chapter 261E, shall be counted as a shared-time student in the  
42 30 school district in which the nonpublic school of attendance is  
42 31 located for state foundation aid purposes.

42 32       Sec. 46. Section 257.6, subsection 6, unnumbered paragraph  
42 33 1, Code Supplement 2007, is amended to read as follows:

42 34       For the school year beginning July 1, ~~2001~~ 2008, and each  
42 35 succeeding school year, a student shall not be included in a



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

43 1 district's enrollment for purposes of this chapter or  
43 2 considered an eligible pupil under ~~chapter 261C~~ section 261E.5  
43 3 if the student meets all of the following:

43 4 Sec. 47. Section 257.6, subsection 6, paragraph b, Code  
43 5 Supplement 2007, is amended to read as follows:

43 6 b. Continues enrollment in the district to take courses  
43 7 either provided by the district, offered by community colleges  
43 8 under the provisions of section 257.11, or to take courses  
43 9 under the provisions of ~~chapter 261C~~ section 261E.5.

43 10 Sec. 48. Section 257.11, subsection 2, Code Supplement  
43 11 2007, is amended by adding the following new paragraph:

43 12 NEW PARAGRAPH. d. A school district which hosts a  
43 13 regional academy shall be eligible to assign its resident  
43 14 students attending classes at the academy a weighting of  
43 15 one-tenth of the percentage of the student's school day during  
43 16 which the student attends classes at the regional academy.  
43 17 The maximum amount of additional weighting for which a school  
43 18 district hosting a regional academy shall be eligible is an  
43 19 amount corresponding to thirty additional students. The  
43 20 minimum amount of additional weighting for which a school  
43 21 district establishing a regional academy shall be eligible is  
43 22 an amount corresponding to fifteen additional students if the  
43 23 academy provides both advanced-level courses and career and  
43 24 technical courses.

43 25 Sec. 49. Section 257.11, subsection 3, Code Supplement  
43 26 2007, is amended to read as follows:

43 27 3. DISTRICT-TO-COMMUNITY COLLEGE SHARING AND CONCURRENT  
43 28 ENROLLMENT PROGRAMS.

43 29 a. In order to provide additional funds for school  
43 30 districts which send their resident high school pupils to a  
43 31 community college for college-level classes, a supplementary  
43 32 weighting plan for determining enrollment is adopted.

43 33 b. If the school budget review committee certifies to the  
43 34 department of management that the class would not otherwise be  
43 35 implemented without the assignment of additional weighting,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

44 1 pupils attending a community college=offered class or  
44 2 attending a class taught by a community college=employed  
44 3 instructor are assigned a weighting ~~of forty-eight hundredths~~  
44 4 of the percentage of the pupil's school day during which the  
44 5 pupil attends class in the community college or attends a  
44 6 class taught by a community college=employed instructor of  
44 7 seventy hundredths for career and technical courses and  
44 8 forty-six hundredths for liberal arts and sciences courses.  
44 9 The following requirements shall be met for the purposes of  
44 10 assigning an additional weighting for classes offered through  
44 11 a sharing agreement between a school district and community  
44 12 college. The class must be:  
44 13 (1) Supplementing, not supplanting, high school courses  
44 14 required to be offered pursuant to section 256.11, subsection  
44 15 5.  
44 16 (2) Included in the community college catalog or an  
44 17 amendment or addendum to the catalog.  
44 18 (3) Open to all registered community college students, not  
44 19 just high school students. The class may be offered in a high  
44 20 school attendance center.  
44 21 (4) For college credit and the credit must apply toward an  
44 22 associate of arts or associate of science degree, or toward an  
44 23 associate of applied arts or associate of applied science  
44 24 degree, or toward completion of a college diploma program.  
44 25 (5) Taught by a ~~community college=employed~~ an instructor  
44 26 employed or contracted by a community college who meets the  
44 27 requirements of section 261E.3, subsection 2.  
44 28 (6) Taught utilizing the community college course  
44 29 syllabus.  
44 30 (7) ~~Of the same quality as a course offered on a community~~  
44 31 ~~college campus~~ Taught in such a manner as to result in student  
44 32 work and student assessment which meet college=level  
44 33 expectations.  
44 34 Sec. 50. Section 260C.14, subsection 2, Code 2007, is  
44 35 amended to read as follows:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

45 1 2. Have authority to determine tuition rates for  
45 2 instruction. Tuition for residents of Iowa shall not exceed  
45 3 the lowest tuition rate per semester, or the equivalent,  
45 4 charged by an institution of higher education under the state  
45 5 board of regents for a full-time resident student. However,  
45 6 except for students enrolled under ~~chapter 261C~~ section  
45 7 261E.5, if a local school district pays tuition for a resident  
45 8 pupil of high school age, the limitation on tuition for  
45 9 residents of Iowa shall not apply, the amount of tuition shall  
45 10 be determined by the board of directors of the community  
45 11 college with the consent of the local school board, and the  
45 12 pupil shall not be included in the full-time equivalent  
45 13 enrollment of the community college for the purpose of  
45 14 computing general aid to the community college. Tuition for  
45 15 nonresidents of Iowa shall not be less than the marginal cost  
45 16 of instruction of a student attending the college. A lower  
45 17 tuition for nonresidents may be permitted under a reciprocal  
45 18 tuition agreement between a merged area and an educational  
45 19 institution in another state, if the agreement is approved by  
45 20 the director. The board may designate that a portion of the  
45 21 tuition moneys collected from students be used for student aid  
45 22 purposes.

45 23 Sec. 51. NEW SECTION. 261E.1 SENIOR YEAR PLUS PROGRAM.

45 24 1. A senior year plus program is established to be  
45 25 administered by the department of education to provide Iowa  
45 26 high school students increased access to college credit or  
45 27 advanced placement coursework. The program shall consist of  
45 28 the following elements:

45 29 a. Advanced placement classes, including on-site,  
45 30 consortium, and online opportunities and courses delivered via  
45 31 the Iowa communications network.

45 32 b. Community college credit courses offered through  
45 33 written agreements between school districts and community  
45 34 colleges.

45 35 c. College and university credit courses offered to



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

House File 2679 - Introduced continued

46 1 individual high school students through the postsecondary  
46 2 enrollment options program in accordance with section 261E.5.  
46 3 d. Courses offered through regional and career academies  
46 4 for college credit.  
46 5 e. Internet-based courses offered for college credit,  
46 6 including but not limited to courses within the Iowa learning  
46 7 online initiative.  
46 8 2. The senior year plus programming provided by a school  
46 9 district pursuant to sections 261E.4 and 261E.5 may be  
46 10 available to students on a year-round basis.  
46 11 Sec. 52. NEW SECTION. 261E.2 DEFINITIONS.  
46 12 As used in this chapter, unless the context otherwise  
46 13 requires:  
46 14 1. "Concurrent enrollment" means any course offered to  
46 15 students in grades nine through twelve during the regular  
46 16 school year approved by the board of directors of a school  
46 17 district through a contractual agreement between a community  
46 18 college and the school district that meets the provisions of  
46 19 section 257.11, subsection 3.  
46 20 2. "Department" means the department of education.  
46 21 3. "Director" means the director of the department of  
46 22 education.  
46 23 4. "Eligible postsecondary institution" means an  
46 24 institution of higher learning under the control of the state  
46 25 board of regents, a community college established under  
46 26 chapter 260C, or an accredited private institution as defined  
46 27 in section 261.9.  
46 28 5. "Institution" means a school district or eligible  
46 29 postsecondary institution delivering the instruction in a  
46 30 given program as authorized by this chapter.  
46 31 6. "School board" means the board of directors of a school  
46 32 district or a collaboration of boards of directors of school  
46 33 districts.  
46 34 7. "State board" means the state board of education.  
46 35 8. "Student" means any individual enrolled in grades nine



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

House File 2679 - Introduced continued

47 1 through twelve in a school district who meets the criteria in  
47 2 section 261E.3, subsection 1. "Student" includes an  
47 3 individual attending an accredited nonpublic school or the  
47 4 Iowa school for the deaf or the Iowa braille and sight saving  
47 5 school for purposes of sections 261E.4 and 261E.5.  
47 6     Sec. 53. NEW SECTION. 261E.3 ELIGIBILITY.  
47 7     1. STUDENT ELIGIBILITY. In order to ensure student  
47 8 readiness for postsecondary coursework, the student shall meet  
47 9 the following criteria:  
47 10     a. The student shall meet the enrollment requirements of  
47 11 the eligible postsecondary institution providing the course  
47 12 credit.  
47 13     b. The student shall meet or exceed the minimum  
47 14 performance measures on any academic assessments that may be  
47 15 required by the eligible postsecondary institution.  
47 16     c. The student shall have taken the appropriate course  
47 17 prerequisites, if any, prior to enrollment in the eligible  
47 18 postsecondary course, as determined by the eligible  
47 19 postsecondary institution delivering the course.  
47 20     d. The student shall have attained the approval of the  
47 21 school board or its designee and the eligible postsecondary  
47 22 institution to register for the postsecondary course.  
47 23     e. The student shall have demonstrated proficiency in  
47 24 reading, mathematics, and science as evidenced by achievement  
47 25 scores on the latest administration of the state assessment  
47 26 for which scores are available and as defined by the  
47 27 department. If a student is not proficient in one or more of  
47 28 the content areas listed in this paragraph, the school board  
47 29 may establish alternative but equivalent qualifying  
47 30 performance measures including but not limited to additional  
47 31 administrations of the state assessment, portfolios of student  
47 32 work, student performance rubric, or end-of-course  
47 33 assessments.  
47 34     f. The student shall meet the definition of eligible  
47 35 student under section 261E.5, subsection 6, in order to



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

House File 2679 - Introduced continued

48 1 participate in the postsecondary enrollment options program.  
48 2       2. TEACHER AND INSTRUCTOR ELIGIBILITY.  
48 3       a. A teacher or instructor employed to provide instruction  
48 4 under this chapter shall meet the following criteria:  
48 5           (1) The teacher shall be appropriately licensed to teach  
48 6 the subject the institution is employing the teacher to teach  
48 7 and shall meet the standards and requirements set forth which  
48 8 other full-time instructors teaching within the academic  
48 9 department are required to meet and which are approved by the  
48 10 appropriate postsecondary administration.  
48 11           (2) The teacher shall collaborate with other secondary and  
48 12 postsecondary faculty in the subject area.  
48 13           (3) The teacher or instructor shall provide ongoing  
48 14 communication about course expectations, including a syllabus  
48 15 that describes the content, teaching strategies, performance  
48 16 measures, and resource materials used in the course, and  
48 17 academic progress to the student and in the case of students  
48 18 of minor age, to the parent or legal guardian of the student.  
48 19           (4) The teacher or instructor shall provide curriculum and  
48 20 instruction that is accepted as college-level work as  
48 21 determined by the institution.  
48 22           (5) The teacher or instructor shall use valid and reliable  
48 23 student assessment measures, to the extent available.  
48 24           (6) If the instruction for any program authorized by this  
48 25 chapter is provided at a school district facility or a neutral  
48 26 site, the teacher or instructor shall have successfully passed  
48 27 a background investigation conducted in accordance with  
48 28 section 272.2, subsection 17, prior to providing such  
48 29 instruction. For purposes of this section, "neutral site"  
48 30 means a facility that is not owned or operated by an  
48 31 institution.  
48 32       b. The teacher or instructor shall be provided with  
48 33 appropriate orientation and training in secondary and  
48 34 postsecondary professional development related to curriculum,  
48 35 pedagogy, assessment, policy implementation, technology, and



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

House File 2679 - Introduced continued

49 1 discipline issues.

49 2 c. The eligible postsecondary institution shall provide  
49 3 the teacher or instructor with ongoing communication and  
49 4 access to instructional resources and support, and shall  
49 5 encourage the teacher or instructor to participate in the  
49 6 postsecondary institution's academic departmental activities.

49 7 d. The teacher or instructor shall receive adequate  
49 8 notification of an assignment to teach a course under this  
49 9 chapter and shall be provided adequate preparation time to  
49 10 ensure that the course is taught at the college-level.

49 11 e. An individual under suspension or revocation of an  
49 12 educational license or statement of professional recognition  
49 13 issued by the board of educational examiners shall not be  
49 14 allowed to provide instruction for any program authorized by  
49 15 this chapter.

49 16 3. INSTITUTIONAL ELIGIBILITY. An institution providing  
49 17 instruction pursuant to this chapter shall meet the following  
49 18 criteria:

49 19 a. The institution shall ensure that students and, in the  
49 20 case of minor students, parents or legal guardians, receive  
49 21 appropriate course orientation and information, including but  
49 22 not limited to a summary of applicable policies and  
49 23 procedures, the establishment of a permanent transcript,  
49 24 policies on dropping courses, a student handbook, information  
49 25 describing student responsibilities, and institutional  
49 26 procedures for academic credit transfer.

49 27 b. The institution shall ensure that students have access  
49 28 to student support services, including but not limited to  
49 29 tutoring, counseling, advising, library, writing and math  
49 30 labs, and computer labs, and student activities, excluding  
49 31 postsecondary intercollegiate athletics.

49 32 c. The institution shall ensure that students are properly  
49 33 enrolled in courses that will carry college credit.

49 34 d. The institution shall ensure that teachers and students  
49 35 receive appropriate orientation and information about the



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

House File 2679 - Introduced continued

50 1 institution's expectations.

50 2 e. The institution shall ensure that the courses provided  
50 3 achieve the same learning outcomes as similar courses offered  
50 4 in the subject area and are accepted as college-level work.

50 5 f. The institution shall review the course on an annual  
50 6 basis for continuous improvement, shall follow up with  
50 7 students in order to use information gained from the students  
50 8 to improve course delivery and content, and shall share data  
50 9 on course progress and outcomes with the collaborative  
50 10 partners involved with the delivery of the programming and  
50 11 with the department, as needed.

50 12 g. The school district shall certify annually to the  
50 13 department that the course provided to a high school student  
50 14 for postsecondary credit in accordance with this chapter does  
50 15 not supplant a course provided by the school district in which  
50 16 the student is enrolled.

50 17 h. The institution shall not require a minimum or a  
50 18 maximum number of postsecondary credits to be earned by a high  
50 19 school student under this chapter.

50 20 i. The institution shall not place restrictions on  
50 21 participation in senior year plus programming beyond that  
50 22 which is specified in statute or administrative rule.

50 23 j. All eligible postsecondary institutions providing  
50 24 programming under this chapter shall include the unique  
50 25 student identifier assigned to students while in the  
50 26 kindergarten through grade twelve system as a part of the  
50 27 institution's student data management system. Eligible  
50 28 postsecondary institutions providing programming under this  
50 29 chapter shall cooperate with the department on data requests  
50 30 related to the programming. All eligible postsecondary  
50 31 institutions providing programming under this chapter shall  
50 32 collect data and report to the department on the proportion of  
50 33 females and minorities enrolled in science, technology,  
50 34 engineering, and mathematics-oriented educational  
50 35 opportunities provided in accordance with this chapter. The



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

51 1 department shall submit the programming data and the  
51 2 department's findings and recommendations in a report to the  
51 3 general assembly annually by January 15.  
51 4 k. The school district shall ensure that the background  
51 5 investigation requirement of subsection 2, paragraph "a",  
51 6 subparagraph (6), is satisfied. The school district shall pay  
51 7 for the background investigation conducted in accordance with  
51 8 subsection 2, paragraph "a", subparagraph (6), but may charge  
51 9 the teacher or instructor a fee not to exceed the actual cost  
51 10 charged the school district for the background investigation  
51 11 conducted.  
51 12 Sec. 54. NEW SECTION. 261E.4 ADVANCED PLACEMENT PROGRAM.  
51 13 1. A school district shall make available advanced  
51 14 placement courses to its resident students through direct  
51 15 instruction on-site, collaboration with another school  
51 16 district, or by using the online Iowa advanced placement  
51 17 academy.  
51 18 2. A school district shall provide descriptions of the  
51 19 advanced placement courses available to students using a  
51 20 course registration handbook.  
51 21 3. A school district shall ensure that advanced placement  
51 22 course teachers or instructors are appropriately licensed by  
51 23 the board of educational examiners in accordance with chapter  
51 24 272 and meet the minimum certification requirements of the  
51 25 national organization that administers the advanced placement  
51 26 program.  
51 27 4. A school district shall establish prerequisite  
51 28 coursework for each advanced placement course offered and  
51 29 shall describe the prerequisites in the course registration  
51 30 handbook, which shall be provided to every junior high school  
51 31 or middle school student prior to the development of a core  
51 32 curriculum plan pursuant to section 279.61.  
51 33 Sec. 55. NEW SECTION. 261E.5 POSTSECONDARY ENROLLMENT  
51 34 OPTIONS PROGRAM.  
51 35 1. PROGRAM ESTABLISHED. The postsecondary enrollment



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

House File 2679 - Introduced continued

52 1 options program is established to promote rigorous academic or  
52 2 career and technical pursuits and to provide a wider variety  
52 3 of options to high school students by enabling ninth and tenth  
52 4 grade students who have been identified by the school district  
52 5 as gifted and talented, and eleventh and twelfth grade  
52 6 students, to enroll in eligible courses at an eligible  
52 7 postsecondary institution of higher learning as a part-time  
52 8 student.

52 9       2. NOTIFICATION. The availability and requirements of  
52 10 this program shall be included in each school district's  
52 11 student registration handbook. Information about the program  
52 12 shall be provided to the student and the student's parent or  
52 13 guardian prior to the development of the student's core  
52 14 curriculum plan under section 279.61. The school district  
52 15 shall establish a process by which students may indicate  
52 16 interest in and apply for enrollment in the program.

52 17       3. AUTHORIZATION. To participate in this program, an  
52 18 eligible student shall make application to an eligible  
52 19 postsecondary institution to allow the eligible student to  
52 20 enroll for college credit in a nonsectarian course offered at  
52 21 the institution. A comparable course, as defined in rules  
52 22 adopted by the board of directors of the school district  
52 23 consistent with department administrative rule, must not be  
52 24 offered by the school district or accredited nonpublic school  
52 25 the student attends. If the postsecondary institution accepts  
52 26 an eligible student for enrollment under this section, the  
52 27 institution shall send written notice to the student, the  
52 28 student's parent or legal guardian in the case of a minor  
52 29 child, and the student's school district or accredited  
52 30 nonpublic school and the school district in the case of a  
52 31 nonpublic school student, or the Iowa school for the deaf or  
52 32 the Iowa braille and sight saving school. The notice shall  
52 33 list the course, the clock hours the student will be attending  
52 34 the course, and the number of hours of college credit that the  
52 35 eligible student will receive from the eligible postsecondary



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

House File 2679 - Introduced continued

53 1 institution upon successful completion of the course.  
53 2 4. CREDITS.  
53 3 a. A school district, the Iowa school for the deaf, the  
53 4 Iowa braille and sight saving school, or accredited nonpublic  
53 5 school shall grant high school credit to an eligible student  
53 6 enrolled in a course under this chapter if the eligible  
53 7 student successfully completes the course as determined by the  
53 8 eligible postsecondary institution. The board of directors of  
53 9 the school district, the board of regents for the Iowa school  
53 10 for the deaf and the Iowa braille and sight saving school, or  
53 11 authorities in charge of an accredited nonpublic school shall  
53 12 determine the number of high school credits that shall be  
53 13 granted to an eligible student who successfully completes a  
53 14 course. Eligible students may take up to seven semester hours  
53 15 of credit during the summer months when school is not in  
53 16 session and receive credit for that attendance, if the student  
53 17 pays the cost of attendance for those summer credit hours.  
53 18 b. The high school credits granted to an eligible student  
53 19 under this section shall count toward the graduation  
53 20 requirements and subject area requirements of the school  
53 21 district of residence, the Iowa school for the deaf, the Iowa  
53 22 braille and sight saving school, or accredited nonpublic  
53 23 school of the eligible student. Evidence of successful  
53 24 completion of each course and high school credits and college  
53 25 credits received shall be included in the student's high  
53 26 school transcript.  
53 27 5. TRANSPORTATION. The parent or legal guardian of an  
53 28 eligible student who has enrolled in and is attending an  
53 29 eligible postsecondary institution under this chapter shall  
53 30 furnish transportation to and from the postsecondary  
53 31 institution for the student.  
53 32 6. DEFINITION. For purposes of this section and section  
53 33 261E.6, unless the context otherwise requires, "eligible  
53 34 student" means a student classified by the board of directors  
53 35 of a school district, by the state board of regents for pupils



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

54 1 of the Iowa school for the deaf and the Iowa braille and sight  
54 2 saving school, or by the authorities in charge of an  
54 3 accredited nonpublic school as a ninth or tenth grade student  
54 4 who is identified according to the school district's gifted  
54 5 and talented criteria and procedures, pursuant to section  
54 6 257.43, as a gifted and talented child, or an eleventh or  
54 7 twelfth grade student, during the period the student is  
54 8 participating in the postsecondary enrollment options program.

54 9       Sec. 56. NEW SECTION. 261E.6 POSTSECONDARY ENROLLMENT  
54 10 OPTIONS PROGRAM PAYMENTS == CLAIMS == REIMBURSEMENTS.

54 11       1. Not later than June 30 of each year, a school district  
54 12 shall pay a tuition reimbursement amount to a postsecondary  
54 13 institution that has enrolled its resident eligible students  
54 14 under this chapter, unless the eligible student is  
54 15 participating in open enrollment under section 282.18, in  
54 16 which case, the tuition reimbursement amount shall be paid by  
54 17 the receiving district. However, if a child's residency  
54 18 changes during a school year, the tuition shall be paid by the  
54 19 district in which the child was enrolled as of the date  
54 20 specified in section 257.6, subsection 1, or the district in  
54 21 which the child was counted under section 257.6, subsection 1,  
54 22 paragraph "a", subparagraph (6). For students enrolled at the  
54 23 Iowa school for the deaf and the Iowa braille and sight saving  
54 24 school, the state board of regents shall pay a tuition  
54 25 reimbursement amount by June 30 of each year. The amount of  
54 26 tuition reimbursement for each separate course shall equal the  
54 27 lesser of:

54 28       a. The actual and customary costs of tuition, textbooks,  
54 29 materials, and fees directly related to the course taken by  
54 30 the eligible student.

54 31       b. Two hundred fifty dollars.

54 32       2. A student participating in the postsecondary enrollment  
54 33 options act program is not eligible to enroll on a full-time  
54 34 basis in an eligible postsecondary institution. A student  
54 35 enrolled on such a full-time basis shall not receive any



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

55 1 payments under this section.

55 2 3. An eligible postsecondary institution that enrolls an  
55 3 eligible student under this section shall not charge that  
55 4 student for tuition, textbooks, materials, or fees directly  
55 5 related to the course in which the student is enrolled except  
55 6 that the student may be required to purchase equipment that  
55 7 becomes the property of the student. For the purposes of this  
55 8 subsection, equipment shall not include textbooks. However,  
55 9 if the student fails to complete and receive credit for the  
55 10 course, the student is responsible for all district costs  
55 11 directly related to the course as provided in subsection 1 and  
55 12 shall reimburse the school district for its costs. If the  
55 13 student is under eighteen years of age, the student's parent  
55 14 or legal guardian shall sign the student registration form  
55 15 indicating that the parent or legal guardian is responsible  
55 16 for all costs directly related to the course if the student  
55 17 fails to complete and receive credit for the course. If  
55 18 documentation is submitted to the school district that  
55 19 verifies the student was unable to complete the course for  
55 20 reasons including but not limited to the student's physical  
55 21 incapacity, a death in the student's immediate family, or the  
55 22 student's move to another school district, that verification  
55 23 shall constitute a waiver to the requirement that the student  
55 24 or parent or legal guardian pay the costs of the course to the  
55 25 school district.

55 26 4. An eligible postsecondary institution shall make pro  
55 27 rata adjustments to tuition reimbursement amounts based upon  
55 28 federal guidelines established pursuant to 20 U.S.C. } 1091b.

55 29 Sec. 57. NEW SECTION. 261E.7 DISTRICT=TO=COMMUNITY  
55 30 COLLEGE SHARING OR CONCURRENT ENROLLMENT PROGRAM.

55 31 1. A district=to=community college sharing or concurrent  
55 32 enrollment program is established to be administered by the  
55 33 department to promote rigorous academic or career and  
55 34 technical pursuits and to provide a wider variety of options  
55 35 to high school students to enroll part=time in eligible



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

56 1 nonsectarian courses at or through community colleges  
56 2 established under chapter 260C. The program shall be made  
56 3 available to all resident students in grades nine through  
56 4 twelve. Notice of the availability of the program shall be  
56 5 included in a school district's student registration handbook  
56 6 and the handbook shall identify which courses, if successfully  
56 7 completed, generate college credit under the program. A  
56 8 student and the student's parent or legal guardian shall also  
56 9 be made aware of this program as a part of the development of  
56 10 the student's core curriculum plan in accordance with section  
56 11 279.61.

56 12 2. Students from accredited nonpublic schools and students  
56 13 receiving competent private instruction under chapter 299A may  
56 14 access the program through the school district in which the  
56 15 accredited nonpublic school or private institution is located.

56 16 3. A student may make application to a community college  
56 17 and the school district to allow the student to enroll for  
56 18 college credit in a nonsectarian course offered by the  
56 19 community college. A comparable course, as defined in rules  
56 20 adopted by the board of directors of the school district, must  
56 21 not be offered by the school district or accredited nonpublic  
56 22 school which the student attends. The school board shall  
56 23 annually approve courses to be made available for high school  
56 24 credit using locally developed criteria that establishes which  
56 25 courses will provide the student with academic rigor and will  
56 26 prepare the student adequately for transition to a  
56 27 postsecondary institution. If an eligible postsecondary  
56 28 institution accepts a student for enrollment under this  
56 29 section, the school district, in collaboration with the  
56 30 community college, shall send written notice to the student,  
56 31 the student's parent or legal guardian in the case of a minor  
56 32 child, and the student's school district. The notice shall  
56 33 list the course, the clock hours the student will be attending  
56 34 the course, and the number of hours of college credit that the  
56 35 student will receive from the community college upon



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

57 1 successful completion of the course.  
57 2 4. A school district shall grant high school credit to a  
57 3 student enrolled in a course under this chapter if the student  
57 4 successfully completes the course as determined by the  
57 5 community college and the course was previously approved by  
57 6 the school board pursuant to subsection 3. The board of  
57 7 directors of the school district shall determine the number of  
57 8 high school credits that shall be granted to a student who  
57 9 successfully completes a course.  
57 10 5. The parent or legal guardian of a student who has  
57 11 enrolled in and is attending a community college under this  
57 12 section shall furnish transportation to and from the community  
57 13 college for the student.  
57 14 6. District-to-community college sharing agreements or  
57 15 concurrent enrollment programs that meet the requirements of  
57 16 section 257.11, subsection 3, are eligible for funding under  
57 17 that provision.  
57 18 7. Community colleges shall comply with the data  
57 19 collection requirements of 2006 Iowa Acts, chapter 1180,  
57 20 section 17.  
57 21 8. The state board, in collaboration with the board of  
57 22 directors of each community college, shall adopt rules that  
57 23 clearly define data and information elements to be collected  
57 24 related to the senior year plus programming, including  
57 25 concurrent enrollment courses. The data elements shall  
57 26 include but not be limited to the following:  
57 27 a. The course title and whether the course supplements,  
57 28 rather than supplants, a school district course.  
57 29 b. An unduplicated enrollment count of eligible students  
57 30 participating in the program.  
57 31 c. The actual costs and revenues generated for concurrent  
57 32 enrollment. An aligned unique student identifier system shall  
57 33 be established by the department for students in kindergarten  
57 34 through grade twelve and community college.  
57 35 Sec. 58. NEW SECTION. 261E.8 REGIONAL ACADEMIES.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

58 1 1. A regional academy is a program established by a school  
58 2 district to which multiple school districts send students in  
58 3 grades nine through twelve, and which may include  
58 4 internet-based coursework and courses delivered via the Iowa  
58 5 communications network. A regional academy shall include in  
58 6 its curriculum advanced level courses and may include in its  
58 7 curriculum career and technical courses.

58 8 2. A regional academy course shall not qualify as a  
58 9 concurrent enrollment course.

58 10 3. School districts participating in regional academies  
58 11 are eligible for supplementary weighting as provided in  
58 12 section 257.11, subsection 2.

58 13 4. Information regarding regional academies shall be  
58 14 provided to a student and the student's parent or guardian  
58 15 prior to the development of the student's core curriculum plan  
58 16 under section 279.61.

58 17 Sec. 59. NEW SECTION. 261E.9 CAREER ACADEMIES.

58 18 1. As used in this section, "career academy" means the  
58 19 same as defined in section 260C.18A, subsection 2, paragraph  
58 20 "c".

58 21 2. A career academy course may qualify as a concurrent  
58 22 enrollment course if it meets the requirements of section  
58 23 261E.7.

58 24 3. The school district providing secondary education under  
58 25 this section shall be eligible for supplementary weighting  
58 26 under section 257.11, subsection 2, and the community college  
58 27 shall be eligible for funds allocated pursuant to section  
58 28 260C.18A.

58 29 4. Information regarding career academies shall be  
58 30 provided by the school district to a student and the student's  
58 31 parent or guardian prior to the development of the student's  
58 32 core curriculum plan under section 279.61.

58 33 Sec. 60. NEW SECTION. 261E.10 INTERNET-BASED AND IOWA  
58 34 COMMUNICATIONS NETWORK COURSEWORK.

58 35 1. The Iowa communications network may be used to deliver



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

59 1 coursework for the programming provided under this chapter  
59 2 subject to an appropriation by the general assembly for that  
59 3 purpose. A school district that provides courses delivered  
59 4 via the Iowa communications network shall receive supplemental  
59 5 funding as provided in section 257.11, subsection 7.

59 6 2. The programming in this chapter may be delivered via  
59 7 internet-based technologies including but not limited to the  
59 8 Iowa learning online program. An internet-based course may  
59 9 qualify for additional supplemental weighting if it meets the  
59 10 requirements of section 261E.7 or section 261E.9.

59 11 3. To qualify as a senior year plus course, an  
59 12 internet-based course or course offered through the Iowa  
59 13 communications network must comply with the appropriate  
59 14 provisions of this chapter.

59 15 Sec. 61. NEW SECTION. 261E.11 INTERNET-BASED  
59 16 CLEARINGHOUSE.

59 17 The department shall develop and make available to  
59 18 secondary and postsecondary students, parents or legal  
59 19 guardians, school districts, accredited nonpublic schools, and  
59 20 eligible postsecondary institutions an internet-based  
59 21 clearinghouse of information that allows students to identify  
59 22 participation options within the senior year plus program and  
59 23 transferability between educational systems, subject to an  
59 24 appropriation by the general assembly for this purpose. The  
59 25 internet-based resource shall provide links to other similar  
59 26 resources available through various Iowa postsecondary  
59 27 institution systems. The internet-based resource shall also  
59 28 identify course transferability and articulation between the  
59 29 secondary and postsecondary systems in Iowa and between the  
59 30 various Iowa postsecondary systems.

59 31 Sec. 62. NEW SECTION. 261E.12 STATE PROGRAM ALLOCATION.

59 32 1. For each fiscal year in which moneys are appropriated  
59 33 by the general assembly for purposes of the senior year plus  
59 34 program, the moneys shall be allocated as follows in the  
59 35 following priority order:



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

House File 2679 - Introduced continued

60 1 a. For the fiscal year beginning July 1, 2008, and  
60 2 succeeding fiscal years, an amount up to five hundred thousand  
60 3 dollars to the department to implement the internet-based  
60 4 clearinghouse pursuant to section 261E.11.

60 5 b. For the fiscal year beginning July 1, 2008, and  
60 6 succeeding fiscal years, an amount up to five hundred thousand  
60 7 dollars to the department for the development of a data  
60 8 management system, including the development of a transcript  
60 9 repository, for senior year plus programming provided under  
60 10 this chapter. The data management system shall include  
60 11 information generated by the provisions of section 279.61,  
60 12 data on courses taken by Iowa's students, and the  
60 13 transferability of course credit.

60 14 c. For the fiscal year beginning July 1, 2008, and  
60 15 succeeding fiscal years, an amount up to four hundred thousand  
60 16 dollars to the department for the development of additional  
60 17 internet-based educational courses that comply with the  
60 18 provisions of this chapter.

60 19 2. Notwithstanding section 8.33, any moneys remaining  
60 20 unencumbered or unobligated from the moneys allocated under  
60 21 this section shall not revert but shall remain available in  
60 22 the succeeding fiscal year for expenditure for the purposes  
60 23 designated. The department shall annually inform the general  
60 24 assembly of the amount of moneys allocated, but unspent. The  
60 25 provisions of section 8.39 shall not apply to the funds  
60 26 allocated pursuant to this section.

60 27 Sec. 63. Section 282.18, subsection 7, Code 2007, is  
60 28 amended to read as follows:

60 29 7. A pupil participating in open enrollment shall be  
60 30 counted, for state school foundation aid purposes, in the  
60 31 pupil's district of residence. A pupil's residence, for  
60 32 purposes of this section, means a residence under section  
60 33 282.1. The board of directors of the district of residence  
60 34 shall pay to the receiving district the state cost per pupil  
60 35 for the previous school year, plus any moneys received for the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

61 1 pupil as a result of the non-English speaking weighting under  
61 2 section 280.4, subsection 3, for the previous school year  
61 3 multiplied by the state cost per pupil for the previous year.  
61 4 If the pupil participating in open enrollment is also an  
61 5 eligible pupil under ~~chapter 261C~~ section 261E.5, the  
61 6 receiving district shall pay the tuition reimbursement amount  
61 7 to an eligible postsecondary institution as provided in  
61 8 section ~~261C.6~~ 261E.6.

61 9 Sec. 64. Chapter 261C, Code and Code Supplement 2007, is  
61 10 repealed.

61 11 Sec. 65. DEPARTMENT OF EDUCATION == SENIOR YEAR PLUS  
61 12 PROGRAM STUDY. Subject to an appropriation of sufficient  
61 13 funds by the general assembly, the department of education, in  
61 14 collaboration with representatives of regents universities,  
61 15 accredited private institutions, community colleges, and  
61 16 school districts, shall conduct a study of the measures  
61 17 necessary for the successful implementation of the senior year  
61 18 plus program in accordance with the provisions of this  
61 19 division of this Act. The study shall include a review of  
61 20 provisions of the Code or administrative rules for purposes of  
61 21 implementing the core curriculum adopted pursuant to section  
61 22 256.7, subsection 26. The study shall also address barriers  
61 23 to the transfer of credit between secondary schools and the  
61 24 postsecondary system and its institutions. The department  
61 25 shall submit its findings and recommendations, including  
61 26 recommendations for statutory and administrative rule changes  
61 27 necessary, to the general assembly by November 14, 2008.

61 28 EXPLANATION

61 29 Division I of this bill appropriates moneys for fiscal year  
61 30 2008=2009 from the general fund of the state to the college  
61 31 student aid commission, the department for the blind, the  
61 32 department of education, and the state board of regents and  
61 33 its institutions.

61 34 The division appropriates to the department for the blind  
61 35 for its administration.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

62 1 The division includes appropriations to the college student  
62 2 aid commission for general administrative purposes, student  
62 3 aid programs, an initiative directing primary care physicians  
62 4 to areas of the state experiencing physician shortages,  
62 5 forgivable loans and loan forgiveness for students and  
62 6 physicians and surgeons, the national guard educational  
62 7 assistance program, the teacher shortage loan forgiveness  
62 8 program, for the registered nurse loan and nurse educator  
62 9 forgiveness program, and for the all Iowa opportunity  
62 10 assistance program.

62 11 The division reduces the \$2,750,000 standing appropriation  
62 12 for the Iowa work=study program for fiscal year 2008=2009 to  
62 13 \$698,923. The division reallocates funds for chiropractic  
62 14 loan forgiveness. The division creates and funds a barber and  
62 15 cosmetology arts and sciences tuition grant, and a  
62 16 chiropractic loan forgiveness program. The division permits  
62 17 the commission to renegotiate all agreements with student loan  
62 18 lenders who signed agreements on or before September 15, 2007,  
62 19 in order to implement the most current U.S. department of  
62 20 education regulations.

62 21 The division appropriates moneys to the department of  
62 22 education for purposes of the department's general  
62 23 administration, vocational education administration, division  
62 24 of vocational rehabilitation services including the  
62 25 entrepreneurs with disabilities program, independent living,  
62 26 state library for general administration and the enrich Iowa  
62 27 program, library service area system, public broadcasting  
62 28 division, regional telecommunications councils, vocational  
62 29 education to secondary schools, school food service, Iowa  
62 30 empowerment fund, textbooks for nonpublic school pupils, jobs  
62 31 for America's graduates specialist, and community colleges.

62 32 The division also appropriates money for a four=year=old  
62 33 preschool program, expansion of the federal Individuals With  
62 34 Disabilities Education Improvement Act birth through age three  
62 35 services, a before and after school grant program, community



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

House File 2679 - Introduced continued

63 1 college salaries, the core curriculum and career information  
63 2 and decision-making system, and a beginning administrator  
63 3 mentoring and induction program.  
63 4     The division amends statute to establish that before and  
63 5 after school grant amounts range between \$30,000 and \$50,000  
63 6 and to increase the local match requirement from 20 percent to  
63 7 a \$1-to-\$1 match.  
63 8     The division requires the department to conduct a study of  
63 9 state-funded, competitive grant programs; the feasibility of  
63 10 an instructor quality pay equity plan; and the community  
63 11 college accreditation process. The department is also  
63 12 required to establish a number of community college  
63 13 committees, including an ad hoc accreditation quality faculty  
63 14 plan protocol committee, an ongoing quality faculty plan  
63 15 protocol committee, a faculty advisory committee, and a  
63 16 management information system advisory committee.  
63 17     The division requires the Iowa empowerment board to conduct  
63 18 a study regarding family, friend, and neighbor care, and  
63 19 limits the amount of fund carryover for the Iowa and community  
63 20 empowerment boards. The division provides that the  
63 21 approximately \$4.6 million appropriated for deposit in the  
63 22 school ready children account is to be used to assist  
63 23 low-income parents with preschool tuition; for supportive  
63 24 services for children age three, four, and five; and for  
63 25 preschool program expenses not covered under the statewide  
63 26 preschool program. The division also provides that moneys  
63 27 remaining in the account that were appropriated for fiscal  
63 28 year 2008=2009 shall be used to develop and implement a plan  
63 29 to strengthen the fiscal accountability of local areas.  
63 30 Moneys allocated to the account in fiscal year 2008=2009 that  
63 31 remain in the account at the end of the 2009=2010 fiscal year  
63 32 revert to the state general fund.  
63 33     The division requires the board of educational examiners to  
63 34 deposit \$300,000 from licensing fees in the general fund of  
63 35 the state for early head start projects.



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

House File 2679 - Introduced continued

64 1       The division requires that school districts use the  
64 2 division of criminal investigation for criminal history checks  
64 3 and requires those school districts which used an entity other  
64 4 than the division in FY 2007=2008 to have the background  
64 5 checks done by the division.

64 6       The bill amends statute to provide that the portion of the  
64 7 interest for Iowa schools fund which is currently appropriated  
64 8 to the department of education is instead appropriated to the  
64 9 university of northern Iowa for use in assisting school  
64 10 districts to develop reading recovery and literacy programs.

64 11       The division appropriates moneys to the state board of  
64 12 regents for the board office, universities' general operating  
64 13 budgets, the southwest Iowa graduate studies center, the  
64 14 tristate graduate center, the quad=cities graduate studies  
64 15 center, Iowa's obligation as a member of the midwestern higher  
64 16 education compact, the state university of Iowa, Iowa state  
64 17 university of science and technology, the university of  
64 18 northern Iowa, the Iowa school for the deaf, the Iowa braille  
64 19 and sight saving school, and for tuition and transportation  
64 20 costs for students residing in the Iowa Braille and sight  
64 21 saving school and the Iowa school for the deaf. The division  
64 22 also provides funds for the Iowa state university veterinary  
64 23 diagnostic laboratory.

64 24       The division amends 2006 Iowa Acts, as amended by 2007 Iowa  
64 25 Acts, to reallocate \$750,000 of the \$10 million appropriated  
64 26 for early care, health, and education and preschool programs  
64 27 and initiatives for FY 2008=2009 to be deposited in the  
64 28 community empowerment gifts and grants fund, and to be used  
64 29 for before and after school programs, early head start  
64 30 projects, vocational agriculture youth organizations, and for  
64 31 the Iowa college work=study program; and to reallocate \$50,000  
64 32 of the funds appropriated for teacher training and the  
64 33 reconstruction of reading recovery in Spanish to the  
64 34 university of northern Iowa for its reading recovery program.  
64 35 Provisions amending 2006 Iowa Acts take effect upon enactment.



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

House File 2679 - Introduced continued

65 1 Division I repeals Code sections relating to supplemental  
65 2 strategies and educational services and a fund for the  
65 3 services and to mining camp schools. The division authorizes  
65 4 the department of administrative services to transfer by  
65 5 quitclaim deed state mining camp school land.

65 6 Division II of the bill establishes a senior year plus  
65 7 program to be administered by the department of education to  
65 8 provide Iowa high school students with increased access to  
65 9 college credit or advanced placement coursework. The program  
65 10 consists of advanced placement classes, community college  
65 11 credit courses offered through written agreements between  
65 12 school districts and community colleges, a postsecondary  
65 13 enrollment options program, courses offered through regional  
65 14 and career academies for college credit, and internet-based  
65 15 courses offered for college credit. The division requires  
65 16 that students be made aware of the opportunities offered by  
65 17 the program as part of the curriculum development plan school  
65 18 districts develop with eighth grade students. Division II  
65 19 also provides for the following:

65 20 AUDITOR OF STATE. The division requires that the auditor  
65 21 of state include in its examination of school offices an audit  
65 22 of state categorical funding and supplementary weighting  
65 23 dollars as well as a determination that the laws of the state  
65 24 are being followed, that categorical funding is not used to  
65 25 supplant other funding, that supplementary weighting is  
65 26 pursuant to an eligible sharing condition, and that  
65 27 postsecondary courses provided in accordance with this  
65 28 division supplement, rather than supplant, school district  
65 29 courses.

65 30 POSTSECONDARY COURSE AUDIT COMMITTEE. The division  
65 31 requires the department of education to establish and  
65 32 facilitate a postsecondary course audit committee which shall  
65 33 annually audit postsecondary courses offered to high school  
65 34 students. The committee must establish a sampling technique  
65 35 that randomly selects courses for audit. Standards for review



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

House File 2679 - Introduced continued

66 1 shall be established by the committee. If the committee  
66 2 determines that a postsecondary course offered to high school  
66 3 students does not meet its standards, the course shall not be  
66 4 eligible for future supplementary weighting. However, if the  
66 5 institution makes changes to the course sufficient to cause  
66 6 the course to meet the standards of the committee, the  
66 7 committee may reinstate the eligibility of the course for  
66 8 future supplementary weighting.

66 9 SUPPLEMENTARY WEIGHTING. The division allows a school  
66 10 district which hosts a regional academy be eligible to assign  
66 11 its resident students attending classes at the academy a  
66 12 weighting of one-tenth of the percentage of the student's  
66 13 school day during which the student attends classes at the  
66 14 regional academy, up to a maximum amount of additional  
66 15 weighting corresponding to 30 additional students and a  
66 16 minimum amount of additional weighting corresponding to 15  
66 17 additional students if the academy provides both advanced  
66 18 level courses and career and technical courses.

66 19 The division also changes the assigned additional weighting  
66 20 of forty-eight hundredths for pupils attending a  
66 21 community=college=offered class or attending a class taught by  
66 22 a community=college=employed instructor by assigning a  
66 23 weighting of seventy hundredths for career and technical  
66 24 courses and forty-six hundredths for liberal arts and sciences  
66 25 courses. In addition, under the division, a student attending  
66 26 an accredited nonpublic school or receiving competent private  
66 27 instruction under Code chapter 299A and who is participating  
66 28 in senior year plus programming shall be counted as a  
66 29 shared=time student in the school district in which the  
66 30 nonpublic school of attendance is located for state foundation  
66 31 aid purposes.

66 32 STUDENT ELIGIBILITY. The student shall meet the enrollment  
66 33 requirements of the eligible postsecondary institution  
66 34 providing the course credit; shall meet or exceed the minimum  
66 35 performance on any academic assessments that may be required



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

House File 2679 - Introduced continued

67 1 by the eligible postsecondary institution; shall have taken  
67 2 any appropriate course prerequisites; shall have attained the  
67 3 approval of the school board and the eligible postsecondary  
67 4 institution to register for the postsecondary course; and  
67 5 shall have demonstrated proficiency in reading, mathematics,  
67 6 and science and, if a student is not proficient in one or more  
67 7 of the content areas, the school board may establish  
67 8 alternative but equivalent qualifying performance measures. A  
67 9 student enrolled in career or vocational courses is exempt  
67 10 from the proficiency requirement.

67 11 In addition, if the student wishes to participate in the  
67 12 postsecondary enrollment options program, the student must be  
67 13 a ninth or 10th grade student who is identified as a gifted  
67 14 and talented child, or an 11th or 12th grade student.

67 15 TEACHER ELIGIBILITY. A teacher or instructor employed to  
67 16 provide instruction under the program must be appropriately  
67 17 licensed to teach the subject the teacher or instructor is  
67 18 employed to teach; collaborate with other secondary and  
67 19 postsecondary faculty in the subject area; provide ongoing  
67 20 communication about course expectations and academic progress  
67 21 to the student and in the case of a minor student, the parent  
67 22 or legal guardian of the student; provide curriculum and  
67 23 instruction that is accepted as college-level work; use valid  
67 24 and reliable student assessment measures; and have  
67 25 successfully passed a background investigation.

67 26 The postsecondary institution shall provide the teacher or  
67 27 instructor with ongoing communication and access to resources  
67 28 and support. The teacher or instructor shall receive adequate  
67 29 notification of an assignment to teach and adequate  
67 30 preparation time.

67 31 INSTITUTIONAL ELIGIBILITY. An institution providing  
67 32 instruction shall ensure that students and, in the case of  
67 33 minor students, parents or legal guardians receive appropriate  
67 34 course orientation and information, including information  
67 35 describing student responsibilities and institutional



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

House File 2679 - Introduced continued

68 1 procedures for academic credit transfer; ensure that students  
68 2 have access to student support services, including but not  
68 3 limited to tutoring, counseling, advising, library, writing  
68 4 and math labs, and computer labs, and student activities,  
68 5 excluding postsecondary intercollegiate athletics; ensure that  
68 6 students are properly enrolled in courses that will directly  
68 7 earn college credit; ensure that teachers and students receive  
68 8 appropriate orientation and information about the  
68 9 institution's expectations; ensure that the courses provided  
68 10 achieve the same learning outcomes as similar courses offered  
68 11 in the subject area and are accepted as college-level work;  
68 12 review the course on an annual basis for continuous  
68 13 improvement; and share data on course progress and outcomes  
68 14 with the collaborative partners involved with the delivery of  
68 15 the programming and with the department.

68 16       The institution shall not place restrictions on  
68 17 participation in senior year plus programming beyond that  
68 18 which is specified in statute or administrative rule; shall  
68 19 annually certify to the department that the course does not  
68 20 supplant a school district course; and shall not require the  
68 21 student to take a specific number of postsecondary credits.

68 22       All eligible postsecondary institutions providing  
68 23 programming must use the department's unique student  
68 24 identifier, cooperate with the department on data requests,  
68 25 and collect data on the participation of females and  
68 26 minorities in science, technology, engineering, and  
68 27 mathematics-oriented programming. The department shall report  
68 28 the data to the general assembly by January 15 annually.

68 29       ADVANCED PLACEMENT PROGRAM. The division requires school  
68 30 districts to make advanced placement courses available to its  
68 31 resident students through direct instruction on-site,  
68 32 collaboration with another school district, or by using the  
68 33 online Iowa advanced placement academy. The school district  
68 34 must provide descriptions of the courses available to students  
68 35 using a course registration handbook, ensure that advanced



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

69 1 placement course instructors are appropriately licensed and  
69 2 meet the minimum certification requirements of the national  
69 3 organization that administers the advanced placement program,  
69 4 and establish prerequisite coursework for each advanced  
69 5 placement course offered. The handbook must be provided to  
69 6 every junior high school or middle school student prior to the  
69 7 development of their core curriculum plans.

69 8 POSTSECONDARY ENROLLMENT OPTIONS PROGRAM. The division  
69 9 repeals the postsecondary enrollment options Act and  
69 10 substantially moves the language of the Act to the Code  
69 11 chapter establishing the senior year plus program. Under the  
69 12 division, the definition of an "eligible student" is not  
69 13 changed. The division requires that the availability and  
69 14 requirements of the program be included in each school  
69 15 district's student registration handbook and provided to each  
69 16 student and parent or guardian prior to development of the  
69 17 student's core curriculum plan. School districts must also  
69 18 establish a process by which students may indicate interest in  
69 19 and apply for enrollment in the program.

69 20 POSTSECONDARY ENROLLMENT OPTIONS PROGRAM PAYMENTS. As  
69 21 under the postsecondary enrollment options Act, a school  
69 22 district is responsible for paying a tuition reimbursement  
69 23 amount to a postsecondary institution that has enrolled its  
69 24 resident eligible students under this Code chapter, unless the  
69 25 eligible student is participating in open enrollment under  
69 26 Code section 282.18, in which case, the tuition reimbursement  
69 27 amount shall be paid by the receiving district. If the  
69 28 student fails to complete and receive credit for the course,  
69 29 the student is responsible for all district costs and shall  
69 30 reimburse the school district for its costs.

69 31 DISTRICT=TO=COMMUNITY COLLEGE SHARING OR CONCURRENT  
69 32 ENROLLMENT PROGRAM. Current law provides supplementary  
69 33 weighting for district=to=community college sharing. The  
69 34 division establishes a district=to=community college sharing  
69 35 or concurrent enrollment program to be administered by the



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

House File 2679 - Introduced continued

70 1 department of education to promote rigorous academic or career  
70 2 and technical pursuits and to provide a wider variety of  
70 3 options to high school students to enroll part-time in  
70 4 eligible nonsectarian courses at or through community  
70 5 colleges. The program shall be made available to all Iowa  
70 6 students in grades nine through 12, and notice of the  
70 7 availability of this program shall be included in each school  
70 8 district's student registration handbook and in the student's  
70 9 core curriculum plan. Students from accredited nonpublic  
70 10 schools and students receiving competent private instruction  
70 11 may access the program through the school district in which  
70 12 the accredited nonpublic school or private instruction is  
70 13 located.

70 14 A student may apply to a community college and the school  
70 15 district to allow the student to enroll for college credit in  
70 16 a nonsectarian course offered by the community college. A  
70 17 comparable course must not be offered by the school the  
70 18 student attends. The school board must annually approve  
70 19 courses to be made available for high school credit. A school  
70 20 district shall grant high school credit to a student enrolled  
70 21 in a course if the student successfully completes the course  
70 22 as determined by the community college.

70 23 The parent or legal guardian of a student who is attending  
70 24 the community college under the program shall furnish  
70 25 transportation to and from the community college for the  
70 26 student.

70 27 Community colleges and school districts must provide the  
70 28 department with information about the course and course  
70 29 enrollment in a format approved by the department which aligns  
70 30 community college and school district data. The department is  
70 31 directed to establish an aligned unique student identifier  
70 32 system for students in kindergarten through grade 12 and  
70 33 community college.

70 34 REGIONAL AND CAREER ACADEMIES. Current law provides  
70 35 supplementary weighting for regional and career academies.



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

House File 2679 - Introduced continued

71 1 The division provides that a regional academy is a program  
71 2 established by a school district to which multiple schools  
71 3 send students in grades nine through 12, and which may include  
71 4 internet-based coursework and courses delivered via the Iowa  
71 5 communications network. A regional academy must include in  
71 6 its curriculum advanced level courses and may include career  
71 7 and technical courses. A regional academy course does not  
71 8 qualify as a concurrent enrollment course.

71 9 The Code currently defines "career academy" to mean a  
71 10 program of study that combines a minimum of two years of  
71 11 secondary education with an associate degree, or the  
71 12 equivalent, career preparatory program in a nonduplicative,  
71 13 sequential course of study that is standards-based, integrates  
71 14 academic and technical instruction, utilizes work-based and  
71 15 worksite learning where appropriate and available, utilizes an  
71 16 individual career planning process with parent involvement,  
71 17 and leads to an associate degree or postsecondary diploma or  
71 18 certificate in a career field that prepares an individual for  
71 19 entry and advancement in a high-skill and reward career field  
71 20 and further education. A career academy course may qualify as  
71 21 a concurrent enrollment course if it meets the requirements of  
71 22 this division.

71 23 Information regarding regional and career academies shall  
71 24 be provided to a student and parent or guardian prior to  
71 25 development of the student's core curriculum plan.

71 26 INTERNET-BASED AND IOWA COMMUNICATIONS NETWORK COURSEWORK.  
71 27 The Iowa communications network may be used to deliver  
71 28 coursework for the senior year plus programming, and school  
71 29 districts that do so may receive supplemental funding.  
71 30 Internet-based technologies may also be used and may qualify  
71 31 for additional supplemental weighting if the internet-based  
71 32 technology is used by a career academy, under a  
71 33 district-to-community college sharing agreement, or concurrent  
71 34 enrollment program.

71 35 INTERNET-BASED CLEARINGHOUSE. The department of education



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House File 2679 - Introduced continued

72 1 is directed to develop and make available to secondary and  
72 2 postsecondary students, parents or legal guardians, school  
72 3 districts, accredited nonpublic schools, and eligible  
72 4 postsecondary institutions an internet-based clearinghouse of  
72 5 information that allows students to identify participation  
72 6 options within the senior year plus program and  
72 7 transferability between educational systems.  
72 8 STATE PROGRAM ALLOCATIONS. The division provides for the  
72 9 allocation of funds if funds are appropriated.  
72 10 DEPARTMENT OF EDUCATION == SENIOR YEAR PLUS PROGRAM STUDY.  
72 11 The division directs the department of education, in  
72 12 collaboration with other educational institutions, to conduct  
72 13 a study of the measures necessary for the successful  
72 14 implementation of the senior year plus program and to submit  
72 15 its findings and recommendations to the general assembly by  
72 16 November 14, 2008.  
72 17 YEAR=ROUND REQUIREMENT. The division requires school  
72 18 districts to provide advanced placement, postsecondary  
72 19 enrollment, and internet-based and Iowa communications network  
72 20 coursework year-round.  
72 21 REPEAL. The division repeals the postsecondary enrollment  
72 22 options Act, Code chapter 261C, and makes corresponding  
72 23 changes to references to the Code chapter throughout the Code.  
72 24 LSB 5005HV 82  
72 25 kh/mg/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Resolution 148 - Introduced

PAG LIN

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

1 1 HOUSE RESOLUTION NO.  
1 2 BY CHAMBERS  
1 3 A Resolution honoring the city of Sutherland on its  
1 4 quasiquicentennial anniversary.  
1 5 WHEREAS, the city of Sutherland, Iowa, which was  
1 6 named for the Duke of Sutherland, was founded in 1883;  
1 7 and  
1 8 WHEREAS, located in O'Brien County, Sutherland is  
1 9 nestled amidst some of the most scenic territory in  
1 10 the midwest and is a hunters' paradise, with rough  
1 11 cover that offers a variety of game including wild  
1 12 turkey, deer, fox, pheasant, partridge, and quail; and  
1 13 WHEREAS, Sutherland is home to a variety of unique  
1 14 businesses, schools, churches, and a library all  
1 15 combining to make Sutherland a progressive, welcoming,  
1 16 and diversified community; and  
1 17 WHEREAS, in 2008, the city celebrates its  
1 18 quasiquicentennial anniversary, celebrating on August  
1 19 29 through September 1, 2008, with four days of events  
1 20 that include a picnic, a talent show, a dance, a  
1 21 parade, fireworks, and many community activities; NOW  
1 22 THEREFORE,  
1 23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
1 24 That the House of Representatives honors Sutherland on  
1 25 its quasiquicentennial anniversary and invites all  
1 26 Iowans to share in the quasiquicentennial celebration.  
1 27 BE IT FURTHER RESOLVED, That, upon adoption, the  
1 28 Chief Clerk of the House of Representatives shall  
1 29 prepare an official copy of this Resolution for  
1 30 presentation to the city of Sutherland.



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

House Resolution 148 - Introduced continued

2 1 LSB 6608HH 82  
2 2 md/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Resolution 149 - Introduced

PAG LIN

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

1 1 HOUSE RESOLUTION NO.  
1 2 BY CHAMBERS  
1 3 A Resolution honoring the city of Paullina on its  
1 4 quasiquicentennial anniversary.  
1 5 WHEREAS, Paullina, Iowa, was founded in 1883 by  
1 6 brothers Henry and D. Edward Paullin, who donated land  
1 7 for a township; and  
1 8 WHEREAS, nestled in the southern part of O'Brien  
1 9 County, Paullina now has a population of over 1,100  
1 10 Iowans; and  
1 11 WHEREAS, today Paullina is the financial,  
1 12 industrial, educational, recreational, employment,  
1 13 shopping, and arts center of the surrounding area; and  
1 14 WHEREAS, Paullina is home to a variety of  
1 15 businesses, community organizations, churches,  
1 16 schools, and a library, all combining to make Paullina  
1 17 a vibrant, progressive community; and  
1 18 WHEREAS, Paullina offers both scenic and  
1 19 recreational opportunities, with camping and hiking at  
1 20 beautiful Mill Creek State Park, and fishing and  
1 21 boating on Lake Paullina; NOW THEREFORE,  
1 22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
1 23 That the House of Representatives honors Paullina,  
1 24 Iowa, on completing its first 125 years and invites  
1 25 all Iowans to share in Paullina's quasiquicentennial  
1 26 celebration to be held on July 3 through July 6, 2008.  
1 27 BE IT FURTHER RESOLVED, That the House of  
1 28 Representatives shall request the Chief Clerk of the  
1 29 House to prepare an official copy of this Resolution  
1 30 for presentation to the city of Paullina.



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

House Resolution 149 - Introduced continued

2 1 LSB 6610HH 82  
2 2 rn/rj/14.1



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

# House Resolution 150 - Introduced

PAG LIN

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

1 1                                   HOUSE RESOLUTION NO.

1 2                   BY FORD, JACOBS, RAECKER, ABDUL-SAMAD,

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

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

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

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

1 7           GRANZOW, GRASSLEY, GREINER, HEATON, HEDDENS,

1 8           HOFFMAN, HORBACH, HUNTER, HUSEMAN, HUSER, 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, RANTS, RASMUSSEN,

1 14           RAYHONS, REASONER, REICHERT, ROBERTS, SANDS,

1 15   SCHICKEL, SCHUELLER, SHOMSHOR, SMITH, SODERBERG,

1 16           STAED, STRUYK, SWAIM, D. TAYLOR, T. TAYLOR,

1 17           THOMAS, TJEPKES, TOMENGA, TYMESON, UPMEYER,

1 18           VAN ENGELENHOVEN, VAN FOSSEN, WATTS,

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

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

1 21                               WORTHAN, and ZIRKELBACH

1 22 A Resolution to honor Drake University's men's and

1 23       women's basketball teams.

1 24       WHEREAS, in 2007, Drake University's men's

1 25 basketball team, the Bulldogs, fought to its first

1 26 winning season in 20 years, and by 2008 had twice won

1 27 the Big Four Trophy, besting the University of Iowa,

1 28 the University of Northern Iowa, and Iowa State

1 29 University; and

1 30       WHEREAS, the Bulldogs are led by Coach Keno Davis,



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

House Resolution 150 - Introduced continued

2 1 a remarkable young man who came to Drake in 2003 and  
2 2 became head coach in 2007, succeeding his own father,  
2 3 Dr. Tom Davis; and  
2 4       WHEREAS, the Bulldogs secured its first berth in  
2 5 the National Collegiate Athletic Association (NCAA)  
2 6 national tournament since 1971, defeating Illinois  
2 7 State, with a first=ever 30=point win, in the Missouri  
2 8 Valley Conference championship game; and  
2 9       WHEREAS, with that victory in the Missouri Valley  
2 10 tournament the Bulldogs, with a record of 28 wins and  
2 11 four losses, became one of the top 20 basketball teams  
2 12 in the nation; and  
2 13       WHEREAS, Bulldog guard Adam Emmenecker, initially a  
2 14 walk=on player, was named the winner of the Larry Bird  
2 15 Missouri Valley Conference Player of the Year Award  
2 16 and, with a 3.97 grade=point average, was named the  
2 17 Academic All=American University Division Basketball  
2 18 Player of the Year and the Missouri Valley Conference  
2 19 Men's Basketball Scholar=Athlete of the Year; and  
2 20       WHEREAS, Mr. Emmenecker, along with sophomore  
2 21 teammate Josh Young, was a first team All=Missouri  
2 22 Valley Conference selection; and  
2 23       WHEREAS, in an NCAA Tournament nail=biter, the  
2 24 Bulldogs, playing Western Kentucky and forcing the  
2 25 game into overtime, showed the skill, the tenacity,  
2 26 and the courage that has marked the team throughout  
2 27 the season; and  
2 28       WHEREAS, at that same time the Drake women's  
2 29 basketball team, led by fifth=year head coach Amy  
2 30 Stephens, continued its tradition of excellence with



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

House Resolution 150 - Introduced continued

3 1 the Bulldogs' first 20-win season since 2001=2002 and  
3 2 by winning its first Missouri Valley Conference  
3 3 regular season title since the 2000=2001 season; and  
3 4 WHEREAS, senior forward Jill Martin was selected  
3 5 four times as the State Farm/Missouri Valley  
3 6 Conference Women's Player of the Week, and junior  
3 7 guard/forward Lauren Dybing also shared that honor  
3 8 once, while senior guard Lindsay Whorton, with a 4.0  
3 9 grade=point average and a double major in English and  
3 10 education, was selected as the Prairie Farms Missouri  
3 11 Valley Conference Women's Basketball Scholar=Athlete  
3 12 of the Year; and  
3 13 WHEREAS, for the ninth time in school history, and  
3 14 the third time under coach Amy Stephens, the Bulldogs  
3 15 participated in the 48=team Women's National  
3 16 Invitational Tournament (WNIT); and  
3 17 WHEREAS, in the first round at the WNIT, led by Ms.  
3 18 Martin and Ms. Whorton, the Bulldogs bested Green Bay;  
3 19 NOW THEREFORE,  
3 20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
3 21 That the House of Representatives honors those  
3 22 remarkably talented young men and women who make up  
3 23 the 2007=2008 Drake University men's and women's  
3 24 basketball teams and congratulates them for incredible  
3 25 seasons that have elevated the Bulldogs to rank among  
3 26 the best teams in the nation, with the hope for  
3 27 continued greatness in the future.  
3 28 LSB 6598HH 82  
3 29 jr/nh/14.1



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Study Bill 790

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON SHOMSHOR)

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

A BILL FOR

- 1 An Act relating to a sales and use tax exemption for paint and
- 2 materials used in coating water tanks, providing refunds, and
- 3 including effective and retroactive applicability date
- 4 provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 6 TLSB 6653HC 82
- 7 mg/nh/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Study Bill 790 continued

PAG LIN

1 1 Section 1. Section 423.3, subsection 38, Code Supplement  
1 2 2007, is amended to read as follows:

1 3 38. The sales price from the sale of building materials,  
1 4 supplies, or equipment, including paint and other materials  
1 5 used to coat water tanks, sold to rural water districts  
1 6 organized under chapter 504 as provided in chapter 357A and  
1 7 used for the construction of facilities or coating of water  
1 8 tanks of a rural water district.

1 9 Sec. 2. REFUNDS. Refunds of taxes, interest, or penalties  
1 10 which arise from claims resulting from the amendment of  
1 11 section 423.3, subsection 38, by this Act for the exemption of  
1 12 the sales of paint and other materials used in coating water  
1 13 tanks occurring between July 1, 1997, and the effective date  
1 14 of this Act, shall not be allowed unless refund claims are  
1 15 filed by October 1, 2008, notwithstanding any other provision  
1 16 of law.

1 17 Sec. 3. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.  
1 18 The section of this Act amending section 423.3, subsection 38,  
1 19 being deemed of immediate importance, takes effect upon  
1 20 enactment and applies retroactively to July 1, 1997.

1 21 EXPLANATION

1 22 This bill provides that the purchase of paint and other  
1 23 materials used to coat water tanks by a rural water district  
1 24 is exempt from the sales and use tax. The exemption takes  
1 25 effect upon enactment and applies retroactively to July 1,  
1 26 1997. Because of the retroactive applicability provision, the  
1 27 bill authorizes refunds of taxes, interest, or penalties that  
1 28 were paid for sales made during the period beginning July 1,  
1 29 1997, and ending with the effective date of the bill. To  
1 30 receive a refund, a person must file a claim by October 1,  
1 31 2008.

1 32 LSB 6653HC 82

1 33 mg/nh/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Study Bill 791

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON SHOMSHOR)

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

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

A BILL FOR

- 1 An Act relating to a sales and use tax exemption on environmental
- 2 test laboratory services.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6660HC 82
- 5 ak/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

House Study Bill 791 continued

PAG LIN

1 1 Section 1. Section 423.3, Code Supplement 2007, is amended  
1 2 by adding the following new subsection:  
1 3 NEW SUBSECTION. 93. The sales price from the furnishing  
1 4 of environmental test laboratory services, including services  
1 5 of a mobile environmental testing laboratory and field testing  
1 6 services by an environmental test laboratory.

1 7 EXPLANATION

1 8 This bill exempts from the sales and use taxes the  
1 9 furnishing of environmental test laboratory services,  
1 10 including field testing services and mobile environmental test  
1 11 laboratories.

1 12 LSB 6660HC 82

1 13 ak/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5300

PAG LIN

1 1 Amend Senate File 2405 as follows:  
1 2 #1. Page 7, line 14, by striking the word <for>  
1 3 and inserting the following: <or attributes relating  
1 4 to>.  
1 5  
1 6  
1 7  
1 8 ROBERT M. HOGG  
1 9 SF 2405.201 82  
1 10 rn/rj/11955  
1 11  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



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

**Senate Amendment 5301**

PAG LIN

1 1 Amend House File 2612, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 1, line 20, by inserting before the word  
 1 4 <RIDING> the following: <OPERATION OF ALL=TERRAIN  
 1 5 VEHICLES AND>.  
 1 6 #2. Page 1, by inserting after line 24 the  
 1 7 following:  
 1 8 <Sec. \_\_\_\_\_. Section 321I.14, subsection 3, Code  
 1 9 Supplement 2007, is amended to read as follows:  
 1 10 3. a. A person shall not operate an all-terrain  
 1 11 vehicle with more persons on the vehicle than it was  
 1 12 designed to carry.  
 1 13 b. Paragraph "a" does not apply to a person who  
 1 14 operates an all-terrain vehicle as part of a farm  
 1 15 operation as defined in section 352.2.>  
 1 16 #3. By renumbering as necessary.  
 1 17  
 1 18  
 1 19  
 1 20 JERRY BEHN  
 1 21  
 1 22  
 1 23  
 1 24 DENNIS H. BLACK  
 1 25 HF 2612.301 82  
 1 26 da/rj/21131  
 1 27  
 1 28  
 1 29  
 1 30  
 1 31  
 1 32  
 1 33  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5302

PAG LIN

1 1 Amend House File 2620 as follows:  
1 2 #1. By striking page 1, line 1, through page 12,  
1 3 line 26.  
1 4 #2. Title page, by striking line 3 and inserting  
1 5 the following: <an applicability date provision.>  
1 6 #3. By renumbering as necessary.  
1 7  
1 8  
1 9  
1 10 ROBERT M. HOGG  
1 11 HF 2620.205 82  
1 12 sc/nh/21137  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5303

PAG LIN

1 1 Amend the House amendment, S=5272, to Senate File  
1 2 2308, as amended, passed, and reprinted by the Senate,  
1 3 as follows:  
1 4 #1. Page 1, by striking lines 3 through 22.  
1 5 #2. Page 1, by striking lines 43 through 49.  
1 6 #3. By renumbering as necessary.  
1 7  
1 8  
1 9  
1 10 STEVE WARNSTADT  
1 11 SF 2308.508 82  
1 12 rn/nh/21084  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5304

PAG LIN

1 1 Amend Senate File 2411 as follows:  
1 2 #1. Page 42, by striking lines 3 through 5 and  
1 3 inserting the following:  
1 4 <Sec. \_\_\_\_\_. EFFECTIVE DATE. Except for the  
1 5 sections of this Act establishing transition  
1 6 provisions for the Iowa public information board and  
1 7 making an appropriation for the initial expenses of  
1 8 the Iowa public information board, this Act takes  
1 9 effect July 1, 2009.>  
1 10 #2. Title page, line 2, by inserting after the  
1 11 word <date> the following: <and making an  
1 12 appropriation>.  
1 13 #3. By renumbering as necessary.  
1 14  
1 15  
1 16  
1 17 MICHAEL CONNOLLY  
1 18 SF 2411.201 82  
1 19 rh/rj/11489  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5305

PAG LIN

1 1 Amend Senate File 2408 as follows:  
1 2 #1. Page 6, by inserting after line 18 the  
1 3 following:  
1 4 <DIVISION  
1 5 SALES AND USE TAX  
1 6 Sec. \_\_\_\_ . Section 423.3, Code Supplement 2007, is  
1 7 amended by adding the following new subsection:  
1 8 NEW SUBSECTION. 93. The sales price from the sale  
1 9 of tangible personal property at flea markets where  
1 10 the vendor does not have a permanent place of business  
1 11 and where numerous such vendors are located.>  
1 12  
1 13  
1 14  
1 15 JAMES F. HAHN  
1 16 SF 2408.202 82  
1 17 mg/mg/10615  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5306

PAG LIN

1 1 Amend Senate File 2408 as follows:  
1 2 #1. By striking page 2, line 33, through page 4,  
1 3 line 31.  
1 4  
1 5  
1 6  
1 7 WILLIAM DOTZLER  
1 8 SF 2408.502 82  
1 9 mg/mg/10613  
1 10  
1 11  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

**Senate Amendment 5307**

PAG LIN

1 1 Amend Senate File 2405 as follows:  
1 2 #1. Page 1, line 4, by striking the word  
1 3 <subsection> and inserting the following:  
1 4 <subsections>.  
1 5 #2. Page 1, by inserting after line 27 the  
1 6 following:  
1 7 <13B. Provide customer financing for companies  
1 8 engaged in the manufacturing of equipment utilized in  
1 9 connection with wind energy or the construction or  
1 10 operation of a wind energy production facility,  
1 11 including structuring such financing as a membership  
1 12 investment whereby the state bank as equity investor  
1 13 may take a majority financial position, but not a  
1 14 management position, in such companies, subject to the  
1 15 same restrictions as provided in subsection 13A,  
1 16 paragraphs "a" through "e".>  
1 17  
1 18  
1 19  
1 20 PAUL McKINLEY  
1 21 SF 2405.501 82  
1 22 rn/rj/21140  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

## Senate Amendment 5308

PAG LIN

1 1 Amend Senate File 2408 as follows:  
1 2 #1. Page 5, by inserting after line 28 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 186, section  
1 5 29, is amended to read as follows:  
1 6 SEC. 29. REFUND OF PROPERTY TAXES.  
1 7 Notwithstanding the deadline for filing a claim for  
1 8 property tax exemption for property described in  
1 9 section 427.1, subsection 8 or 9, and notwithstanding  
1 10 any other provision to the contrary, the board of  
1 11 supervisors of a county having a population based upon  
1 12 the latest federal decennial census of more than  
1 13 eighty=eight thousand but not more than ninety=five  
1 14 thousand shall refund the property taxes paid, with  
1 15 all interest, penalties, fees, and costs which were  
1 16 due and payable in the fiscal year beginning July 1,  
1 17 2002, and in the fiscal year beginning July 1, ~~2005~~  
1 18 2006, on the land and buildings of an institution that  
1 19 purchased property and that did not receive a property  
1 20 tax exemption for the property due to the inability or  
1 21 failure to file for the exemption. To receive the  
1 22 refund provided for in this section, the institution  
1 23 shall apply to the county board of supervisors by  
1 24 October 1, ~~2007~~ 2008, and provide appropriate  
1 25 information establishing that the land and buildings  
1 26 for which the refund is sought were used by the  
1 27 institution for its appropriate objectives during the  
1 28 fiscal year beginning July 1, 2002, and during the  
1 29 fiscal year beginning July 1, ~~2005~~ 2006. The refund  
1 30 allowed under this section only applies to property  
1 31 taxes, with all interest, penalties, fees, and costs,  
1 32 due and payable in the fiscal year beginning July 1,  
1 33 2002, and in the fiscal year beginning July 1, ~~2005~~  
1 34 2006.  
1 35 Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 186, section 30,  
1 36 is amended to read as follows:  
1 37 SEC. 30. IMMEDIATE EFFECTIVE DATE. ~~The section~~  
1 38 Section 29 of this division of this Act, ~~amending~~  
~~1 39 section 427.3,~~ being deemed of immediate importance,  
1 40 takes effect upon enactment and applies retroactively  
1 41 to property taxes due and payable in the fiscal year  
1 42 beginning July 1, 2002, and in the fiscal year  
1 43 beginning July 1, ~~2005~~ 2006.  
1 44 Sec. \_\_\_\_\_. EFFECTIVE DATE. The sections of this  
1 45 division of this Act amending 2007 Iowa Acts, chapter  
1 46 186, sections 29 and 30, being deemed of immediate  
1 47 importance, take effect upon enactment.>  
1 48 #2. Title page, line 3, by inserting after the  
1 49 word <income,> the following: <property,>.  
1 50 #3. By renumbering as necessary.



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

Senate Amendment 5308 continued

2 1  
2 2  
2 3  
2 4 MICHAEL CONNOLLY  
2 5 SF 2408.301 82  
2 6 sc/mg/11602



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

**Senate Amendment 5309**

PAG LIN

1 1 Amend Senate File 2408 as follows:  
 1 2 #1. Page 6, by inserting after line 18 the  
 1 3 following:  
 1 4 <Sec. \_\_\_\_\_. NEW SECTION. 450.98 TAX REPEALED.  
 1 5 This chapter shall not apply, effective July 1,  
 1 6 2008, to property of estates of decedents dying on or  
 1 7 after July 1, 2008. The inheritance tax shall not be  
 1 8 imposed under this chapter in the event the decedent  
 1 9 dies on or after July 1, 2008, and to this extent this  
 1 10 chapter is repealed.  
 1 11 Sec. \_\_\_\_\_. NEW SECTION. 450B.8 TAX REPEALED.  
 1 12 This chapter shall not apply, effective July 1,  
 1 13 2008, to property of estates of decedents dying on or  
 1 14 after July 1, 2008. The inheritance tax shall not be  
 1 15 imposed under this chapter in the event the decedent  
 1 16 dies on or after July 1, 2008, and to this extent this  
 1 17 chapter is repealed.  
 1 18 Sec. \_\_\_\_\_. CODE EDITOR DIRECTIVE. The Code editor  
 1 19 is directed to remove chapters 450 and 450B from the  
 1 20 Code and correct appropriate references to chapters  
 1 21 450 and 450B and appropriate references to the  
 1 22 inheritance tax and qualified use inheritance tax  
 1 23 effective July 1, 2018.>  
 1 24  
 1 25  
 1 26  
 1 27 MARY A. LUNDBY  
 1 28 SF 2408.302 82  
 1 29 mg/mg/10614  
 1 30  
 1 31  
 1 32  
 1 33  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate Amendment 5310

PAG LIN

1 1 Amend the amendment, S=5283, to House File 2558, as  
1 2 passed by the House, as follows:  
1 3 #1. Page 1, line 20, by inserting after the word  
1 4 <board.> the following: <The department may release  
1 5 certain information in an application for financial  
1 6 assistance to a third party for technical review. If  
1 7 the department releases such information to a third  
1 8 party, the department shall ensure that the third  
1 9 party protects such information from public  
1 10 disclosure.>  
1 11  
1 12  
1 13  
1 14 WILLIAM DOTZLER  
1 15 HF 2558.501 82  
1 16 tw/nh/11496  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



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

**Senate Amendment 5311**

PAG LIN

1 1 Amend Senate File 2408 as follows:  
 1 2 #1. Page 6, by inserting after line 18 the  
 1 3 following:  
 1 4 <Sec. \_\_\_\_\_. NEW SECTION. 450.98 TAX REPEALED.  
 1 5 This chapter shall not apply, effective July 1,  
 1 6 2008, to property of estates of decedents dying on or  
 1 7 after July 1, 2008. The inheritance tax shall not be  
 1 8 imposed under this chapter in the event the decedent  
 1 9 dies on or after July 1, 2008, and to this extent this  
 1 10 chapter is repealed.  
 1 11 Sec. \_\_\_\_\_. NEW SECTION. 450B.8 TAX REPEALED.  
 1 12 This chapter shall not apply, effective July 1,  
 1 13 2008, to property of estates of decedents dying on or  
 1 14 after July 1, 2008. The inheritance tax shall not be  
 1 15 imposed under this chapter in the event the decedent  
 1 16 dies on or after July 1, 2008, and to this extent this  
 1 17 chapter is repealed.  
 1 18 Sec. \_\_\_\_\_. CODE EDITOR DIRECTIVE. The Code editor  
 1 19 is directed to remove chapters 450 and 450B from the  
 1 20 Code and correct appropriate references to chapters  
 1 21 450 and 450B and appropriate references to the  
 1 22 inheritance tax and qualified use inheritance tax  
 1 23 effective July 1, 2018.>  
 1 24  
 1 25  
 1 26  
 1 27 MARY A. LUNDBY  
 1 28  
 1 29  
 1 30  
 1 31 MATT McCOY  
 1 32 SF 2408.203 82  
 1 33 mg/mg/10616  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate Amendment 5312

PAG LIN

1 1 Amend the amendment, S=5283, to House File 2558, as  
1 2 passed by the House, as follows:  
1 3 #1. Page 2, by inserting after line 25 the  
1 4 following:  
1 5 <\_\_\_\_. Upon receiving and processing a request for  
1 6 confidentiality of a financial assistance application,  
1 7 the department shall submit a redacted and an  
1 8 unredacted copy of the application to a committee  
1 9 consisting of four members of the general assembly,  
1 10 one member each designated by the majority leader of  
1 11 the senate, the minority leader of the senate, the  
1 12 speaker of the house of representatives, and the  
1 13 minority leader of the house of representatives. The  
1 14 committee receiving the copies of the applications for  
1 15 financial assistance shall keep all redacted  
1 16 information confidential.>>  
1 17 #2. By renumbering as necessary.  
1 18  
1 19  
1 20  
1 21 PAUL McKINLEY  
1 22 HF 2558.203 82  
1 23 tw/rj/21143  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate Amendment 5313

PAG LIN

1 1 Amend Senate File 2411 as follows:  
1 2 #1. Page 2, line 25, by striking the word  
1 3 <paragraph> and inserting the following:  
1 4 <paragraphs>.  
1 5 #2. Page 2, by inserting after line 32 the  
1 6 following:  
1 7 <NEW PARAGRAPH. j. Either house of the general  
1 8 assembly, a standing committee of either house of the  
1 9 general assembly, or a joint conference committee.  
1 10 "Government body" includes a political party caucus of  
1 11 members of a house of the general assembly.>  
1 12 #3. Page 5, line 17, by striking the word  
1 13 <paragraph> and inserting the following:  
1 14 <paragraphs>.  
1 15 #4. Page 5, by inserting after line 29 the  
1 16 following:  
1 17 <NEW PARAGRAPH. m. To discuss campaign or  
1 18 political strategy.>  
1 19 #5. Page 29, by striking lines 7 through 10 and  
1 20 inserting the following:  
1 21 <The board shall not have jurisdiction over the  
1 22 judicial branch or any officer or employee of the  
1 23 judicial branch or over the governor or the office of  
1 24 the governor.>  
1 25 #6. By renumbering as necessary.  
1 26  
1 27  
1 28  
1 29 JEFF ANGELO  
1 30 SF 2411.503 82  
1 31 rh/rj/11501  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

# Senate Amendment 5314

PAG LIN

1 1 Amend Senate File 2411 as follows:  
1 2 #1. Page 2, line 25, by striking the word  
1 3 <paragraph> and inserting the following:  
1 4 <paragraphs>.  
1 5 #2. Page 2, by inserting after line 32 the  
1 6 following:  
1 7 <NEW PARAGRAPH. j. Either house of the general  
1 8 assembly.>  
1 9  
1 10  
1 11  
1 12 JEFF ANGELO  
1 13 SF 2411.502 82  
1 14 rh/rj/11500  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

## Senate Amendment 5315

PAG LIN

1 1 Amend Senate File 2411 as follows:  
1 2 #1. Page 8, line 2, by inserting after the word  
1 3 <state,> the following: <either house of the general  
1 4 assembly,>.  
1 5  
1 6  
1 7  
1 8 JEFF ANGELO  
1 9 SF 2411.301 82  
1 10 rh/rj/11499  
1 11  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

**Senate Concurrent Resolution 105 -  
Introduced**

PAG LIN

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

1 1           SENATE CONCURRENT RESOLUTION NO.  
1 2           BY GRONSTAL, BLACK, STEWART, RAGAN, SCHMITZ,  
1 3           BEALL, DANIELSON, DOTZLER, DVORSKY, HECKROTH,  
1 4           WARNSTADT, SENG, RIELLY, HANCOCK, OLIVE, DEARDEN,  
1 5           FRAISE, QUIIRMBACH, KIBBIE, BOLKCOM, SCHOENJAHN,  
1 6           WOOD, KREIMAN, and HORN  
1 7 A Concurrent Resolution designating May 2008 as  
1 8           Motorcycle Safety Awareness Month.  
1 9           WHEREAS, motorcycle riding is a popular form of  
1 10 recreation and transportation for thousands of people  
1 11 across Iowa and the nation; and  
1 12           WHEREAS, motorcycle riding can be an enjoyable  
1 13 activity when safety is of paramount consideration and  
1 14 all laws and regulations are observed; and  
1 15           WHEREAS, the safe operation of a motorcycle  
1 16 requires the use of special skills developed through a  
1 17 combination of training and experience, the use of  
1 18 good judgment, and a thorough knowledge of traffic  
1 19 laws and licensing requirements; and  
1 20           WHEREAS, the Motorcycle Safety Awareness Campaign  
1 21 is intended to reduce the number of accidents,  
1 22 injuries, and fatalities associated with motorcycling  
1 23 by encouraging motorcycle operators to participate in  
1 24 rider education programs, wear proper apparel, not  
1 25 drink and ride, and operate their vehicles defensively  
1 26 according to the rules of the road; and  
1 27           WHEREAS, motorcycle organizations, clubs,  
1 28 dealerships, and groups and highway safety officials  
1 29 in our state should join Iowa motorcyclists in  
1 30 actively promoting safe motorcycle operation,



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

Senate Concurrent Resolution 105 - Introduced continued

2 1 increased rider training, improved licensing efforts,  
2 2 and motorist awareness of motorcycles; and

2 3 WHEREAS, the Motorcycle Safety Awareness Campaign  
2 4 encourages operators of other motor vehicles to be  
2 5 cautious and observe these smaller vehicles,  
2 6 especially during the seasonal return of motorcycles  
2 7 to Iowa's streets and highways; and

2 8 WHEREAS, a motorcycle is a vehicle with all of the  
2 9 privileges of any vehicle on the roadway, so a  
2 10 motorcyclist should be allowed the use of a full lane  
2 11 of travel; and

2 12 WHEREAS, other motorists need to take a second look  
2 13 for motorcycles on the highway, at intersections, and  
2 14 when a motorcyclist may be changing lanes or making a  
2 15 left turn; and

2 16 WHEREAS, other motorists should clearly signal  
2 17 their intentions, not follow motorcycles too closely,  
2 18 and allow enough room for motorcyclists to take  
2 19 evasive action by allowing plenty of space; and

2 20 WHEREAS, obstructions that other motorists might  
2 21 ignore, such as debris and potholes, can be deadly for  
2 22 a motorcyclist, so other motorists should learn to  
2 23 predict when a motorcyclist might take evasive action;  
2 24 NOW THEREFORE,

2 25 BE IT RESOLVED BY THE SENATE, THE HOUSE OF  
2 26 REPRESENTATIVES CONCURRING, That the General Assembly  
2 27 designates the month of May 2008 as Motorcycle Safety  
2 28 Awareness Month and encourages all Iowa motorists to  
2 29 strive to improve motorcycle safety in this state.

2 30 LSB 6440SS 82



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

Senate Concurrent Resolution 105 - Introduced continued

3 1 dea/nh/24



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

**Senate File 2413 - Introduced**

SENATE FILE  
BY COMMITTEE ON GOVERNMENT  
OVERSIGHT

(SUCCESSOR TO LSB 6627SC)

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

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

**A BILL FOR**

1 An Act providing extensions for school districts applying to the  
2 school budget review committee concerning school district  
3 finances, and providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 6627SV 82  
6 da/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate File 2413 - Introduced continued

PAG LIN

1 1 Section 1. MODIFIED ALLOWABLE GROWTH GRANTED FOR A CHANGE  
1 2 IN ACCOUNTING OR BUDGETING METHODS. Notwithstanding any  
1 3 provision in chapter 257 or title 289 of the Iowa  
1 4 administrative code to the contrary, this section applies to a  
1 5 school district, required to budget on the generally accepted  
1 6 accounting principles basis of budgeting beginning with fiscal  
1 7 year beginning July 1, 2006, and ending June 30, 2007.  
1 8 1. a. If the school district determines that the amount  
1 9 of modified allowable growth granted for the change in  
1 10 accounting or budgeting methods was not adequate as provided  
1 11 in 289 IAC 6.5, and the school budget review committee has not  
1 12 previously considered a timely submitted request, the school  
1 13 district may make a request to the school budget review  
1 14 committee to grant additional modified allowable growth for  
1 15 purposes of increasing the amount of the school district's  
1 16 unspent balance for the fiscal year beginning July 1, 2005,  
1 17 and ending June 30, 2006.  
1 18 b. The school budget review committee must receive the  
1 19 request described in paragraph "a" on or before June 15, 2008,  
1 20 and make a decision regarding the request at a special meeting  
1 21 conducted on or before June 30, 2008.  
1 22 2. Except as provided in subsection 1, the school budget  
1 23 review committee shall approve or disapprove the request using  
1 24 the same criteria as if the request had been submitted at its  
1 25 May 2006 regular meeting.  
1 26 Sec. 2. ON=TIME FUNDING BUDGET ADJUSTMENTS.  
1 27 Notwithstanding any provision in chapter 257 or title 289 of  
1 28 the Iowa administrative code to the contrary, all of the  
1 29 following shall apply:  
1 30 1. a. If the board of directors of a school district  
1 31 determines under section 257.6 that the school district's  
1 32 actual enrollment for the budget year beginning July 1, 2006,  
1 33 and ending June 30, 2007, was greater than its budget  
1 34 enrollment for the budget year, the district shall be eligible  
1 35 to receive an on=time funding budget adjustment as provided in



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

Senate File 2413 - Introduced continued

2 1 section 257.13.

2 2     b. A school district that wishes to receive an on-time  
2 3 funding budget adjustment under paragraph "a" shall adopt a  
2 4 resolution to receive the adjustment and notify the school  
2 5 budget review committee in the same manner as provided in  
2 6 section 257.13 and submit an application to the school budget  
2 7 review committee as provided in 289 IAC 7.4. The school  
2 8 budget review committee must receive the application on or  
2 9 before June 15, 2008, and make a decision regarding the  
2 10 application at a special meeting conducted on or before June  
2 11 30, 2008.

2 12     c. Except as otherwise provided in paragraphs "a" and "b",  
2 13 the school budget review committee shall approve or disapprove  
2 14 the application using the same criteria as if the application  
2 15 had been submitted on November 1, 2006. However, the school  
2 16 budget review committee shall not approve a timely submitted  
2 17 application that it previously considered.

2 18     2. a. If the board of directors of a school district  
2 19 determines under section 257.6 that the school district's  
2 20 actual enrollment for the budget year beginning July 1, 2007,  
2 21 and ending June 30, 2008, was greater than its budget  
2 22 enrollment for the budget year, the district shall be eligible  
2 23 to receive an on-time funding budget adjustment as provided in  
2 24 section 257.13.

2 25     b. A school district that wishes to receive an on-time  
2 26 funding budget adjustment under paragraph "a" shall adopt a  
2 27 resolution to receive the adjustment and notify the school  
2 28 budget review committee in the same manner as provided in  
2 29 section 257.13 and submit an application to the school budget  
2 30 review committee as provided in 289 IAC 7.4. The school  
2 31 budget review committee must receive the application on or  
2 32 before June 15, 2008, and make a decision regarding the  
2 33 application at a special meeting conducted on or before June  
2 34 30, 2008.

2 35     c. Except as otherwise provided in paragraphs "a" and "b",



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate File 2413 - Introduced continued

3 1 the school budget review committee shall approve or disapprove  
3 2 the application using the same criteria as if the application  
3 3 had been submitted on November 1, 2007. However, the school  
3 4 budget review committee shall not approve a timely submitted  
3 5 application that it previously considered.

3 6 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
3 7 immediate importance, takes effect upon enactment.

3 8 EXPLANATION

3 9 This bill extends certain deadlines for school districts  
3 10 that did not submit certain budgeting adjustment applications  
3 11 on time to the school budget review committee (SBRC).

3 12 The bill's first extension applies to any school district  
3 13 that missed the May 2006 deadline when the SBRC met to decide  
3 14 whether to grant a modification to the allowable growth  
3 15 granted for a change in accounting or budgeting methods  
3 16 resulting in a school district's converting to the generally  
3 17 accepted accounting principles basis of budgeting beginning  
3 18 with FY 2006=2007.

3 19 The bill's second extension applies to any school district  
3 20 that missed the November 1 deadline for requesting that the  
3 21 SBRC approve on-time funding when the school district's actual  
3 22 enrollment exceeds its budget enrollment for the budget year.  
3 23 The extension applies to any school district that failed to  
3 24 comply with the November 1, 2006, deadline for the school  
3 25 district's 2006=2007 budget year or the November 1, 2007,  
3 26 deadline for the school district's 2007=2008 budget year.

3 27 In both cases, the bill allows the school district to apply  
3 28 to the SBRC on or before June 15, 2008, and requires the SBRC  
3 29 to make a decision or before June 30, 2008, as if the  
3 30 applications were submitted on a timely basis.

3 31 The bill takes effect upon enactment.

3 32 LSB 6627SV 82

3 33 da/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

**Senate File 2414 - Introduced**

SENATE FILE  
BY GRONSTAL

(COMPANION TO LSB 6650YH  
BY McCARTHY)

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

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

**A BILL FOR**

- 1 An Act prohibiting the use of campaign funds as compensation to a
- 2 candidate and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6650XS 82
- 5 jr/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate File 2414 - Introduced continued

PAG LIN

1 1 Section 1. Section 68A.302, subsection 2, Code 2007, is  
1 2 amended by adding the following new paragraph:

1 3 NEW PARAGRAPH. k. Payment to a candidate as a salary,  
1 4 gratuity, or other compensation. However, reimbursement of  
1 5 expenses as otherwise authorized in this section is permitted.

1 6 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 7 immediate importance, takes effect upon enactment.

1 8 EXPLANATION

1 9 Code section 68A.302 generally limits the use of campaign  
1 10 funds to campaign purposes, educational and other expenses  
1 11 associated with the duties of office, or constituency  
1 12 services. That section prohibits the use of campaign funds  
1 13 for personal expenses or personal benefit and provides a list  
1 14 of prohibited uses.

1 15 This bill adds to the list of prohibited uses the use of  
1 16 campaign funds to pay the candidate a salary, gratuity, or  
1 17 other form of compensation.

1 18 As provided in Code section 68A.701, a willful violation of  
1 19 any provision of the campaign finance chapter is a serious  
1 20 misdemeanor punishable by confinement for up to one year and a  
1 21 fine of at least \$315 but not more than \$1,875. A variety of  
1 22 civil remedies are also available in Code section 68B.32D for  
1 23 a violation of Code chapter 68A or rules of the ethics and  
1 24 campaign disclosure board, ranging from a reprimand to a civil  
1 25 penalty of not more than \$2,000.

1 26 The bill is effective upon enactment.

1 27 LSB 6650XS 82

1 28 jr/rj/14.1



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

**Senate Joint Resolution 2003 - Introduced**

SENATE JOINT RESOLUTION  
BY GRONSTAL

(COMPANION TO LSB 6622HH BY  
McCARTHY)

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

**SENATE 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 6622SS 82  
3 jr/rj/14



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

Senate Joint Resolution 2003 - Introduced continued

PAG LIN

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 6622SS 82

1 23 jr/rj/14



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

# Senate Joint Resolution 2004 - Introduced

SENATE JOINT RESOLUTION  
BY GRONSTAL

(COMPANION TO LSB 6621HH  
BY McCARTHY)

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

**SENATE JOINT RESOLUTION**

1 A Joint Resolution authorizing the temporary use and consumption  
2 of wine in the State Capitol, and the temporary display of  
3 ceremonial banners, in conjunction with the awards ceremony of  
4 the World Food Prize Foundation.  
5 WHEREAS, the State of Iowa has the honor of being the home of  
6 the World Food Prize Foundation which annually presents an  
7 international award recognizing outstanding individual  
8 achievement in improving the quality, quantity, or availability  
9 of food in the world; and  
10 WHEREAS, Iowa's unique State Capitol is an optimal location  
11 for this awards ceremony of the World Food Prize Foundation and  
12 previously served as the ceremony location; and  
13 WHEREAS, the placement of ceremonial banners signifying the  
14 awards ceremony is an appropriate way to announce and commemorate  
15 the event; and  
16 WHEREAS, wine is customarily served as an accompaniment to the  
17 food and entertainment provided at this type of awards ceremony  
18 and wine was served when the ceremony was previously held at the  
19 State Capitol; and  
20 WHEREAS, under 11 IAC 100.4(8), which prohibits the  
21 consumption of alcoholic beverages on the State Capitol complex,  
1 it is not possible to serve wine at this type of awards ceremony  
2 in the State Capitol; NOW THEREFORE,  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6621SS 82  
5 rn/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 08, 2008

Senate Joint Resolution 2004 - Introduced continued

PAG LIN

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, wine may  
1 4 be used and consumed within the state capitol at an awards  
1 5 ceremony, to be held on or around October 16, 2008, hosted and  
1 6 organized in whole or in part by the world food prize  
1 7 foundation if the person providing the food and wine at the  
1 8 awards ceremony possesses an appropriate valid liquor control  
1 9 license. For the purpose of this section and section 123.95,  
1 10 the state capitol is a private place.

1 11 Sec. 2. Three ceremonial banners may be temporarily  
1 12 displayed either inside or outside the state capitol  
1 13 commemorating the ceremony.

1 14 EXPLANATION

1 15 This joint resolution authorizes the world food prize  
1 16 foundation to display three ceremonial banners and use and  
1 17 consume wine at an awards ceremony to be held at the state  
1 18 capitol on or around October 16, 2008. Current law and rules  
1 19 prohibit the use and consumption of alcoholic beverages within  
1 20 the state capitol.

1 21 LSB 6621SS 82

1 22 rn/rj/5





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

Senate Resolution 143 - Introduced continued

2 1 from Osage, competing in wrestling; Tolly Thompson,  
2 2 from Janesville, competing in wrestling; Joe Williams,  
2 3 from Iowa City, competing in wrestling; and Joey  
2 4 Woody, from Iowa City, competing in track and field;  
2 5 NOW THEREFORE,  
2 6 BE IT RESOLVED BY THE SENATE, That the Senate  
2 7 honors these young Iowans, whose efforts bring honor  
2 8 not only to themselves, but also to their communities  
2 9 and all Iowa, and wishes them the best of luck in the  
2 10 XXIX Olympiad.  
2 11 LSB 6656SS 82  
2 12 jr/rj/8