



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8632

PAG LIN

1 1 Amend the House amendment, S=5362, to Senate File  
1 2 2417, as passed by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 8 through 13 and  
1 4 inserting the following: <\$25,000 is allocated for a  
1 5 grant to a child welfare services provider  
1 6 headquartered in a county with a population between  
1 7 189,000 and 196,000 in the latest preceding certified  
1 8 federal census that provides multiple services  
1 9 including but not limited to a psychiatric medical  
1 10 institution for children, shelter, residential  
1 11 treatment, after school programs, school-based  
1 12 programming, and an Asperger's syndrome program, to be  
1 13 used for support services for children with autism  
1 14 spectrum disorder and their families.>>  
1 15 SF 2417.S  
1 16 pf/ml/12  
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 23, 2008

## House Amendment 8633

PAG LIN

1 1 Amend House File 2660, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by inserting after line 26 the  
1 4 following:  
1 5 <It is the intent of the general assembly to  
1 6 appropriate from the general fund of the state to the  
1 7 department of justice for victim assistance grants the  
1 8 following amount: \$1,000,000 for the fiscal year  
1 9 beginning July 1, 2009, and ending June 30, 2010.>  
1 10 #2. Page 2, line 3, by striking the figure  
1 11 <600,000> and inserting the following: <850,000>.  
1 12 #3. Page 3, line 22, by striking the figure  
1 13 <44,512,509> and inserting the following:  
1 14 <44,756,586>.  
1 15 #4. Page 3, line 26, by striking the figure  
1 16 <30,894,866> and inserting the following:  
1 17 <31,428,054>.  
1 18 #5. Page 4, line 6, by striking the figure  
1 19 <56,204,468> and inserting the following:  
1 20 <58,128,271>.  
1 21 #6. Page 4, line 10, by striking the figure  
1 22 <27,841,158> and inserting the following:  
1 23 <27,978,941>.  
1 24 #7. Page 4, line 14, by striking the figure  
1 25 <26,331,092> and inserting the following:  
1 26 <27,290,452>.  
1 27 #8. Page 4, line 18, by striking the figure  
1 28 <9,166,484> and inserting the following: <9,262,685>.  
1 29 #9. Page 4, line 22, by striking the figure  
1 30 <25,078,365> and inserting the following:  
1 31 <25,207,465>.  
1 32 #10. Page 4, line 31, by striking the figure  
1 33 <15,878,663> and inserting the following:  
1 34 <15,935,768>.  
1 35 #11. Page 4, line 35, by striking the figure  
1 36 <29,715,121> and inserting the following:  
1 37 <29,823,711>.  
1 38 #12. Page 5, by striking lines 12 through 16.  
1 39 #13. Page 8, by inserting after line 25 the  
1 40 following:  
1 41 <4. As a condition of receiving the appropriations  
1 42 made in this section, the department of corrections  
1 43 shall develop and implement offender reentry centers  
1 44 in Black Hawk and Polk counties to provide  
1 45 transitional planning and release primarily for  
1 46 offenders released from the Iowa correctional  
1 47 institution for women at Mitchellville and the Fort  
1 48 Dodge correctional facility. Programming shall  
1 49 include minority and gender-specific responsivity,  
1 50 employment, substance abuse treatment, mental health



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8633 continued

2 1 services, housing, and family reintegration. The  
2 2 department of corrections shall collaborate with the  
2 3 first and fifth judicial district departments of  
2 4 correctional services, Iowa department of workforce  
2 5 development, department of human services,  
2 6 community-based providers and faith-based  
2 7 organizations, and local law enforcement.>  
2 8 #14. Page 9, line 2, by striking the figure  
2 9 <12,912,033> and inserting the following:  
2 10 <13,103,903>.  
2 11 #15. Page 9, line 10, by striking the figure  
2 12 <10,669,139> and inserting the following:  
2 13 <10,835,021>.  
2 14 #16. Page 9, line 13, by striking the figure  
2 15 <5,903,401> and inserting the following: <5,914,624>.  
2 16 #17. Page 9, line 16, by striking the figure  
2 17 <5,419,406> and inserting the following: <5,435,240>.  
2 18 #18. Page 9, line 20, by striking the figure  
2 19 <18,276,003> and inserting the following:  
2 20 <18,813,816>.  
2 21 #19. Page 9, line 23, by striking the figure  
2 22 <12,475,246> and inserting the following:  
2 23 <13,991,982>.  
2 24 #20. Page 10, line 2, by striking the figure  
2 25 <7,020,794> and inserting the following: <7,053,660>.  
2 26 #21. Page 10, line 5, by striking the figure  
2 27 <6,998,544> and inserting the following: <7,066,926>.  
2 28 #22. Page 15, line 21, by striking the words and  
2 29 figure <17 percent of> and inserting the following:  
2 30 <the state's normal contribution rate, as defined in  
2 31 section 97A.8, multiplied by>.  
2 32 #23. Page 16, line 30, by striking the words and  
2 33 figure <17 percent of> and inserting the following:  
2 34 <the state's normal contribution rate, as defined in  
2 35 section 97A.8, multiplied by>.  
2 36 #24. Page 17, line 9, by striking the words and  
2 37 figure <17 percent of> and inserting the following:  
2 38 <the state's normal contribution rate, as defined in  
2 39 section 97A.8, multiplied by>.  
2 40 #25. Page 17, line 18, by striking the words and  
2 41 figure <17 percent of> and inserting the following:  
2 42 <the state's normal contribution rate, as defined in  
2 43 section 97A.8, multiplied by>.  
2 44 #26. Page 17, line 21, by striking the figure  
2 45 <49,688,777> and inserting the following:  
2 46 <50,353,777>.  
2 47 #27. Page 17, line 22, by striking the figure  
2 48 <535.00> and inserting the following: <536.00>.  
2 49 #28. Page 17, by inserting after line 22 the  
2 50 following:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8633 continued

3 1 <As a condition of receiving the appropriation made  
3 2 in this subsection, the department of public safety  
3 3 shall increase expenditures for overtime paid to peace  
3 4 officer members of the state patrol by \$350,000 and  
3 5 increase expenditures for fuel used by the motor  
3 6 vehicles of such members by \$227,000. In addition as  
3 7 a condition of receiving the appropriation made in  
3 8 this subsection, the department shall hire and employ  
3 9 one additional peace officer member of the state  
3 10 patrol.>  
3 11 #29. By renumbering, relettering, or redesignating  
3 12 and correcting internal references as necessary.  
3 13 HF 2660.S  
3 14 jm/ml/12



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8634

PAG LIN

1 1 Amend Senate File 2422, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 31 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 469.3, subsection 2, Code  
1 6 Supplement 2007, is amended by adding the following  
1 7 new paragraph:  
1 8 NEW PARAGRAPH. 1. Establish requirements,  
1 9 notwithstanding any other provision of law to the  
1 10 contrary, directing gas and electric public utilities  
1 11 in this state to disclose on a customer's utility bill  
1 12 or otherwise inform a customer of any costs or charges  
1 13 attributable to or associated with energy efficiency  
1 14 programs offered by the utility or otherwise imposed  
1 15 upon the customer.>  
1 16 #2. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 WATTS of Dallas  
1 21 SF 2422.702 82  
1 22 rn/nh/21352  
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 23, 2008

# House Amendment 8635

PAG LIN

1 1 Amend Senate File 2413, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 10 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 257.14, subsection 2, Code  
1 6 2007, is amended to read as follows:  
1 7 2. For the budget years commencing July 1, 2002,  
1 8 and July 1, 2003, if the department of management  
1 9 determines that the regular program district cost of a  
1 10 school district for a budget year is less than the  
1 11 total of the regular program district cost plus any  
1 12 adjustment added under this section for the base year  
1 13 for that school district, the school district shall be  
1 14 eligible to receive a budget adjustment for that  
1 15 district for that budget year up to an amount equal to  
1 16 the difference. The board of directors of a school  
1 17 district that wishes to receive a budget adjustment  
1 18 pursuant to this subsection shall adopt a resolution  
1 19 to receive the budget adjustment by ~~April~~ May 15,  
1 20 annually, and shall notify the department of  
1 21 management of the adoption of the resolution and the  
1 22 amount of the budget adjustment to be received.  
1 23 Sec. \_\_\_\_\_. Section 257.14, subsection 3, unnumbered  
1 24 paragraph 2, Code 2007, is amended to read as follows:  
1 25 The board of directors of a school district that  
1 26 wishes to receive a budget adjustment pursuant to this  
1 27 subsection shall adopt a resolution to receive the  
1 28 budget adjustment by ~~April~~ May 15, annually, and shall  
1 29 notify the department of management of the adoption of  
1 30 the resolution and the amount of the budget adjustment  
1 31 to be received.>  
1 32 #2. Page 3, by inserting after line 19, the  
1 33 following:  
1 34 <Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed  
1 35 of immediate importance, takes effect upon enactment.>  
1 36 #3. Title page, line 1, by inserting before the  
1 37 word <requests> the following: <school budgets,  
1 38 including by providing for>.  
1 39 #4. Title page, line 2, by inserting after the  
1 40 word <committee> the following: <and documents  
1 41 submitted to other state agencies>.  
1 42 #5. Title page, line 3, by inserting after the  
1 43 word <finances> the following: <, and providing an  
1 44 effective date>.  
1 45 #6. By renumbering as necessary.  
1 46  
1 47  
1 48  
1 49 WENDT of Woodbury  
1 50 SF 2413.201 82



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8635 continued

2 1 da/rj/21349



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636

PAG LIN

1 1 Amend House File 2698 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <DIVISION I  
1 5 GAMBLING SETOFF  
1 6 Section 1. Section 99D.2, Code 2007, is amended by  
1 7 adding the following new subsection:  
1 8 NEW SUBSECTION. 2A. "Claimant agency" means a  
1 9 state agency as defined in section 8A.504, subsection  
1 10 1, or the state court administrator as defined in  
1 11 section 602.1101.  
1 12 Sec. 2. Section 99D.7, Code 2007, is amended by  
1 13 adding the following new subsection:  
1 14 NEW SUBSECTION. 22A. To require licensees to  
1 15 establish a process with the state for licensees to  
1 16 have electronic access to names and social security  
1 17 numbers of debtors of claimant agencies through a  
1 18 secured interactive web site maintained by the state.  
1 19 Sec. 3. NEW SECTION. 99D.28 SETOFF.  
1 20 1. A licensee or a person acting on behalf of a  
1 21 licensee shall be provided electronic access to the  
1 22 names of the persons indebted to a claimant agency  
1 23 pursuant to the process established pursuant to  
1 24 section 99D.7, subsection 22A. The electronic access  
1 25 provided by the claimant agency shall include access  
1 26 to the names of the debtors, their social security  
1 27 numbers, and any other information that assists the  
1 28 licensee in identifying the debtors. If the name of a  
1 29 debtor provided to the licensee through electronic  
1 30 access is retrieved by the licensee, and the winnings  
1 31 are equal to or greater than ten thousand dollars per  
1 32 occurrence, the retrieval of such a name shall  
1 33 constitute a valid lien upon and claim of lien against  
1 34 the winnings of the debtor whose name is  
1 35 electronically retrieved from the claimant agency. If  
1 36 a debtor's winnings are equal to or greater than ten  
1 37 thousand dollars per occurrence, the full amount of  
1 38 the debt shall be collectible from any winnings due  
1 39 the debtor without regard to limitations on the  
1 40 amounts that may be collectible in increments through  
1 41 setoff or other proceedings.  
1 42 2. The licensee is authorized and directed to  
1 43 withhold any winnings of a debtor which are paid out  
1 44 directly by the licensee subject to the lien created  
1 45 by this section and provide notice of such withholding  
1 46 to the winner when the winner appears and claims  
1 47 winnings in person. The licensee shall pay the funds  
1 48 over to the collection entity which administers the  
1 49 setoff program pursuant to section 8A.504.  
1 50 3. Notwithstanding any other provision of law to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

2 1 the contrary, the licensee may provide to a claimant  
2 2 agency all information necessary to accomplish and  
2 3 effectuate the intent of this section, and likewise  
2 4 the claimant agency may provide all information  
2 5 necessary to accomplish and effectuate the intent of  
2 6 this section.

2 7 4. The information obtained by a claimant agency  
2 8 from the licensee in accordance with this section  
2 9 shall retain its confidentiality and shall only be  
2 10 used by a claimant agency in the pursuit of its debt  
2 11 collection duties and practices. An employee or prior  
2 12 employee of a claimant agency who unlawfully discloses  
2 13 any such information for any other purpose, except as  
2 14 otherwise specifically authorized by law, shall be  
2 15 subject to the penalties specified by law for  
2 16 unauthorized disclosure of confidential information by  
2 17 an agent or employee of the claimant agency.

2 18 5. The information obtained by a licensee from a  
2 19 claimant agency in accordance with this section shall  
2 20 retain its confidentiality and only be used by the  
2 21 licensee in the pursuit of debt collection duties and  
2 22 practices. An employee or prior employee of a  
2 23 licensee who unlawfully discloses any such information  
2 24 for any other purpose, except as otherwise  
2 25 specifically authorized by law, shall be subject to  
2 26 the same penalties specified by law for unauthorized  
2 27 disclosure of confidential information by an agent or  
2 28 employee of the licensee.

2 29 6. Except as otherwise provided in this chapter,  
2 30 attachments, setoffs, or executions authorized and  
2 31 issued pursuant to law shall be withheld if timely  
2 32 served upon the licensee.

2 33 7. A claimant agency or licensee, acting in good  
2 34 faith, shall not be liable for actions taken to comply  
2 35 with this section.

2 36 Sec. 4. Section 99F.1, Code Supplement 2007, is  
2 37 amended by adding the following new subsection:  
2 38 NEW SUBSECTION. 3A. "Claimant agency" means a  
2 39 state agency as defined in section 8A.504, subsection  
2 40 1, or the state court administrator as defined in  
2 41 section 602.1101.

2 42 Sec. 5. Section 99F.4, Code Supplement 2007, is  
2 43 amended by adding the following new subsection:  
2 44 NEW SUBSECTION. 26. To require licensees to  
2 45 establish a process with the state for licensees to  
2 46 have electronic access to names and social security  
2 47 numbers of debtors of claimant agencies through a  
2 48 secured interactive web site maintained by the state.

2 49 Sec. 6. NEW SECTION. 99F.19 SETOFF.

2 50 1. A licensee or a person acting on behalf of a



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House Amendment 8636 continued

3 1 licensee shall be provided electronic access to the  
3 2 names of the persons indebted to a claimant agency  
3 3 pursuant to the process established pursuant to  
3 4 section 99F.4, subsection 26. The electronic access  
3 5 provided by the claimant agency shall include access  
3 6 to the names of the debtors, their social security  
3 7 numbers, and any other information that assists the  
3 8 licensee in identifying the debtors. If the name of a  
3 9 debtor provided to the licensee through electronic  
3 10 access is retrieved by the licensee, and the winnings  
3 11 are equal to or greater than ten thousand dollars per  
3 12 occurrence, the retrieval of such a name shall  
3 13 constitute a valid lien upon and claim of lien against  
3 14 the winnings of the debtor whose name is  
3 15 electronically retrieved from the claimant agency. If  
3 16 a debtor's winnings are equal to or greater than ten  
3 17 thousand dollars per occurrence, the full amount of  
3 18 the debt shall be collectible from any winnings due  
3 19 the debtor without regard to limitations on the  
3 20 amounts that may be collectible in increments through  
3 21 setoff or other proceedings.

3 22 2. The licensee is authorized and directed to  
3 23 withhold any winnings of a debtor which are paid out  
3 24 directly by the licensee subject to the lien created  
3 25 by this section and provide notice of such withholding  
3 26 to the winner when the winner appears and claims  
3 27 winnings in person. The licensee shall pay the funds  
3 28 over to the collection entity which administers the  
3 29 setoff program pursuant to section 8A.504.

3 30 3. Notwithstanding any other provision of law to  
3 31 the contrary, the licensee may provide to a claimant  
3 32 agency all information necessary to accomplish and  
3 33 effectuate the intent of this section, and likewise  
3 34 the claimant agency may provide all information  
3 35 necessary to accomplish and effectuate the intent of  
3 36 this section.

3 37 4. The information obtained by a claimant agency  
3 38 from the licensee in accordance with this section  
3 39 shall retain its confidentiality and shall only be  
3 40 used by a claimant agency in the pursuit of its debt  
3 41 collection duties and practices. An employee or prior  
3 42 employee of a claimant agency who unlawfully discloses  
3 43 any such information for any other purpose, except as  
3 44 otherwise specifically authorized by law, shall be  
3 45 subject to the penalties specified by law for  
3 46 unauthorized disclosure of confidential information by  
3 47 an agent or employee of the claimant agency.

3 48 5. The information obtained by a licensee from a  
3 49 claimant agency in accordance with this section shall  
3 50 retain its confidentiality and only be used by the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

4 1 licensee in the pursuit of debt collection duties and  
4 2 practices. An employee or prior employee of a  
4 3 licensee who unlawfully discloses any such information  
4 4 for any other purpose, except as otherwise  
4 5 specifically authorized by law, shall be subject to  
4 6 the same penalties specified by law for unauthorized  
4 7 disclosure of confidential information by an agent or  
4 8 employee of the licensee.

4 9 6. Except as otherwise provided in this chapter,  
4 10 attachments, setoffs, or executions authorized and  
4 11 issued pursuant to law shall be withheld if timely  
4 12 served upon the licensee.

4 13 7. A claimant agency or licensee, acting in good  
4 14 faith, shall not be liable for actions taken to comply  
4 15 with this section.

4 16 DIVISION II

4 17 LICENSING SANCTIONS

4 18 Sec. 7. NEW SECTION. 272D.1 DEFINITIONS.

4 19 As used in this chapter, unless the context  
4 20 otherwise requires:

4 21 1. "Certificate of noncompliance" means a document  
4 22 provided by the unit certifying the named person has  
4 23 outstanding liability placed with the unit and has not  
4 24 entered into an approved payment plan to pay the  
4 25 liability.

4 26 2. "Liability" means a debt or obligation placed  
4 27 with the unit for collection that is greater than one  
4 28 thousand dollars. For purposes of this chapter  
4 29 "liability" does not include support payments  
4 30 collected pursuant to chapter 252J.

4 31 3. "License" means a license, certification,  
4 32 registration, permit, approval, renewal, or other  
4 33 similar authorization issued to a person by a  
4 34 licensing authority which evidences the admission to,  
4 35 or granting of authority to engage in, a profession,  
4 36 occupation, business, industry, or recreation.  
4 37 "License" includes licenses for hunting and fishing,  
4 38 or other recreational activity.

4 39 4. "Licensee" means a person to whom a license has  
4 40 been issued, or who is seeking the issuance of a  
4 41 license.

4 42 5. "Licensing authority" means the supreme court,  
4 43 or an instrumentality, agency, board, commission,  
4 44 department, officer, organization, or any other entity  
4 45 of the state, which has authority within this state to  
4 46 suspend or revoke a license or to deny the renewal or  
4 47 issuance of a license authorizing a person to engage  
4 48 in a business, occupation, profession, recreation, or  
4 49 industry.

4 50 6. "Obligor" means a person with a liability



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

- 5 1 placed with the unit.
- 5 2 7. "Person" means a licensee.
- 5 3 8. "Unit" means the centralized collection unit of  
5 4 the department of revenue.
- 5 5 9. "Withdrawal of a certificate of noncompliance"  
5 6 means a document provided by the unit certifying that  
5 7 the certificate of noncompliance is withdrawn and that  
5 8 the licensing authority may proceed with issuance,  
5 9 reinstatement, or renewal of the person's license.
- 5 10 Sec. 8. NEW SECTION. 272D.2 PURPOSE AND USE.
- 5 11 1. Notwithstanding other statutory provisions to  
5 12 the contrary, the unit may utilize the process  
5 13 established in this chapter to collect liabilities  
5 14 placed with the unit.
- 5 15 2. Actions initiated by the unit under this  
5 16 chapter shall not be subject to contested case  
5 17 proceedings or further review pursuant to chapter 17A  
5 18 and any resulting court hearing shall be an original  
5 19 hearing before the district court.
- 5 20 3. Notwithstanding chapter 22, all of the  
5 21 following apply:
- 5 22 a. Information obtained by the unit under this  
5 23 chapter shall be used solely for the purposes of this  
5 24 chapter.
- 5 25 b. Information obtained by a licensing authority  
5 26 under this chapter shall be used solely for the  
5 27 purposes of this chapter.
- 5 28 4. Notwithstanding any other law to the contrary,  
5 29 information shall be exchanged by a licensing  
5 30 authority and the unit to effectuate this chapter.
- 5 31 Sec. 9. NEW SECTION. 272D.3 NOTICE TO PERSON OF  
5 32 POTENTIAL SANCTION OF LICENSE.
- 5 33 The unit shall proceed in accordance with this  
5 34 chapter only if the unit sends a notice to the person  
5 35 by regular mail to the last known address of the  
5 36 person. The notice shall include all of the  
5 37 following:
- 5 38 1. The address and telephone number of the unit  
5 39 and the person's unit account number.
- 5 40 2. A statement that the person may request a  
5 41 conference with the unit to contest the action.
- 5 42 3. A statement that if, within twenty days of  
5 43 mailing of the notice to the person, the person fails  
5 44 to contact the unit to schedule a conference, the unit  
5 45 shall issue a certificate of noncompliance, bearing  
5 46 the person's name, social security number, and unit  
5 47 account number, to any appropriate licensing  
5 48 authority, certifying that the obligor has an  
5 49 outstanding liability placed with the unit.
- 5 50 4. A statement that in order to stay the issuance



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

6 1 of a certificate of noncompliance the request for a  
6 2 conference shall be in writing and shall be received  
6 3 by the unit within twenty days of mailing of the  
6 4 notice to the person.  
6 5 5. The names of the licensing authorities to which  
6 6 the unit intends to issue a certificate of  
6 7 noncompliance.  
6 8 6. A statement that if the unit issues a  
6 9 certificate of noncompliance to an appropriate  
6 10 licensing authority, the licensing authority shall  
6 11 initiate proceedings to refuse to issue or renew, or  
6 12 to suspend or revoke the person's license, unless the  
6 13 unit provides the licensing authority with a  
6 14 withdrawal of a certificate of noncompliance.  
6 15 Sec. 10. NEW SECTION. 272D.4 CONFERENCE.  
6 16 1. The person may schedule a conference with the  
6 17 unit following mailing of the notice pursuant to  
6 18 section 272D.3, or at any time after service of notice  
6 19 of suspension, revocation, denial of issuance, or  
6 20 nonrenewal of a license from a licensing authority, to  
6 21 challenge the unit's actions under this chapter.  
6 22 2. The request for a conference shall be made to  
6 23 the unit, in writing, and, if requested after mailing  
6 24 of the notice pursuant to section 272D.3, shall be  
6 25 received by the unit within twenty days following  
6 26 mailing of the notice.  
6 27 3. The unit shall notify the person of the date,  
6 28 time, and location of the conference by regular mail,  
6 29 with the date of the conference to be no earlier than  
6 30 ten days following issuance of notice of the  
6 31 conference by the unit. If the person fails to appear  
6 32 at the conference, the unit shall issue a certificate  
6 33 of noncompliance.  
6 34 4. Following the conference, the unit shall issue  
6 35 a certificate of noncompliance unless any of the  
6 36 following applies:  
6 37 a. The unit finds a mistake in the identity of the  
6 38 person.  
6 39 b. The unit finds a mistake in determining the  
6 40 amount of the liability.  
6 41 c. The unit determines the amount of the liability  
6 42 is not greater than one thousand dollars.  
6 43 d. The obligor enters into an acceptable payment  
6 44 plan.  
6 45 e. Issuance of a certificate of noncompliance is  
6 46 not appropriate under other criteria established in  
6 47 accordance with rules adopted by the department of  
6 48 revenue pursuant to chapter 17A.  
6 49 5. The unit shall grant the person a stay of the  
6 50 issuance of a certificate of noncompliance upon



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

7 1 receiving a timely written request for a conference,  
7 2 and if a certificate of noncompliance has previously  
7 3 been issued, shall issue a withdrawal of a certificate  
7 4 of noncompliance if the obligor enters into a written  
7 5 agreement with the unit to pay the liability.  
7 6 6. If the person does not timely request a  
7 7 conference or does not pay the total amount of  
7 8 liability owed within twenty days of mailing of the  
7 9 notice pursuant to section 272D.3, the unit shall  
7 10 issue a certificate of noncompliance.  
7 11 Sec. 11. NEW SECTION. 272D.5 WRITTEN AGREEMENT.  
7 12 1. The obligor and the unit may enter into a  
7 13 written agreement for payment of the liability owed  
7 14 which takes into consideration the obligor's ability  
7 15 to pay and other criteria established by rule of the  
7 16 department of revenue. The written agreement shall  
7 17 include all of the following:  
7 18 a. The method, amount, and dates of payments by  
7 19 the obligor.  
7 20 b. A statement that upon breach of the written  
7 21 agreement by the obligor, the unit shall issue a  
7 22 certificate of noncompliance to any appropriate  
7 23 licensing authority.  
7 24 2. A written agreement entered into pursuant to  
7 25 this section does not preclude any other remedy  
7 26 provided by law.  
7 27 3. Following issuance of a certificate of  
7 28 noncompliance, if the obligor enters into a written  
7 29 agreement with the unit, the unit shall issue a  
7 30 withdrawal of the certificate of noncompliance to any  
7 31 appropriate licensing authority and shall forward a  
7 32 copy of the withdrawal by regular mail to the obligor.  
7 33 Sec. 12. NEW SECTION. 272D.6 DECISION OF THE  
7 34 UNIT.  
7 35 1. If the unit mails a notice to a person pursuant  
7 36 to section 272D.3, and the person requests a  
7 37 conference pursuant to section 272D.4, the unit shall  
7 38 issue a written decision if any of the following  
7 39 conditions exist:  
7 40 a. The person fails to appear at a scheduled  
7 41 conference under section 272D.4.  
7 42 b. A conference is held under section 272D.4.  
7 43 c. The obligor fails to comply with a written  
7 44 agreement entered into by the obligor and the unit  
7 45 under section 272D.5.  
7 46 2. The unit shall send a copy of the written  
7 47 decision to the person by regular mail at the person's  
7 48 most recent address of record. If the decision is  
7 49 made to issue a certificate of noncompliance or to  
7 50 withdraw the certificate of noncompliance, a copy of



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

8 1 the certificate of noncompliance or of the withdrawal  
8 2 of the certificate of noncompliance shall be attached  
8 3 to the written decision. The written decision shall  
8 4 state all of the following:  
8 5 a. That the certificate of noncompliance or  
8 6 withdrawal of the certificate of noncompliance has  
8 7 been provided to the licensing authorities named in  
8 8 the notice provided pursuant to section 272D.3.  
8 9 b. That upon receipt of a certificate of  
8 10 noncompliance, the licensing authority shall initiate  
8 11 proceedings to suspend, revoke, deny issuance, or deny  
8 12 renewal of a license, unless the licensing authority  
8 13 is provided with a withdrawal of a certificate of  
8 14 noncompliance from the unit.  
8 15 c. That in order to obtain a withdrawal of a  
8 16 certificate of noncompliance from the unit, the  
8 17 obligor shall enter into a written agreement with the  
8 18 unit, comply with an existing written agreement with  
8 19 the unit, or pay the total amount of liability owed.  
8 20 d. That if the unit issues a written decision  
8 21 which includes a certificate of noncompliance, the  
8 22 person may request a hearing as provided in section  
8 23 272D.9, before the district court. The person may  
8 24 retain an attorney at the person's own expense to  
8 25 represent the person at the hearing. The review of  
8 26 the district court shall be limited to demonstration  
8 27 of a mistake of fact related to the amount of the  
8 28 liability owed or the identity of the person.  
8 29 3. If the unit issues a certificate of  
8 30 noncompliance, the unit shall only issue a withdrawal  
8 31 of the certificate of noncompliance if any of the  
8 32 following applies:  
8 33 a. The unit or the court finds a mistake in the  
8 34 identity of the person.  
8 35 b. The unit or the court finds a mistake in the  
8 36 amount owed.  
8 37 c. The obligor enters into a written agreement  
8 38 with the unit to pay the liability owed, the obligor  
8 39 complies with an existing written agreement, or the  
8 40 obligor pays the total amount of liability owed.  
8 41 d. Issuance of a withdrawal of the certificate of  
8 42 noncompliance is appropriate under other criteria in  
8 43 accordance with rules adopted by the department of  
8 44 revenue pursuant to chapter 17A.  
8 45 Sec. 13. NEW SECTION. 272D.7 CERTIFICATE OF  
8 46 NONCOMPLIANCE == CERTIFICATION TO LICENSING AUTHORITY.  
8 47 1. If a person fails to respond to a notice of  
8 48 potential license sanction provided pursuant to  
8 49 section 272D.3 or the unit issues a written decision  
8 50 under section 272D.6 which states that the person is



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

9 1 not in compliance, the unit shall issue a certificate  
9 2 of noncompliance to any appropriate licensing  
9 3 authority.  
9 4 2. The certificate of noncompliance shall contain  
9 5 the person's name and social security number.  
9 6 3. The certificate of noncompliance shall require  
9 7 all of the following:  
9 8 a. That the licensing authority initiate  
9 9 procedures for the revocation or suspension of the  
9 10 person's license, or for the denial of the issuance or  
9 11 renewal of a license using the licensing authority's  
9 12 procedures.  
9 13 b. That the licensing authority provide notice to  
9 14 the person, as provided in section 272D.8, of the  
9 15 intent to suspend, revoke, deny issuance, or deny  
9 16 renewal of a license including the effective date of  
9 17 the action. The suspension, revocation, or denial  
9 18 shall be effective no sooner than thirty days  
9 19 following provision of notice to the person.  
9 20 Sec. 14. NEW SECTION. 272D.8 REQUIREMENTS AND  
9 21 PROCEDURES OF LICENSING AUTHORITY.  
9 22 1. A licensing authority shall maintain records of  
9 23 licensees by name, current known address, and social  
9 24 security number. The records shall be made available  
9 25 to the unit in an electronic format in order for the  
9 26 unit to match the names of the persons with any  
9 27 liability placed with the unit for collection.  
9 28 2. In addition to other grounds for suspension,  
9 29 revocation, or denial of issuance or renewal of a  
9 30 license, a licensing authority shall include in rules  
9 31 adopted by the licensing authority as grounds for  
9 32 suspension, revocation, or denial of issuance or  
9 33 renewal of a license, the receipt of a certificate of  
9 34 noncompliance from the unit.  
9 35 3. The supreme court shall prescribe rules for  
9 36 admission of persons to practice as attorneys and  
9 37 counselors pursuant to chapter 602, article 10, which  
9 38 include provisions, as specified in this chapter, for  
9 39 the denial, suspension, or revocation of the admission  
9 40 for failure to pay a liability placed with the unit.  
9 41 4. a. A licensing authority that is issued a  
9 42 certificate of noncompliance shall initiate procedures  
9 43 for the suspension, revocation, or denial of issuance  
9 44 or renewal of licensure to a person. The licensing  
9 45 authority shall utilize existing rules and procedures  
9 46 for suspension, revocation, or denial of the issuance  
9 47 or renewal of a license.  
9 48 b. In addition, the licensing authority shall  
9 49 provide notice to the person of the licensing  
9 50 authority's intent to suspend, revoke, or deny



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

10 1 issuance or renewal of a license under this chapter.  
10 2 The suspension, revocation, or denial shall be  
10 3 effective no sooner than thirty days following  
10 4 provision of notice to the person. The notice shall  
10 5 state all of the following:  
10 6 (1) The licensing authority intends to suspend,  
10 7 revoke, or deny issuance or renewal of a person's  
10 8 license due to the receipt of a certificate of  
10 9 noncompliance from the unit.  
10 10 (2) The person must contact the unit to schedule a  
10 11 conference or to otherwise obtain a withdrawal of a  
10 12 certificate of noncompliance.  
10 13 (3) Unless the unit furnishes a withdrawal of a  
10 14 certificate of noncompliance to the licensing  
10 15 authority within thirty days of the issuance of the  
10 16 notice under this section, the person's license will  
10 17 be revoked, suspended, or denied.  
10 18 (4) If the licensing authority's rules and  
10 19 procedures conflict with the additional requirements  
10 20 of this section, the requirements of this section  
10 21 shall apply. Notwithstanding section 17A.18, the  
10 22 person does not have a right to a hearing before the  
10 23 licensing authority to contest the authority's actions  
10 24 under this chapter but may request a court hearing  
10 25 pursuant to section 272D.9 within thirty days of the  
10 26 provision of notice under this section.  
10 27 5. If the licensing authority receives a  
10 28 withdrawal of a certificate of noncompliance from the  
10 29 unit, the licensing authority shall immediately  
10 30 reinstate, renew, or issue a license if the person is  
10 31 otherwise in compliance with licensing requirements  
10 32 established by the licensing authority.  
10 33 Sec. 15. NEW SECTION. 272D.9 DISTRICT COURT  
10 34 HEARING.  
10 35 1. Following the issuance of a written decision by  
10 36 the unit under section 272D.6 which includes the  
10 37 issuance of a certificate of noncompliance, or  
10 38 following provision of notice to the person by a  
10 39 licensing authority pursuant to section 272D.8, a  
10 40 person may seek review of the decision and request a  
10 41 hearing before the district court by filing an  
10 42 application with the district court in the county  
10 43 where the majority of the liability was incurred, and  
10 44 sending a copy of the application to the unit by  
10 45 regular mail.  
10 46 2. An application shall be filed to seek review of  
10 47 the decision by the unit or following issuance of  
10 48 notice by the licensing authority no later than within  
10 49 thirty days after the issuance of the notice pursuant  
10 50 to section 272D.8. The clerk of the district court



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

11 1 shall schedule a hearing and mail a copy of the order  
11 2 scheduling the hearing to the person and the unit and  
11 3 shall also mail a copy of the order to the licensing  
11 4 authority, if applicable. The unit shall certify a  
11 5 copy of its written decision and certificate of  
11 6 noncompliance, indicating the date of issuance, and  
11 7 the licensing authority shall certify a copy of a  
11 8 notice issued pursuant to section 272D.8, to the court  
11 9 prior to the hearing.

11 10 3. The filing of an application pursuant to this  
11 11 section shall automatically stay the actions of a  
11 12 licensing authority pursuant to section 272D.8. The  
11 13 hearing on the application shall be scheduled and held  
11 14 within thirty days of the filing of the application.  
11 15 However, if the person fails to appear at the  
11 16 scheduled hearing, the stay shall be lifted and the  
11 17 licensing authority shall continue procedures pursuant  
11 18 to section 272D.8.

11 19 4. The scope of review by the district court shall  
11 20 be limited to demonstration of the amount of the  
11 21 liability owed or the identity of the person.

11 22 5. If the court finds that the unit was in error  
11 23 in issuing a certificate of noncompliance, or in  
11 24 failing to issue a withdrawal of a certificate of  
11 25 noncompliance, the unit shall issue a withdrawal of a  
11 26 certificate of noncompliance to the appropriate  
11 27 licensing authority.

11 28 DIVISION III  
11 29 COLLECTION OF DEBT

11 30 Sec. 16. Section 96.11, subsection 6, paragraph b,  
11 31 subparagraph (3), Code Supplement 2007, is amended to  
11 32 read as follows:

11 33 (3) Information obtained from an employing unit or  
11 34 individual in the course of administering this chapter  
11 35 and an initial determination made by a representative  
11 36 of the department under section 96.6, subsection 2, as  
11 37 to benefit rights of an individual shall not be used  
11 38 in any action or proceeding, except in a contested  
11 39 case proceeding or judicial review under chapter 17A.  
11 40 However, the department shall make information, which  
11 41 is obtained from an employing unit or individual in  
11 42 the course of administering this chapter and which  
11 43 relates to the employment and wage history of the  
11 44 individual, available to a county attorney for the  
11 45 county attorney's use in the performance of duties  
11 46 under section 331.756, subsection 5, or section  
11 47 602.8107. The department shall make such information  
11 48 electronically accessible to the county attorney at  
11 49 the county attorney's office, if requested, provided  
11 50 the county attorney's office pays the cost of the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

12 1 installation of the equipment to provide such access.

12 2 Information in the department's possession which may  
12 3 affect a claim for benefits or a change in an  
12 4 employer's rating account shall be made available to  
12 5 the interested parties. The information may be used  
12 6 by the interested parties in a proceeding under this  
12 7 chapter to the extent necessary for the proper  
12 8 presentation or defense of a claim.

12 9 Sec. 17. NEW SECTION. 321.11A PERSONAL  
12 10 INFORMATION DISCLOSURE == EXCEPTION.

12 11 1. Notwithstanding section 321.11, the department,  
12 12 upon request, shall provide personal information that  
12 13 identifies a person by the social security number of  
12 14 the person to the following:

12 15 a. The department of revenue for the purpose of  
12 16 collecting debt.

12 17 b. The judicial branch for the purpose of  
12 18 collecting court debt pursuant to section 602.8107.

12 19 c. The department of administrative services for  
12 20 the purpose of administering the setoff program  
12 21 pursuant to section 8A.504.

12 22 2. The social security number obtained by the  
12 23 department of revenue or the judicial branch shall  
12 24 retain its confidentiality and shall only be used for  
12 25 the purposes provided in this section.

12 26 Sec. 18. Section 321.40, Code Supplement 2007, is  
12 27 amended by adding the following new subsection:

12 28 NEW SUBSECTION. 9. a. The clerk of the district  
12 29 court shall notify the county treasurer of any  
12 30 delinquent court debt, as defined in section 602.8107,  
12 31 which is being collected by the county attorney  
12 32 pursuant to section 602.8107, subsection 4. The  
12 33 county treasurer shall refuse to renew the vehicle  
12 34 registration of the applicant upon such notification  
12 35 from the clerk of the district court in regard to such  
12 36 applicant.

12 37 b. If the applicant enters into or renews a  
12 38 payment plan that is satisfactory to the county  
12 39 attorney or the county attorney's designee, the county  
12 40 attorney shall provide the county treasurer with  
12 41 written or electronic notice of the payment plan  
12 42 within five days of entering into such a plan. The  
12 43 county treasurer shall temporarily lift the  
12 44 registration hold on an applicant for a period of ten  
12 45 days if the treasurer receives such notice in order to  
12 46 allow the applicant to register a vehicle for the  
12 47 year. If the applicant remains current with the  
12 48 payment plan entered into with the county attorney or  
12 49 the county attorney's designee, subsequent lifts of  
12 50 registration holds shall be granted without additional



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

13 1 restrictions.

13 2 Sec. 19. Section 321.210A, subsection 2, Code  
13 3 Supplement 2007, is amended to read as follows:

13 4 2. If after suspension, the person enters into an  
13 5 installment agreement with the county attorney, the  
13 6 county attorney's designee, or the centralized  
13 7 collection unit of the department of revenue in  
13 8 accordance with section 321.210B to pay the fine,  
13 9 penalty, court cost, or surcharge, the person's  
13 10 license shall be reinstated by the department upon  
13 11 receipt of a report of an executed installment  
13 12 agreement.

13 13 Sec. 20. Section 321.210A, Code Supplement 2007,  
13 14 is amended by adding the following new subsection:

13 15 NEW SUBSECTION. 3. If the county attorney or the  
13 16 county attorney's designee, while collecting  
13 17 delinquent court debt pursuant to section 602.8107,  
13 18 determines that the person has been convicted of an  
13 19 additional violation of a law regulating the operation  
13 20 of a motor vehicle, the county attorney or the county  
13 21 attorney's designee shall notify the clerk of the  
13 22 district court of the appropriate case numbers, and  
13 23 the clerk of the district court shall notify the  
13 24 department for the purpose of instituting suspension  
13 25 procedures pursuant to this section.

13 26 Sec. 21. Section 321.210B, Code Supplement 2007,  
13 27 is amended to read as follows:

13 28 321.210B INSTALLMENT AGREEMENT.

13 29 1. If a person's fine, penalty, surcharge, or  
13 30 court cost is deemed delinquent as provided in section  
13 31 602.8107, subsection ~~3~~ 2, and the person's driver's  
13 32 license has been suspended pursuant to section  
13 33 321.210A, the person may execute an installment  
13 34 agreement with the county attorney, ~~or~~ the county  
13 35 attorney's designee, or the centralized collection  
13 36 unit of the department of revenue to pay the  
13 37 delinquent amount and the fee assessed in subsection 7  
13 38 in installments. Prior to execution of the  
13 39 installment agreement, the person shall provide the  
13 40 county attorney, ~~or~~ the county attorney's designee, or  
13 41 the centralized collection unit of the department of  
13 42 revenue with a financial statement in order for the  
13 43 parties to the agreement to determine the amount of  
13 44 the installment payments.

13 45 2. ~~A~~ If the person enters into an installment  
13 46 agreement with the county attorney or the county  
13 47 attorney's designee, the person shall execute an  
13 48 installment agreement in the county where the fine,  
13 49 penalty, surcharge, or court cost was imposed. If the  
13 50 county where the fine, penalty, surcharge, or court



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

14 1 cost was imposed does not have an installment  
14 2 agreement program, the person shall execute an  
14 3 installment agreement in the person's county of  
14 4 residence. If the county of residence does not have  
14 5 an installment agreement program, the person may  
14 6 execute an installment agreement with any county  
14 7 attorney or county attorney's designee.  
14 8 3. The county attorney, ~~or~~ the county attorney's  
14 9 designee, or the centralized collection unit of the  
14 10 department of revenue shall file the installment  
14 11 agreement with the clerk of the district court in the  
14 12 county where the fine, penalty, surcharge, or court  
14 13 cost was imposed, within five days of execution of the  
14 14 agreement.  
14 15 4. Upon receipt of an executed installment  
14 16 agreement and after the first installment payment, the  
14 17 clerk of the district court shall report the receipt  
14 18 of the executed installment agreement to the  
14 19 department of transportation.  
14 20 5. Upon receipt of the report from the clerk of  
14 21 the district court and payment of the reinstatement  
14 22 fee as provided in section 321.191, the department  
14 23 shall immediately reinstate the driver's license of  
14 24 the person unless the driver's license of the person  
14 25 is otherwise suspended, revoked, denied, or barred  
14 26 under another provision of law.  
14 27 6. If a driver's license is reinstated upon  
14 28 receipt of a report of an executed installment  
14 29 agreement the driver shall provide proof of financial  
14 30 responsibility pursuant to section 321A.17, if  
14 31 otherwise required by law.  
14 32 7. The civil penalty, if assessed pursuant to  
14 33 section 321.218A, shall be added to the amount owing  
14 34 under the installment agreement. The clerk of the  
14 35 district court shall transmit to the department, from  
14 36 the first moneys collected, an amount equal to the  
14 37 amount of any civil penalty assessed and added to the  
14 38 installment agreement. The department shall transmit  
14 39 the money received from the clerk of the district  
14 40 court pursuant to this subsection to the treasurer of  
14 41 state for deposit in the juvenile detention home fund  
14 42 created in section 232.142.  
14 43 8. Upon determination by the county attorney, ~~or~~  
14 44 the county attorney's designee, or the centralized  
14 45 collection unit of the department of revenue that the  
14 46 person is in default, the county attorney, ~~or~~ the  
14 47 county attorney's designee, or the centralized  
14 48 collection unit shall notify the clerk of the district  
14 49 court.  
14 50 9. The clerk of the district court, upon receipt



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

15 1 of a notification of a default from the county  
15 2 attorney, ~~or~~ the county attorney's designee, or the  
15 3 centralized collection unit of the department of  
15 4 revenue shall report the default to the department of  
15 5 transportation.

15 6 10. Upon receipt of a report of a default from the  
15 7 clerk of the district court, the department shall  
15 8 suspend the driver's license of a person as provided  
15 9 in section 321.210A. For purposes of suspension and  
15 10 reinstatement of the driver's license of a person in  
15 11 default, the suspension and any subsequent  
15 12 reinstatement shall be considered a suspension  
15 13 pursuant to section 321.210A.

15 14 11. If a new fine, penalty, surcharge, or court  
15 15 cost is imposed on a person after the person has  
15 16 executed an installment agreement with the county  
15 17 attorney, ~~or~~ the county attorney's designee, the  
15 18 centralized collection unit of the department of  
15 19 revenue, and the new fine, penalty, surcharge, or  
15 20 court cost is deemed delinquent as provided in section  
15 21 602.8107, subsection 3 2, and the person's driver's  
15 22 license has been suspended pursuant to section  
15 23 321.210A, the person may enter into a second  
15 24 installment agreement with the county attorney, ~~or~~  
15 25 county attorney's designee, or the centralized  
15 26 collection unit of the department of revenue to pay  
15 27 the delinquent amount and the fee, if assessed, in  
15 28 subsection 7 in installments.

15 29 12. If an installment agreement is in default, the  
15 30 fine, penalty, surcharge, or court cost covered under  
15 31 the agreement shall not become part of any new  
15 32 installment agreement.

15 33 13. A person is eligible to enter into five  
15 34 installment agreements in the person's lifetime.

15 35 14. Except for the civil penalty if assessed and  
15 36 collected pursuant to subsection 7, any amount  
15 37 collected under the installment agreement by the  
15 38 county attorney or the county attorney's designee  
15 39 shall be distributed as provided in section 602.8107,  
15 40 subsection 4, and any amount collected by the  
15 41 centralized collection unit of the department of  
15 42 revenue shall be deposited with the clerk of the  
15 43 district court for distribution under section  
15 44 602.8108.

15 45 Sec. 22. Section 331.756, subsection 5, paragraph  
15 46 e, Code Supplement 2007, is amended by striking the  
15 47 paragraph.

15 48 Sec. 23. Section 602.8102, Code Supplement 2007,  
15 49 is amended by adding the following new subsection:  
15 50 NEW SUBSECTION. 105B. Facilitate the collection



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

16 1 of court debt pursuant to section 602.8107.  
16 2 Sec. 24. Section 602.8107, Code Supplement 2007,  
16 3 is amended by striking the section and inserting in  
16 4 lieu thereof the following:  
16 5 602.8107 COLLECTION OF COURT DEBT.  
16 6 1. As used in this section, "court debt" means all  
16 7 fines, penalties, court costs, fees, forfeited bail,  
16 8 surcharges under chapter 911, victim restitution,  
16 9 restitution for court-appointed attorney fees or for  
16 10 expenses of a public defender, or fees charged  
16 11 pursuant to section 356.7 or 904.108.  
16 12 2. CLERK OF THE DISTRICT COURT COLLECTION. Court  
16 13 debt shall be owed and payable to the clerk of the  
16 14 district court. All amounts collected shall be  
16 15 distributed pursuant to sections 602.8106 and 602.8108  
16 16 or as otherwise provided by this Code. The clerk may  
16 17 accept payment of an obligation or a portion thereof  
16 18 by credit card. Any fees charged to the clerk with  
16 19 respect to payment by credit card may be paid from  
16 20 receipts collected by credit card.  
16 21 a. If the clerk receives payment from a person who  
16 22 is an inmate at a correctional institution or who is  
16 23 under the supervision of a judicial district  
16 24 department of correctional services, the payment shall  
16 25 be applied to the balance owed under the identified  
16 26 case number of the case which has resulted in the  
16 27 placement of the person at a correctional institution  
16 28 or under the supervision of the judicial district  
16 29 department of correctional services.  
16 30 b. If a case number is not identified, the clerk  
16 31 shall apply the payment to the balance owed in the  
16 32 criminal case with the oldest judgment against the  
16 33 person.  
16 34 c. Payments received under this section shall be  
16 35 applied in the following priority order:  
16 36 (1) Pecuniary damages as defined in section 910.1,  
16 37 subsection 3.  
16 38 (2) Fines or penalties and criminal penalty and  
16 39 law enforcement initiative surcharges.  
16 40 (3) Crime victim compensation program  
16 41 reimbursement.  
16 42 (4) Court costs, including correctional fees  
16 43 assessed pursuant to sections 356.7 and 904.108,  
16 44 court-appointed attorney fees, or public defender  
16 45 expenses.  
16 46 d. The court debt is deemed delinquent if it is  
16 47 not paid within thirty days after the date it is  
16 48 assessed. An amount which was ordered by the court to  
16 49 be paid on a date fixed in the future pursuant to  
16 50 section 909.3 is deemed delinquent if it is not



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

17 1 received by the clerk within thirty days after the  
17 2 fixed future date set out in the court order. If an  
17 3 amount was ordered to be paid by installments, and an  
17 4 installment is not received within thirty days after  
17 5 the date it is due, the entire amount of the court  
17 6 debt is deemed delinquent.

17 7 3. COLLECTION BY CENTRALIZED COLLECTION UNIT OF  
17 8 DEPARTMENT OF REVENUE. Thirty days after court debt  
17 9 has been assessed, or if an installment payment is not  
17 10 received within thirty days after the date it is due,  
17 11 the judicial branch may assign a case to the  
17 12 centralized collection unit of the department of  
17 13 revenue or its designee to collect debts owed to the  
17 14 clerk of the district court for a period of sixty  
17 15 days. In addition, court debt which is being  
17 16 collected under an installment agreement pursuant to  
17 17 section 321.210B which is in default that remains  
17 18 delinquent may also be assigned to the centralized  
17 19 collection unit of the department of revenue or its  
17 20 designee.

17 21 a. The department of revenue may impose a fee  
17 22 established by rule to reflect the cost of processing  
17 23 which shall be added to the debt owed to the clerk of  
17 24 the district court. Any amounts collected by the unit  
17 25 shall first be applied to the processing fee. The  
17 26 remaining amounts shall be remitted to the clerk of  
17 27 the district court for the county in which the debt is  
17 28 owed. The judicial branch may prescribe rules to  
17 29 implement this subsection. These rules may provide  
17 30 for remittance of processing fees to the department of  
17 31 revenue or its designee.

17 32 b. Satisfaction of the outstanding court debt  
17 33 occurs only when all fees or charges and the  
17 34 outstanding court debt is paid in full. Payment of  
17 35 the outstanding court debt only shall not be  
17 36 considered payment in full for satisfaction purposes.

17 37 c. The department of revenue or its collection  
17 38 designee shall file with the clerk of the district  
17 39 court a notice of the satisfaction of each portion of  
17 40 the court debt to the full extent of the moneys  
17 41 collected in satisfaction of the court debt. The  
17 42 clerk of the district court shall record the notice  
17 43 and enter a satisfaction for the amounts collected.

17 44 4. COUNTY ATTORNEY COLLECTION. The county  
17 45 attorney or the county attorney's designee may collect  
17 46 court debt sixty days after the court debt is deemed  
17 47 delinquent pursuant to subsection 2. In order to  
17 48 receive a percentage of the amounts collected pursuant  
17 49 to this subsection, the county attorney must file  
17 50 annually with the clerk of the district court on or



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

18 1 before July 1 a notice of full commitment to collect  
18 2 delinquent court debt and must file on the first day  
18 3 of each month a list of the cases in which the county  
18 4 attorney or the county attorney's designee is pursuing  
18 5 the collection of delinquent court debt. The list  
18 6 shall include a list of cases where delinquent court  
18 7 debt is being collected under an installment agreement  
18 8 pursuant to section 321.210B, and a list of cases in  
18 9 default which are no longer being collected under an  
18 10 installment agreement but remain delinquent. The  
18 11 annual notice shall contain a list of procedures which  
18 12 will be initiated by the county attorney.  
18 13 a. This subsection does not apply to amounts  
18 14 collected for victim restitution, the victim  
18 15 compensation fund, the criminal penalty surcharge,  
18 16 drug abuse resistance education surcharge, the law  
18 17 enforcement initiative surcharge, county enforcement  
18 18 surcharge, amounts collected as a result of procedures  
18 19 initiated under subsection 5 or under section 8A.504,  
18 20 or fees charged pursuant to section 356.7.  
18 21 b. Amounts collected by the county attorney or the  
18 22 county attorney's designee shall be distributed in  
18 23 accordance with paragraphs "c" and "d".  
18 24 c. (1) Forty percent of the amounts collected by  
18 25 the county attorney or the person procured or  
18 26 designated by the county attorney shall be deposited  
18 27 in the general fund of the county if the county  
18 28 attorney has filed the notice required by this  
18 29 subsection, unless the county attorney has  
18 30 discontinued collection efforts on a particular  
18 31 delinquent amount.  
18 32 (2) Of the remaining sixty percent, the following  
18 33 amounts shall be paid each fiscal year to the clerk of  
18 34 the district court for distribution under section  
18 35 602.8108:  
18 36 (a) For a county with a population greater than  
18 37 one hundred fifty thousand, an amount up to five  
18 38 hundred thousand dollars.  
18 39 (b) For a county with a population greater than  
18 40 one hundred thousand but not more than one hundred  
18 41 fifty thousand, an amount up to four hundred thousand  
18 42 dollars.  
18 43 (c) For a county with a population greater than  
18 44 fifty thousand but not more than one hundred thousand,  
18 45 an amount up to two hundred fifty thousand dollars.  
18 46 (d) For a county with a population greater than  
18 47 twenty-six thousand but not more than fifty thousand,  
18 48 an amount up to one hundred thousand dollars.  
18 49 (e) For a county with a population greater than  
18 50 fifteen thousand but not more than twenty-six



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House Amendment 8636 continued

19 1 thousand, an amount up to fifty thousand dollars.  
19 2 (f) For a county with a population equal to or  
19 3 less than fifteen thousand, an amount up to  
19 4 twenty-five thousand dollars.  
19 5 (3) After the threshold amount has been  
19 6 distributed pursuant to subparagraph (2), any  
19 7 additional moneys collected shall be distributed to  
19 8 the individual county as provided in paragraph "d".  
19 9 d. Any additional moneys collected by an  
19 10 individual county after the threshold amount in  
19 11 paragraph "c" has been distributed shall be  
19 12 distributed by the state court administrator as  
19 13 follows: forty percent of any additional moneys  
19 14 collected by the county attorney or the person  
19 15 procured or designated by the county attorney shall be  
19 16 deposited in the general fund of the county where the  
19 17 moneys were collected; twenty percent of the remaining  
19 18 sixty percent collected by the county attorney or the  
19 19 person procured or designated by the county attorney  
19 20 shall be deposited with the office of the county  
19 21 attorney that collected the moneys; and the remainder  
19 22 shall be paid to the clerk of the district court for  
19 23 distribution under section 602.8108 or the state court  
19 24 administrator may distribute the remainder under  
19 25 section 602.8108 if the additional moneys have already  
19 26 been received by the state court administrator.  
19 27 e. (1) A county may enter into an agreement  
19 28 pursuant to chapter 28E with one or more other  
19 29 counties for the purpose of collecting delinquent  
19 30 court debt pursuant to this subsection.  
19 31 (2) Notwithstanding paragraph "c", if a county  
19 32 subject to the threshold amount in paragraph "c",  
19 33 subparagraph (2), subparagraph subdivision (e) or (f)  
19 34 enters into such an agreement exclusively with a  
19 35 county or counties subject to the threshold amount in  
19 36 paragraph "c", subparagraph (2), subparagraph  
19 37 subdivision (e) or (f), the threshold amount  
19 38 applicable to all of the counties combined shall be a  
19 39 single threshold amount, equal to the threshold amount  
19 40 attributable to the county with the largest  
19 41 population.  
19 42 f. The county attorney shall file with the clerk  
19 43 of the district court a notice of the satisfaction of  
19 44 each portion of the court debt to the full extent of  
19 45 the moneys collected in satisfaction of the court  
19 46 debt. The clerk of the district court shall record  
19 47 the notice and enter a satisfaction for the amounts  
19 48 collected.  
19 49 5. ASSIGNMENT TO PRIVATE COLLECTION DESIGNEE.  
19 50 a. The judicial branch may contract with a private



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8636 continued

20 1 collection designee for the collection of court debt  
20 2 sixty days after the court debt in a case is deemed  
20 3 delinquent pursuant to subsection 2 if the county  
20 4 attorney is not collecting the court debt in a case  
20 5 pursuant to subsection 4. The judicial branch shall  
20 6 solicit requests for proposals prior to entering into  
20 7 any contract pursuant to this subsection.  
20 8     b. The contract shall provide for a collection fee  
20 9 equal to twenty-five percent of the amount of the  
20 10 court debt in a case deemed delinquent. The  
20 11 collection fee as calculated shall be added to the  
20 12 amount of the court debt deemed delinquent. The  
20 13 amount of the court debt deemed delinquent and the  
20 14 collection fee shall be owed by and collected from the  
20 15 defendant. The collection fee shall be used to  
20 16 compensate the private collection designee. The  
20 17 contract may also assess the private collection  
20 18 designee an initial fee for entering into the  
20 19 contract.  
20 20     c. The judicial branch may consult with the  
20 21 department of revenue and the department of  
20 22 administrative services when entering into the  
20 23 contract with the private collection designee.  
20 24     d. Subject to the provisions of paragraph "b", the  
20 25 amounts collected pursuant to this subsection shall be  
20 26 distributed as provided in subsection 2. Any initial  
20 27 fee collected by the judicial branch shall be  
20 28 deposited into the general fund of the state.  
20 29     e. The judicial branch or the private collection  
20 30 designee shall file with the clerk of the district  
20 31 court a notice of the satisfaction of each portion of  
20 32 the court debt to the full extent of the moneys  
20 33 collected in satisfaction of the court debt. The  
20 34 clerk of the district court shall record the notice  
20 35 and enter a satisfaction for the amounts collected.  
20 36     6. WRITE OFF OF OLD DEBT. If any portion of the  
20 37 court debt in a case remains uncollected after  
20 38 sixty-five years from the date of imposition, the  
20 39 judicial branch shall write off the debt as  
20 40 uncollectible and close the case file for the purposes  
20 41 of collection pursuant to this section.  
20 42     7. REPORTS. The judicial branch shall prepare a  
20 43 report aging the court debt. The report shall include  
20 44 the amounts collected by the private collection  
20 45 designee, the distribution of these amounts, and the  
20 46 amount of the fee collected by the private collection  
20 47 designee. In addition, the report shall include the  
20 48 amounts written off pursuant to subsection 6. The  
20 49 judicial branch shall provide the report to the  
20 50 co-chairpersons and ranking members of the joint



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

21 1 appropriations subcommittee on the justice system, the  
21 2 legislative services agency, and the department of  
21 3 management by December 15 of each year.  
21 4 Sec. 25. NEW SECTION. 901.5C PRONOUNCEMENT OF  
21 5 JUDGMENT AND SENTENCE == SOCIAL SECURITY NUMBER.  
21 6 1. Prior to pronouncement of judgment and sentence  
21 7 pursuant to section 901.5, or prior to pleading guilty  
21 8 for an offense that does not require a court  
21 9 appearance, the defendant shall provide the  
21 10 defendant's social security number to the clerk of the  
21 11 district court or the court.  
21 12 2. The clerk of the district court shall duly note  
21 13 the social security number in the case file.  
21 14 3. The defendant's social security number shall be  
21 15 considered a confidential record exempted from public  
21 16 access under section 22.7, but shall be disclosed by  
21 17 the clerk of the district court for the limited  
21 18 purpose of collecting court debt pursuant to section  
21 19 602.8107.  
21 20 4. Failure or refusal to provide a social security  
21 21 number pursuant to this section shall not delay the  
21 22 pronouncement of judgment and sentence pursuant to  
21 23 section 901.5.  
21 24 Sec. 26. Section 907.7, Code 2007, is amended to  
21 25 read as follows:  
21 26 907.7 LENGTH OF PROBATION.  
21 27 1. The length of the probation shall be for a term  
21 28 as the court shall fix but not to exceed five years if  
21 29 the offense is a felony or not to exceed two years if  
21 30 the offense is a misdemeanor.  
21 31 2. The length of the probation shall not be less  
21 32 than one year if the offense is a misdemeanor and  
21 33 shall not be less than two years if the offense is a  
21 34 felony.  
21 35 3. ~~However, the~~ The court may subsequently reduce  
21 36 the length of the probation if the court determines  
21 37 that the purposes of probation have been fulfilled and  
21 38 the fees imposed under section 905.14 have been paid  
21 39 to or waived by the judicial district department of  
21 40 correctional services and that court debt collected  
21 41 pursuant to section 602.8107 has been paid. The  
21 42 purposes of probation are to provide maximum  
21 43 opportunity for the rehabilitation of the defendant  
21 44 and to protect the community from further offenses by  
21 45 the defendant and others.  
21 46 4. In determining the length of the probation, the  
21 47 court shall determine what period is most likely to  
21 48 provide maximum opportunity for the rehabilitation of  
21 49 the defendant, to allow enough time to determine  
21 50 whether or not rehabilitation has been successful, and



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

22 1 to protect the community from further offenses by the  
22 2 defendant and others.

22 3 Sec. 27. Section 907.9, subsections 1, 2, and 4,  
22 4 Code 2007, are amended to read as follows:

22 5 1. At any time that the court determines that the  
22 6 purposes of probation have been fulfilled and ~~any~~ fees  
22 7 imposed under ~~sections 815.9 and section 905.14 and~~  
22 8 court debt collected pursuant to section 602.8107 have  
22 9 been paid, the court may order the discharge of a  
22 10 person from probation.

22 11 2. At any time that a probation officer determines  
22 12 that the purposes of probation have been fulfilled and  
22 13 ~~any~~ fees imposed under ~~sections 815.9 and section~~  
22 14 905.14 and court debt collected pursuant to section  
22 15 602.8107 have been paid, the officer may order the  
22 16 discharge of a person from probation after approval of  
22 17 the district director and notification of the  
22 18 sentencing court and the county attorney who  
22 19 prosecuted the case.

22 20 4. At the expiration of the period of probation  
22 21 ~~and~~ if the fees imposed under ~~sections 815.9 and~~  
22 22 section 905.14 and court debt collected pursuant to  
22 23 section 602.8107 have been ~~paid or on condition that~~  
22 24 ~~unpaid supervision fees be paid~~, the court shall order  
22 25 the discharge of the person from probation, ~~and the~~.  
22 26 If portions of the court debt remain unpaid, the  
22 27 person shall establish a payment plan with the clerk  
22 28 of the district court prior to the discharge. The  
22 29 court shall forward to the governor a recommendation  
22 30 for or against restoration of citizenship rights to  
22 31 that person upon discharge. A person who has been  
22 32 discharged from probation shall no longer be held to  
22 33 answer for the person's offense. Upon discharge from  
22 34 probation, if judgment has been deferred under section  
22 35 907.3, the court's criminal record with reference to  
22 36 the deferred judgment shall be expunged. The record  
22 37 maintained by the state court administrator as  
22 38 required by section 907.4 shall not be expunged. The  
22 39 court's record shall not be expunged in any other  
22 40 circumstances.

22 41 Sec. 28. Section 909.8, Code 2007, is amended to  
22 42 read as follows:

22 43 909.8 PAYMENT AND COLLECTION PROVISIONS APPLY TO  
22 44 SURCHARGE.

22 45 The provisions of this chapter governing the  
22 46 payment and collection of a fine, except section  
22 47 909.3A, also apply to the payment and collection of  
22 48 surcharges imposed pursuant to chapter 911. ~~However,~~  
22 49 ~~section 909.10 shall not apply to surcharges assessed~~  
22 50 ~~under sections 911.3 and 911.4.~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8636 continued

23 1       Sec. 29. Section 909.10, Code 2007, is repealed.  
23 2       Sec. 30. DEPARTMENT OF REVENUE == COLLECTION  
23 3 SYSTEM UPGRADE. The director of the department of  
23 4 revenue shall enhance the computer assisted  
23 5 collections system of the department to the current  
23 6 web-based technical version and implement related  
23 7 process and procedure improvements that will generate  
23 8 revenue and cost benefits. The director shall procure  
23 9 the enhancements from the current vendor, and such  
23 10 enhancements shall be considered as an upgrade to that  
23 11 vendor's contract with the department.  
23 12       Sec. 31. COLLECTION OF DELINQUENT DEBT ==  
23 13 PROCESSING OR COLLECTION FEE. If court debt is being  
23 14 collected pursuant to section 602.8107, as amended by  
23 15 this Act, for court debt imposed, assessed, or deemed  
23 16 delinquent prior to the effective date of this Act, a  
23 17 processing fee or collection fee shall be added to the  
23 18 court debt as provided in this Act.  
23 19       Sec. 32. LEGISLATIVE INTENT. It is the intent of  
23 20 the general assembly that the judicial branch enter  
23 21 into a contract with a private collection designee by  
23 22 August 1, 2008, and begin collection efforts pursuant  
23 23 to section 602.8107, as amended by this Act, on August  
23 24 1, 2008.>  
23 25  
23 26  
23 27  
23 28 T. TAYLOR of Linn  
23 29 HF 2698.501 82  
23 30 jm/rj/12395



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8637

PAG LIN

1 1 Amend House File 2699 as follows:  
1 2 #1. Page 17, by inserting after line 28 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 404A.4, subsection 4, Code  
1 5 Supplement 2007, is amended to read as follows:  
1 6 4. The total amount of tax credits that may be  
1 7 approved for a fiscal year under this chapter shall  
1 8 not exceed ten million dollars in the fiscal year  
1 9 beginning July 1, 2007, fifteen million dollars in the  
1 10 fiscal year beginning July 1, 2008, and twenty million  
1 11 dollars in the fiscal year beginning July 1, 2009, and  
1 12 each fiscal year thereafter. Of the tax credits  
1 13 approved for a fiscal year under this chapter, ten  
1 14 percent of the dollar amount of tax credits shall be  
1 15 allocated for purposes of new projects with qualified  
1 16 costs of five hundred thousand dollars or less, and  
1 17 forty percent of the dollar amount of tax credits  
1 18 shall be allocated for purposes of new projects  
1 19 located in cultural and entertainment districts  
1 20 certified pursuant to section 303.3B or identified in  
1 21 Iowa great places agreements developed pursuant to  
1 22 section 303.3C. Any of the tax credits allocated for  
1 23 projects located in certified cultural and  
1 24 entertainment districts or identified in Iowa great  
1 25 places agreements and for projects with a cost of five  
1 26 hundred thousand dollars or less that are not reserved  
1 27 during a fiscal year shall be applied to reserved tax  
1 28 credits issued in accordance with section 404A.3 in  
1 29 order of original reservation. The department of  
1 30 cultural affairs shall establish by rule the  
1 31 procedures for the application, review, selection, and  
1 32 awarding of certifications of completion. The  
1 33 departments of cultural affairs and revenue shall each  
1 34 adopt rules to jointly administer this subsection and  
1 35 shall provide by rule for the method to be used to  
1 36 determine for which fiscal year the tax credits are  
1 37 available. With the exception of tax credits issued  
1 38 pursuant to contracts entered into prior to July 1,  
1 39 2007, tax credits shall not be reserved for more than  
1 40 ~~three~~ five years.>  
1 41 #2. By renumbering as necessary.  
1 42  
1 43  
1 44  
1 45 VAN FOSSEN of Scott  
1 46  
1 47  
1 48  
1 49 LUKAN of Dubuque  
1 50 HF 2699.501 82



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8637 continued

2 1 tw/rj/12593



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

**House Amendment 8638**

PAG LIN

```

1 1 Amend House File 2699 as follows:
1 2 #1. Page 6, line 26, by striking the figure
1 3 <450,000> and inserting the following: <1,000,000>.
1 4 #2. Page 13, by inserting after line 2 the
1 5 following:
1 6 <4. INTEGRATED BASIC EDUCATION AND SKILLS TRAINING
1 7 (I=BEST)
1 8 For purposes of conducting integrated basic
1 9 education and skills training demonstration projects
1 10 with eligible community colleges to bring English as a
1 11 second language and adult basic education instructors
1 12 together with professional=technical instructors in
1 13 the same classroom to provide students with
1 14 contextualized remediation and English language
1 15 services and occupational training at the same time,
1 16 including salaries, support, maintenance,
1 17 miscellaneous purposes, and for not more than the
1 18 following full=time equivalent position:
1 19 ..... $ 500,000
1 20 ..... FTEs 1.00
1 21 The full=time equivalent position authorized in
1 22 this subsection is allocated for purposes of employing
1 23 one coordinator who, with the support of the
1 24 department of education and other interested agencies,
1 25 awards grants to five of Iowa's eligible community
1 26 colleges in approved programs in career tracks that
1 27 assist in solving the workforce shortage.
1 28 5. OFFENDER REENTRY PROGRAM
1 29 For the development and administration of an
1 30 offender reentry program to provide offenders with
1 31 employment skills, and for not more than the following
1 32 full=time equivalent positions:
1 33 ..... $ 375,000
1 34 ..... FTEs 2.00
1 35 The department shall partner with the department of
1 36 corrections to provide staff within the correctional
1 37 facilities to improve offenders' abilities to find and
1 38 retain productive employment.
1 39 6. For purposes of administration of a security
1 40 employee pilot project training program, if enacted by
1 41 the 2008 session of the eighty=second general
1 42 assembly:
1 43 ..... $ 15,000>
1 44 #3. By renumbering as necessary.
1 45
1 46
1 47
1 48 JACOBY of Johnson
1 49 HF 2699.201 82
1 50 tw/mg/12384

```



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8639

PAG LIN

1 1 Amend the amendment, H=8456, to Senate File 2411,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 6, by striking lines 4 through 8 and  
1 5 inserting the following:  
1 6 <3. The board shall not charge a complainant a fee  
1 7 in relation to any board proceeding or judicial  
1 8 proceeding resulting from the filing of a complaint.>  
1 9 #2. Page 8, by inserting after line 39 the  
1 10 following:  
1 11 <4. The board shall study the feasibility of  
1 12 charging a complainant a fee for the processing of a  
1 13 complaint filed with the board which shall be refunded  
1 14 to the complainant upon the board's determination the  
1 15 complaint is within the board's jurisdiction, appears  
1 16 legally sufficient, and could have merit, or upon the  
1 17 board's determination the complaint is within the  
1 18 board's jurisdiction and probable cause exists to  
1 19 believe the allegations in the complaint constitute a  
1 20 violation of chapter 21 or 22. The board shall also  
1 21 study the feasibility of assessing a penalty or costs  
1 22 against a complainant who files two or more frivolous  
1 23 complaints with the board. The board shall submit any  
1 24 proposed recommendations relating to both issues to  
1 25 the governor and the general assembly on or before  
1 26 January 15, 2009.>  
1 27 #3. By renumbering as necessary.  
1 28  
1 29  
1 30  
1 31 MASCHER of Johnson  
1 32  
1 33  
1 34  
1 35 BOAL of Polk  
1 36 SF 2411.206 82  
1 37 rh/rj/21351  
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 23, 2008

House Amendment 8640

PAG LIN

1 1 Amend House File 2690 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 7C.12, subsection 2, Code  
1 5 2007, is amended by adding the following new  
1 6 paragraph:  
1 7 NEW PARAGRAPH. c. Shall report quarterly any  
1 8 reallocation of the amount of the state ceiling by the  
1 9 governor's designee in accordance with this chapter to  
1 10 the legislative government oversight committee and the  
1 11 auditor of state. The report shall contain, at a  
1 12 minimum, the amount of each reallocation, the date of  
1 13 each reallocation, the name of the political  
1 14 subdivision and a description of all bonds issued  
1 15 pursuant to a reallocation, a brief explanation of the  
1 16 reason for the reallocation, and such other  
1 17 information as may be required by the committee.  
1 18 Sec. 2. NEW SECTION. 7C.13 QUALIFIED STUDENT  
1 19 LOAN BOND ISSUER == OPEN RECORDS AND MEETINGS ==  
1 20 OVERSIGHT.  
1 21 1. CONDITION OF ALLOCATION. As a condition of  
1 22 receiving the allocation of the state ceiling as  
1 23 provided in section 7C.4A, subsection 3, the qualified  
1 24 student loan bond issuer shall comply with the  
1 25 provisions of this section.  
1 26 2. ANNUAL REPORT AND AUDIT. The qualified student  
1 27 loan bond issuer shall submit an annual report to the  
1 28 governor, general assembly, and the auditor of state  
1 29 by January 15 setting forth its operations and  
1 30 activities conducted and newly implemented in the  
1 31 previous fiscal year related to use of the allocation  
1 32 of the state ceiling in accordance with this chapter  
1 33 and the outlook for the future. The report shall  
1 34 describe how the operations and activities serve  
1 35 students and parents. The annual audit of the  
1 36 qualified student loan bond issuer shall be filed with  
1 37 the office of auditor.  
1 38 3. OPEN MEETINGS FOR CONSIDERATION OF TAX=EXEMPT  
1 39 ISSUANCE. The deliberations or meetings of the board  
1 40 of directors of the qualified student loan bond issuer  
1 41 that relate to the issuance of bonds in accordance  
1 42 with this chapter shall be conducted in accordance  
1 43 with chapter 21.  
1 44 4. PUBLIC HEARING PRIOR TO ISSUANCE OF TAX=EXEMPT  
1 45 BONDS. Prior to the issuance of tax=exempt bonds in  
1 46 accordance with this chapter, the board of directors  
1 47 of the qualified student loan bond issuer shall hold a  
1 48 public meeting after reasonable notice. The board  
1 49 shall give notice of the time, date, and place of the  
1 50 meeting, and its tentative agenda, in a manner



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

2 1 reasonably calculated to apprise the public of that  
2 2 information and provide interested parties with an  
2 3 opportunity to submit or present data, views, or  
2 4 arguments related to the issuance of the bonds.  
2 5 5. OPEN RECORDS FOR CONSIDERATION OF TAX=EXEMPT  
2 6 BONDS. All of the following shall be subject to  
2 7 chapter 22:  
2 8 a. Minutes of the meetings conducted in accordance  
2 9 with subsection 3.  
2 10 b. The data and written views or arguments  
2 11 submitted in accordance with subsection 4.  
2 12 c. Letters seeking approval from the governor for  
2 13 issuance of tax=exempt bonds in accordance with this  
2 14 chapter.  
2 15 d. The published official statement of each  
2 16 tax=exempt bond issue authorized in accordance with  
2 17 this chapter.  
2 18 6. STATE SUPERINTENDENT OF BANKING REVIEW. The  
2 19 superintendent of banking shall annually review the  
2 20 qualified student loan bond issuer's total assets,  
2 21 loan volume, and reserves. Additionally, the  
2 22 superintendent shall review the qualified student loan  
2 23 bond issuer's procedures to inform students, prior to  
2 24 the submission of an application to the qualified  
2 25 student loan bond issuer for a loan made by the  
2 26 qualified student loan bond issuer, about the  
2 27 advantages of loans available under Title IV of the  
2 28 federal Higher Education Act of 1965, as amended, for  
2 29 which the students may be eligible. The review shall  
2 30 verify that the qualified student loan bond issuer  
2 31 issued bonds in accordance with this chapter in  
2 32 conformance to the letter requesting approval of the  
2 33 governor as set forth in subsection 5. The  
2 34 superintendent shall submit the review to the general  
2 35 assembly by January 15.  
2 36 7. NO STATE OBLIGATION FOR BONDS. The obligations  
2 37 of the qualified student loan bond issuer are not the  
2 38 obligations of the state or any political subdivision  
2 39 of the state within the meaning of any constitutional  
2 40 or statutory debt limitations, but are obligations of  
2 41 the qualified student loan bond issuer payable solely  
2 42 and only from the qualified student loan bond issuer's  
2 43 funds. The qualified student loan bond issuer shall  
2 44 not and cannot pledge the credit or taxing power of  
2 45 this state or any political subdivision of this state  
2 46 or make its debts payable out of any moneys except  
2 47 those of the qualified student loan bond issuer.  
2 48 Sec. 3. NEW SECTION. 261E.1 DEFINITIONS.  
2 49 As used in this chapter, unless otherwise  
2 50 specified:



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House Amendment 8640 continued

- 3 1 1. "Borrower" means a student attending a covered  
3 2 institution in this state, or a parent or person in  
3 3 parental relation to such student, who obtains an  
3 4 educational loan from a lending institution to pay for  
3 5 or finance a student's higher education expenses.
- 3 6 2. "Covered institution" means any educational  
3 7 institution that offers a postsecondary educational  
3 8 degree, certificate, or program of study and receives  
3 9 any Title IV funds under the federal Higher Education  
3 10 Act of 1965, as amended, or state funding or  
3 11 assistance. "Covered institution" includes an  
3 12 authorized agent of the educational institution,  
3 13 including an alumni association, booster club, or  
3 14 other organization directly or indirectly associated  
3 15 with or authorized by the institution or an employee  
3 16 of the institution.
- 3 17 3. "Covered institution employee" means any  
3 18 employee, agent, contract employee, director, officer,  
3 19 or trustee of a covered institution.
- 3 20 4. "Educational loan" means any loan that is made,  
3 21 insured, or guaranteed under Title IV of the federal  
3 22 Higher Education Act of 1965, as amended, directly to  
3 23 a borrower solely for educational purposes, or any  
3 24 private educational loan.
- 3 25 5. "Gift" means any gratuity, favor, discount,  
3 26 entertainment, hospitality, loan, or other item having  
3 27 a monetary value of more than a de minimus amount.  
3 28 "Gift" includes a gift of services, transportation,  
3 29 lodging, or meals, whether provided in kind, by  
3 30 purchase of a ticket, payment in advance, or  
3 31 reimbursement after the expense has been incurred.  
3 32 "Gift" does not include any of the following:
- 3 33 a. Standard material, activities, or programs on  
3 34 issues related to a loan, default aversion, default  
3 35 prevention, or financial literacy.
- 3 36 b. Food or refreshments furnished to an officer,  
3 37 employee, or agent of an institution as an integral  
3 38 part of a training session or conference that is  
3 39 designed to contribute to the professional development  
3 40 of the officer, employee, or agent of the institution.
- 3 41 c. Favorable terms, conditions, and borrower  
3 42 benefits on an educational loan provided to a borrower  
3 43 employed by the covered institution if such terms,  
3 44 conditions, or benefits are comparable to those  
3 45 provided to all students of the institution.
- 3 46 d. Philanthropic contributions to a covered  
3 47 institution from a lender, guarantor, or servicer of  
3 48 educational loans that are unrelated to educational  
3 49 loans provided, as applicable, that the contributions  
3 50 are disclosed pursuant to section 261E.4, subsection



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

- 4 1 6.  
4 2 e. State education grants, scholarships, or  
4 3 financial aid funds administered under chapter 261.  
4 4 f. Toll-free telephone numbers for use by covered  
4 5 institutions or other toll-free telephone numbers open  
4 6 to the public to obtain information about loans  
4 7 available under Title IV of the federal Higher  
4 8 Education Act of 1965, as amended, or private  
4 9 educational loans, or free data transmission service  
4 10 for use by a covered institution to electronically  
4 11 submit applicant loan processing information or  
4 12 student status confirmation data for loans available  
4 13 under Title IV of the federal Higher Education Act of  
4 14 1965.  
4 15 g. A reduced origination fee.  
4 16 h. A reduced interest rate.  
4 17 i. Payment of federal default fees.  
4 18 j. Purchase of a loan made by another lender at a  
4 19 premium.  
4 20 k. Other benefits to a borrower under a repayment  
4 21 incentive program that requires, at a minimum, one or  
4 22 more scheduled payments to receive or retain the  
4 23 benefit or under a loan forgiveness program for public  
4 24 service or other targeted purposes approved by the  
4 25 attorney general, provided these benefits are not  
4 26 marketed to secure loan applications or loan  
4 27 guarantees.  
4 28 l. Items of nominal value to a covered  
4 29 institution, covered institution employee, covered  
4 30 institution-affiliated organization, or borrower that  
4 31 are offered as a form of generalized marketing or  
4 32 advertising, or to create goodwill.  
4 33 m. Items of value which are offered to a borrower  
4 34 or to a covered institution employee that are also  
4 35 offered to the general public.  
4 36 n. Other services as identified and approved by  
4 37 the attorney general through a public announcement,  
4 38 such as a notice on the attorney general's web site.  
4 39 6. "Lender" or "lending institution" means a  
4 40 creditor as defined in section 103 of the federal  
4 41 Truth in Lending Act, 15 U.S.C. } 1602.  
4 42 7. "Postsecondary educational expenses" means any  
4 43 of the expenses that are included as part of a  
4 44 student's cost of attendance as defined in Title IV,  
4 45 part F, of the federal Higher Education Act of 1965,  
4 46 as amended.  
4 47 8. "Preferred lender arrangement" means an  
4 48 arrangement or agreement between a lender and a  
4 49 covered institution under which the lender provides or  
4 50 otherwise issues educational loans to borrowers and



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

5 1 which relates to the covered institution recommending,  
5 2 promoting, or endorsing the educational loan product  
5 3 of the lender. "Preferred lender arrangement" does  
5 4 not include arrangements or agreements with respect to  
5 5 loans under part D or E of Title IV of the federal  
5 6 Higher Education Act of 1965, as amended.  
5 7 9. "Preferred lender list" means a list of at  
5 8 least three recommended or suggested, unaffiliated  
5 9 lending institutions that a covered institution makes  
5 10 available for use, in print or any other medium or  
5 11 form, by borrowers, prospective borrowers, or others.  
5 12 10. "Private educational loan" means a private  
5 13 loan provided by a lender that is not made, insured,  
5 14 or guaranteed under Title IV of the federal Higher  
5 15 Education Act of 1965, as amended, and is issued by a  
5 16 lender solely for postsecondary educational expenses  
5 17 to a borrower, regardless of whether the loan involves  
5 18 enrollment certification by the educational  
5 19 institution that the student for which the loan is  
5 20 made attends. "Private educational loan" does not  
5 21 include a private educational loan secured by a  
5 22 dwelling or under an open-end credit plan. For  
5 23 purposes of this subsection, "dwelling" and "open-end  
5 24 credit plan" have the meanings given such terms in  
5 25 section 103 of the federal Truth in Lending Act, 15  
5 26 U.S.C. } 1602.  
5 27 11. "Revenue sharing arrangement" means an  
5 28 arrangement between a covered institution and a lender  
5 29 in which the lender provides or issues educational  
5 30 loans to persons attending the institution or on  
5 31 behalf of persons attending the institution and the  
5 32 covered institution recommends the lender or the  
5 33 educational loan products of the lender, in exchange  
5 34 for which the lender pays a fee or provides other  
5 35 material benefits, including revenue or profit  
5 36 sharing, to the institution or officers, employees, or  
5 37 agents of the institution. "Revenue sharing  
5 38 arrangement" does not include arrangements related  
5 39 solely to products which are not educational loans.  
5 40 Sec. 4. NEW SECTION. 261E.2 CODE OF CONDUCT.  
5 41 1. A covered institution shall do the following:  
5 42 a. Develop, in consultation with the college  
5 43 student aid commission, a code of conduct governing  
5 44 educational loan activities with which the covered  
5 45 institution's officers, employees, and agents shall  
5 46 comply.  
5 47 b. Publish the code of conduct developed in  
5 48 accordance with paragraph "a" prominently on its  
5 49 internet site.  
5 50 c. Administer and enforce the code of conduct



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

6 1 developed in accordance with paragraph "a".  
6 2 2. The college student aid commission shall  
6 3 provide to covered institutions assistance and  
6 4 guidance relating to the development, administration,  
6 5 and monitoring of a code of conduct governing  
6 6 educational loan activities.  
6 7 3. Except as provided in this section, the college  
6 8 student aid commission is not subject to the duties,  
6 9 restrictions, prohibitions, and penalties of this  
6 10 chapter.  
6 11 Sec. 5. NEW SECTION. 261E.3 PROHIBITIONS ==  
6 12 REPORT.  
6 13 1. GIFT BAN. No officer, employee, or agent of a  
6 14 covered institution who is employed in the financial  
6 15 aid office of the institution, or who otherwise has  
6 16 direct responsibilities with respect to educational  
6 17 loans, shall solicit or accept any gift from a lender,  
6 18 guarantor, or servicer of educational loans. The  
6 19 attorney general shall investigate any reported  
6 20 violation of this subsection and shall annually submit  
6 21 a report to the general assembly by January 15  
6 22 identifying all substantiated violations of this  
6 23 subsection, including the lenders and covered  
6 24 institutions involved in each such violation, for the  
6 25 preceding year.  
6 26 2. GIFTS TO FAMILY MEMBERS OR OTHERS. For  
6 27 purposes of this section, a gift to a family member of  
6 28 an officer, employee, or agent of a covered  
6 29 institution, or a gift to any other individual based  
6 30 on that individual's relationship with the officer,  
6 31 employee, or agent, shall be considered a gift to the  
6 32 officer, employee, or agent if either of the following  
6 33 applies:  
6 34 a. The gift is given with the knowledge and  
6 35 acquiescence of the officer, employee, or agent.  
6 36 b. The officer, employee, or agent has reason to  
6 37 believe the gift was given because of the official  
6 38 position of the officer, employee, or agent.  
6 39 3. CONTRACTING ARRANGEMENTS. An officer,  
6 40 employee, or agent who is employed in the financial  
6 41 aid office of a covered institution, or who otherwise  
6 42 has direct responsibilities with respect to  
6 43 educational loans, shall not accept from any lender or  
6 44 affiliate of any lender any fee, payment, or other  
6 45 financial benefit including but not limited to the  
6 46 opportunity to purchase stock on other than free  
6 47 market terms, as compensation for any type of  
6 48 consulting arrangement or other contract to provide  
6 49 services to a lender or on behalf of a lender.  
6 50 4. REVENUE SHARING ARRANGEMENTS. A covered



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

7 1 institution shall not enter into any revenue sharing  
7 2 arrangement with any lender.

7 3 5. PROHIBITION ON OFFERS OF FUNDS FOR PRIVATE  
7 4 LOANS. A covered institution shall not request or  
7 5 accept from any lender any offer of funds, including  
7 6 any opportunity pool, to be used for private  
7 7 educational loans to borrowers in exchange for the  
7 8 covered institution providing concessions or promises  
7 9 to the lender with respect to such institution  
7 10 providing the lender with a specified number of loans,  
7 11 a specified loan volume, or a preferred lender  
7 12 arrangement for any loan made, insured, or guaranteed  
7 13 under Title IV of the federal Higher Education Act of  
7 14 1965, as amended, and a lender shall not make any such  
7 15 offer. For purposes of this subsection, "opportunity  
7 16 pool" means an educational loan made by a private  
7 17 lender to a borrower that is in any manner guaranteed  
7 18 by a covered institution, or that involves a payment,  
7 19 directly or indirectly, by such an institution of  
7 20 points, premiums, payments, additional interest, or  
7 21 other financial support to the lender for the purpose  
7 22 of that lender extending credit to the borrower.

7 23 6. PARTICIPATION ON ADVISORY COUNCILS. An  
7 24 officer, employee, or agent who is employed in the  
7 25 financial aid office of a covered institution, or who  
7 26 otherwise has direct responsibilities with respect to  
7 27 educational loans, shall not serve on or otherwise  
7 28 participate with advisory councils of lenders or  
7 29 affiliates of lenders. Nothing in this subsection  
7 30 shall prohibit lenders from seeking advice from  
7 31 covered institutions or groups of covered  
7 32 institutions, including through telephonic or  
7 33 electronic means, or a meeting, in order to improve  
7 34 products and services for borrowers, provided there  
7 35 are no gifts or compensation including but not limited  
7 36 to transportation, lodging, or related expenses,  
7 37 provided by lenders in connection with seeking such  
7 38 advice from the institutions. Nothing in this  
7 39 subsection shall prohibit an officer, employee, or  
7 40 agent of a covered institution from serving on the  
7 41 board of directors of a lender if required by law.

7 42 7. EXCEPTIONS.

7 43 a. Nothing in this section shall be construed as  
7 44 prohibiting any of the following:

7 45 (1) An officer, employee, or agent of a covered  
7 46 institution who is not employed in the institution's  
7 47 financial aid office, or who does not otherwise have  
7 48 direct responsibilities with respect to educational  
7 49 loans, from paid or unpaid service on a board of  
7 50 directors of a lender, guarantor, or servicer of



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

8 1 educational loans.  
8 2 (2) An officer, employee, or agent of a covered  
8 3 institution who is not employed in the financial aid  
8 4 office but who has direct responsibility with respect  
8 5 to educational loans as a result of a position held at  
8 6 the covered institution, from paid or unpaid service  
8 7 on a board of directors of a lender, guarantor, or  
8 8 servicer of educational loans, provided that the  
8 9 covered institution has a written conflict of interest  
8 10 policy that clearly sets forth that such an officer,  
8 11 employee, or agent must be recused from participating  
8 12 in any decision of the board with respect to any  
8 13 transaction regarding educational loans.  
8 14 (3) An officer, employee, or agent of a lender,  
8 15 guarantor, or servicer of educational loans from  
8 16 serving on a board of directors or serving as a  
8 17 trustee of a covered institution, provided that the  
8 18 covered institution has a written conflict of interest  
8 19 policy that clearly sets forth the procedures to be  
8 20 followed in instances where such a board member's or  
8 21 trustee's personal or business interests with respect  
8 22 to educational loans may be advanced by an action of  
8 23 the board of directors or trustees, including a  
8 24 provision that such a board member or trustee may not  
8 25 participate in any decision to approve any transaction  
8 26 where such conflicting interests may be advanced.  
8 27 b. Nothing in this chapter shall be construed to  
8 28 prohibit a covered institution from lowering  
8 29 educational loan costs for borrowers, including  
8 30 payments made by the covered institution to lending  
8 31 institutions on behalf of borrowers.  
8 32 Sec. 6. NEW SECTION. 261E.4 MISLEADING  
8 33 IDENTIFICATION == COVERED INSTITUTION == LENDING  
8 34 INSTITUTIONS' EMPLOYEES.  
8 35 1. A lending institution shall prohibit an  
8 36 employee or agent of the lending institution from  
8 37 being identified to borrowers or prospective borrowers  
8 38 of a covered institution as an employee,  
8 39 representative, or agent of the covered institution.  
8 40 2. A covered institution shall prohibit an  
8 41 employee or agent of a lending institution from being  
8 42 identified as an employee, representative, or agent of  
8 43 the covered institution.  
8 44 3. An employee, representative, or agent of a  
8 45 lending institution included on a covered  
8 46 institution's preferred lending list shall not staff a  
8 47 covered institution's financial aid offices or call  
8 48 center and shall not prepare any of the covered  
8 49 institution's materials related to educational loans.  
8 50 4. A covered institution that has entered into a



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

9 1 preferred lender arrangement with a lender regarding  
9 2 private educational loans shall not agree to the  
9 3 lender's use of the name, emblem, mascot, or logo of  
9 4 the institution, or other words, pictures, or symbols  
9 5 readily identified with the institution, in the  
9 6 marketing of private educational loans to the students  
9 7 attending the institution in any way that implies that  
9 8 the institution endorses the private educational loans  
9 9 offered by the lender. However, the covered  
9 10 institution may allow the use of its name if it is  
9 11 part of the lending institution's legal name.  
9 12 5. Nothing in this section shall prohibit a  
9 13 covered institution from requesting or accepting the  
9 14 following assistance from a lender related to any of  
9 15 the following:  
9 16 a. Providing educational counseling materials,  
9 17 financial literacy materials, or debt management  
9 18 materials to borrowers, provided that such materials  
9 19 disclose to borrowers the identification of any lender  
9 20 that assisted in preparing or providing such  
9 21 materials.  
9 22 b. Staffing services on a short-term, nonrecurring  
9 23 basis to assist the institution with financial  
9 24 aid-related functions during emergencies, including  
9 25 state-declared or federally declared natural  
9 26 disasters, federally declared national disasters, and  
9 27 other localized disasters and emergencies identified  
9 28 by the attorney general.  
9 29 6. The attorney general shall adopt rules  
9 30 providing for the disclosure, for lenders with a  
9 31 preferred lender arrangement, of philanthropic  
9 32 contributions made as specified in section 261E.1,  
9 33 subsection 5, paragraph "d".  
9 34 Sec. 7. NEW SECTION. 261E.5 LOAN DISCLOSURE ==  
9 35 LOAN BUNDLING == PROHIBITIONS.  
9 36 1. A covered institution that has entered into a  
9 37 preferred lender arrangement with a lender regarding  
9 38 private educational loans shall inform the borrower or  
9 39 prospective borrower of all available state education  
9 40 financing options, and financing options under Title  
9 41 IV of the federal Higher Education Act of 1965, as  
9 42 amended, including information on any terms and  
9 43 conditions of available loans under such title that  
9 44 are more favorable to the borrower.  
9 45 2. A covered institution shall prohibit the  
9 46 bundling of private educational loans in financial aid  
9 47 packages, unless the borrower is ineligible for  
9 48 financing, is not eligible for any additional funding,  
9 49 or has exhausted the limits of loan eligibility, under  
9 50 Title IV of the federal Higher Education Act of 1965,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

10 1 as amended, or has not filled out a free application  
10 2 for federal student aid, and the bundling of the  
10 3 private educational loans is clearly and conspicuously  
10 4 disclosed to the borrower prior to acceptance of the  
10 5 package by the borrower. The provisions of this  
10 6 subsection shall not apply if the borrower does not  
10 7 desire or refuses to apply for a loan under Title IV  
10 8 of the federal Higher Education Act of 1965.  
10 9 3. A lending institution included on a covered  
10 10 institution's preferred lender list shall disclose,  
10 11 clearly and conspicuously, in any application for a  
10 12 private educational loan, all of the following:  
10 13 a. The rate of interest or the potential range of  
10 14 rates of interest applicable to the loan and whether  
10 15 such rates are fixed or variable.  
10 16 b. Limitations, if any, on interest rate  
10 17 adjustments, both in terms of frequency and amount, or  
10 18 lack thereof.  
10 19 c. Coborrower requirements, including changes in  
10 20 interest rates.  
10 21 d. Any fees associated with the loan.  
10 22 e. The repayment terms available on the loan.  
10 23 f. The opportunity for deferment or forbearance in  
10 24 repayment of the loan, including whether the loan  
10 25 payments can be deferred if the borrower is in school.  
10 26 g. Any additional terms and conditions applied to  
10 27 the loan, including any benefits that are contingent  
10 28 on the repayment behavior of the borrower.  
10 29 h. Information comparing federal and private  
10 30 educational loans.  
10 31 i. An example of the total cost of the educational  
10 32 loan over the life of the loan which shall be  
10 33 calculated using the following:  
10 34 (1) A principal amount and the maximum rate of  
10 35 interest actually offered by the lender, or, if there  
10 36 is no maximum rate provided under the terms of the  
10 37 loan agreement or applicable state or federal law, a  
10 38 statement to that effect.  
10 39 (2) Both with and without capitalization of  
10 40 interest, if that is an option for postponing interest  
10 41 payments.  
10 42 j. The consequences for the borrower of defaulting  
10 43 on a loan, including any limitations on the discharge  
10 44 of an educational loan in bankruptcy.  
10 45 k. Contact information for the lender.  
10 46 4. Not later than January 31, 2009, the attorney  
10 47 general shall develop and make available to lenders a  
10 48 model disclosure form that is based on the  
10 49 requirements of subsection 3. Use of the model  
10 50 disclosure form by a lending institution in a manner



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

11 1 consistent with this chapter shall constitute  
11 2 compliance with subsection 3.  
11 3 Sec. 8. NEW SECTION. 261E.6 STANDARDS FOR  
11 4 PREFERRED LENDER LISTS.  
11 5 1. A covered institution may make available a list  
11 6 of preferred lenders, in print or any other medium or  
11 7 form, for use by the covered institution's students or  
11 8 their parents, provided the list meets the following  
11 9 conditions:  
11 10 a. The list is not used to deny or otherwise  
11 11 impede a borrower's choice of lender.  
11 12 b. The list contains at least three lenders that  
11 13 are not affiliated and will make loans to borrowers or  
11 14 students attending the school. For the purposes of  
11 15 this paragraph, a lender is affiliated with another  
11 16 lender if any of the following applies:  
11 17 (1) The lenders are under the ownership or control  
11 18 of the same entity or individuals.  
11 19 (2) The lenders are wholly or partly owned  
11 20 subsidiaries of the same parent company.  
11 21 (3) The directors, trustees, or general partners,  
11 22 or individuals exercising similar functions, of one of  
11 23 the lenders constitute a majority of the persons  
11 24 holding similar positions with the other lender.  
11 25 c. The list does not include lenders that have  
11 26 offered, or have offered in response to a solicitation  
11 27 by the covered institution, financial or other  
11 28 benefits to the covered institution in exchange for  
11 29 inclusion on the list or any promise that a certain  
11 30 number of loan applications will be sent to the lender  
11 31 by the covered institution or its students.  
11 32 2. A covered institution that provides or makes  
11 33 available a preferred lender list shall do the  
11 34 following:  
11 35 a. Disclose to prospective borrowers, as part of  
11 36 the list, the method and criteria used by the covered  
11 37 institution in selecting any lender that it recommends  
11 38 or suggests.  
11 39 b. Provide comparative information to prospective  
11 40 borrowers about interest rates and other benefits  
11 41 offered by the lenders.  
11 42 c. Include a prominent statement in any  
11 43 information related to its preferred lender list  
11 44 advising prospective borrowers that the borrowers are  
11 45 not required to use one of the covered institution's  
11 46 recommended or suggested lenders.  
11 47 d. For first-time borrowers, refrain from  
11 48 assigning, through award packaging or other methods, a  
11 49 borrower's loan to a particular lender.  
11 50 e. Not cause unnecessary certification delays for



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

12 1 borrowers who use a lender that is not included on the  
12 2 covered institution's preferred lender list.

12 3 f. Update the preferred lender list and any  
12 4 information accompanying the list at least annually.

12 5 3. If the servicer of a private educational loan  
12 6 is changed by a lending institution, the lending  
12 7 institution shall disclose the change to the affected  
12 8 borrower.

12 9 4. A lending institution shall not be placed on a  
12 10 covered institution's preferred lender list or in  
12 11 favored placement on a covered institution's preferred  
12 12 lender list for a particular type of loan, in exchange  
12 13 for benefits provided to the covered institution or to  
12 14 the covered institution's students in connection with  
12 15 a different type of loan.

12 16 Sec. 9. NEW SECTION. 261E.7 DISCLOSURE  
12 17 REQUIREMENTS.

12 18 Except for educational loans made, insured, or  
12 19 guaranteed by the federal government, a lending  
12 20 institution included on a covered institution's  
12 21 preferred lender list shall, upon receiving a request  
12 22 from a borrower, covered institution, or government  
12 23 entity, disclose to the requester in reasonable detail  
12 24 and form, the terms of private educational loans made  
12 25 to borrowers by that lending institution and the rates  
12 26 of interest charged to borrowers for private  
12 27 educational loans in the year preceding the  
12 28 disclosures.

12 29 Sec. 10. NEW SECTION. 261E.8 PENALTIES.

12 30 1. If after providing notice and an opportunity  
12 31 for a hearing the attorney general determines that a  
12 32 covered institution or lending institution has  
12 33 violated a provision of this chapter, the covered  
12 34 institution or lending institution may be liable for a  
12 35 civil penalty of up to five thousand dollars per  
12 36 violation. In taking action against a covered  
12 37 institution or lending institution, consideration  
12 38 shall be given to the nature and severity of a  
12 39 violation of this chapter.

12 40 2. If after providing notice and an opportunity  
12 41 for a hearing the attorney general determines that a  
12 42 covered institution employee has violated a provision  
12 43 of this chapter, the covered institution employee may  
12 44 be liable for a civil penalty of up to two thousand  
12 45 five hundred dollars per violation. In taking action  
12 46 against a covered institution employee, consideration  
12 47 shall be given to the nature and severity of a  
12 48 violation of this chapter.

12 49 3. If after providing notice and an opportunity  
12 50 for a hearing the attorney general determines that a



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

13 1 lending institution has violated a provision of this  
13 2 chapter, such lending institution shall not be placed  
13 3 or remain on any covered institution's preferred  
13 4 lender list unless notice of such violation is  
13 5 provided to all potential borrowers of the covered  
13 6 institution. However, consideration shall be given to  
13 7 the nature and severity of a violation of this chapter  
13 8 in determining whether and for how long to ban a  
13 9 lender from a preferred lender list.

13 10 4. Nothing in this section shall prohibit the  
13 11 attorney general from reaching a settlement agreement  
13 12 with a covered institution, covered institution  
13 13 employee, or lending institution in order to  
13 14 effectuate the purposes of this section. Provided,  
13 15 however, if such settlement agreement is reached with  
13 16 a covered institution or lending institution, the  
13 17 attorney general shall provide notice of such action  
13 18 to the borrowers in a form and manner prescribed by  
13 19 the attorney general.

13 20 5. The attorney general shall deposit the funds  
13 21 generated pursuant to this section into the student  
13 22 lending education fund, created in section 261E.10.

13 23 6. Each individual incident of a violation of this  
13 24 chapter shall be considered a separate violation for  
13 25 the purpose of imposing civil penalties.

13 26 Sec. 11. NEW SECTION. 261E.9 RULES ==  
13 27 INVESTIGATION AUTHORITY == ENFORCEMENT.

13 28 1. The attorney general shall administer this  
13 29 chapter and promulgate rules, pursuant to chapter 17A,  
13 30 necessary for the implementation of this chapter.  
13 31 Unless otherwise provided, all actions by the attorney  
13 32 general pursuant to this chapter shall be subject to  
13 33 the provisions of chapter 17A.

13 34 2. The attorney general is authorized to conduct  
13 35 an investigation to determine whether to initiate  
13 36 proceedings pursuant to this chapter to the same  
13 37 extent as the investigation authority granted the  
13 38 attorney general under section 714.16.

13 39 Sec. 12. NEW SECTION. 261E.10 STUDENT LENDING  
13 40 EDUCATION FUND.

13 41 1. There is established in the state treasury a  
13 42 student lending education fund.

13 43 2. The fund shall consist of all revenues  
13 44 generated pursuant to section 261E.8 and all other  
13 45 moneys credited or transferred to the fund from any  
13 46 other fund or source pursuant to law.

13 47 3. Moneys in the fund shall be made available to  
13 48 the attorney general for the purpose of enforcing this  
13 49 chapter.

13 50 Sec. 13. NEW SECTION. 261E.11 EFFECT ON OTHER



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8640 continued

14 1 LAWS OR REGULATIONS.  
14 2 This chapter shall not be interpreted to affect the  
14 3 liability of any person, covered institution, or  
14 4 lending institution under any other state statute or  
14 5 rule.  
14 6 Sec. 14. STUDENT LOAN SECONDARY MARKET  
14 7 INVESTIGATION REPORT.  
14 8 1. The attorney general shall submit the findings  
14 9 and recommendations resulting from the investigation  
14 10 of the student loan secondary market and the Iowa  
14 11 student loan liquidity corporation to the general  
14 12 assembly by January 15, 2009.  
14 13 2. The attorney general shall present the findings  
14 14 and recommendations resulting from the investigation  
14 15 of the student loan secondary market and the Iowa  
14 16 student loan liquidity corporation to the legislative  
14 17 government oversight committee at the committee's  
14 18 October 2008 meeting.  
14 19 Sec. 15. EFFECTIVE DATE. The sections of this Act  
14 20 enacting sections 261E.3, 261E.5, 261E.6, and 261E.7,  
14 21 take effect January 31, 2009.>  
14 22 #2. Title page, by striking line 5 and inserting  
14 23 the following: <providing for properly related  
14 24 matters, and including an effective date.>  
14 25 #3. By renumbering as necessary.  
14 26  
14 27  
14 28  
14 29 LENSING of Johnson  
14 30 HF 2690.302 82  
14 31 kh/rj/12155



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

# House Amendment 8641

PAG LIN

1 1 Amend Senate File 2160, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 13, by inserting after the word  
1 4 <b.> the following: <(1)>.  
1 5 #2. Page 1, line 27, by striking the words <not  
1 6 participating in the initial determination>.  
1 7 #3. Page 1, line 27, by inserting after the word  
1 8 <shall> the following: <not>.  
1 9 #4. Page 1, by inserting after line 28 the  
1 10 following:  
1 11 <(2) An accounting firm, agent, unemployment  
1 12 insurance accounting firm, or other entity that  
1 13 represents an employer in unemployment claim matters  
1 14 and demonstrates a continuous pattern of failing to  
1 15 participate in the initial determinations to award  
1 16 benefits, as determined and defined by rule by the  
1 17 department, shall be denied permission by the  
1 18 department to represent any employers in unemployment  
1 19 insurance matters.>  
1 20 #5. Page 1, by inserting before line 29 the  
1 21 following:  
1 22 <Sec. \_\_\_\_\_. Section 96.14, subsection 2, paragraph  
1 23 d, Code Supplement 2007, is amended to read as  
1 24 follows:  
1 25 d. A penalty shall not be less than ~~ten dollars~~  
1 26 ~~for the first delinquent report or the first~~  
1 27 ~~insufficient report not made sufficient within thirty~~  
1 28 ~~days after a request to do so. The penalty shall not~~  
1 29 ~~be less than twenty-five dollars for the second~~  
1 30 ~~delinquent or insufficient report, and not less than~~  
1 31 ~~fifty thirty-five dollars for each delinquent or~~  
1 32 ~~insufficient report thereafter, until four consecutive~~  
1 33 ~~calendar quarters of reports are timely and~~  
1 34 ~~sufficiently filed. Interest, penalties, and cost~~  
1 35 shall be collected by the department in the same  
1 36 manner as provided by this chapter for contributions.  
1 37 Sec. \_\_\_\_\_. Section 96.14, subsection 2, Code  
1 38 Supplement 2007, is amended by adding the following  
1 39 new paragraph:  
1 40 NEW PARAGRAPH. ee. If any tendered payment of any  
1 41 amount due in the form of a check, draft, or money  
1 42 order is not honored when presented to a financial  
1 43 institution, any costs assessed to the department by  
1 44 the financial institution and a fee of thirty dollars  
1 45 shall be assessed to the employer.  
1 46 Sec. \_\_\_\_\_. Section 96.14, Code Supplement 2007, is  
1 47 amended by adding the following new subsection:  
1 48 NEW SUBSECTION. 17. EMPLOYER SUBPOENA COST AND  
1 49 PENALTY. An employer who is served with a subpoena  
1 50 pursuant to section 96.11, subsection 7, for the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8641 continued

2 1 investigation of an employer liability issue, to  
2 2 complete audits, to secure reports, or to assess  
2 3 contributions shall pay all costs associated with the  
2 4 subpoena, including service fees and court costs. The  
2 5 department shall penalize an employer in the amount of  
2 6 two hundred fifty dollars if that employer refused to  
2 7 honor a subpoena or negligently failed to honor a  
2 8 subpoena. The cost of the subpoena and any penalty  
2 9 shall be collected in the manner provided in section  
2 10 96.14, subsection 3.  
2 11 Sec. \_\_\_\_\_. EFFECTIVE DATE. The sections of this  
2 12 Act amending section 96.14 take effect January 1,  
2 13 2009.>  
2 14 #6. Title page, line 2, by inserting after the  
2 15 word <adjudications> the following: <and unemployment  
2 16 insurance tax penalties, and providing an effective  
2 17 date>.  
2 18  
2 19  
2 20  
2 21 T. TAYLOR of Linn  
2 22 SF 2160.201 82  
2 23 ak/rj/12351



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

## House Amendment 8642

PAG LIN

1 1 Amend House File 2675 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 96.3, subsection 5, Code 2007,  
1 5 is amended to read as follows:  
1 6 5. a. DURATION OF BENEFITS. The maximum total  
1 7 amount of benefits payable to an eligible individual  
1 8 during a benefit year shall not exceed the total of  
1 9 the wage credits accrued to the individual's account  
1 10 during the individual's base period, or twenty=six  
1 11 times the individual's weekly benefit amount,  
1 12 whichever is the lesser. The director shall maintain  
1 13 a separate account for each individual who earns wages  
1 14 in insured work. The director shall compute wage  
1 15 credits for each individual by crediting the  
1 16 individual's account with one=third of the wages for  
1 17 insured work paid to the individual during the  
1 18 individual's base period. However, the director shall  
1 19 recompute wage credits for an individual who is laid  
1 20 off due to the individual's employer going out of  
1 21 business at the factory, establishment, or other  
1 22 premises at which the individual was last employed, by  
1 23 crediting the individual's account with one=half,  
1 24 instead of one=third, of the wages for insured work  
1 25 paid to the individual during the individual's base  
1 26 period. Benefits paid to an eligible individual shall  
1 27 be charged against the base period wage credits in the  
1 28 individual's account which have not been previously  
1 29 charged, in the inverse chronological order as the  
1 30 wages on which the wage credits are based were paid.  
1 31 However if the state "off indicator" is in effect and  
1 32 if the individual is laid off due to the individual's  
1 33 employer going out of business at the factory,  
1 34 establishment, or other premises at which the  
1 35 individual was last employed, the maximum benefits  
1 36 payable shall be extended to thirty=nine times the  
1 37 individual's weekly benefit amount, but not to exceed  
1 38 the total of the wage credits accrued to the  
1 39 individual's account.  
1 40 b. TRAINING EXTENSION BENEFITS. An individual who  
1 41 is in training with the approval of the director at  
1 42 the time regular benefits are exhausted may be  
1 43 eligible for training extension benefits. The  
1 44 training extension benefit amount shall be twenty=six  
1 45 times the individual's weekly benefit amount, and the  
1 46 weekly benefit amount shall be equal to the  
1 47 individual's weekly benefit amount for the claim in  
1 48 which benefits were exhausted while in training. An  
1 49 individual who is receiving training extension  
1 50 benefits shall not be denied benefits due to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8642 continued

2 1 application of section 96.4, subsection 3, or section  
2 2 96.5, subsection 3. However, an employer's account  
2 3 shall not be charged with benefits so paid. Relief of  
2 4 charges under this paragraph applies to both  
2 5 contributory and reimbursable employers,  
2 6 notwithstanding section 96.8, subsection 5. In order  
2 7 for the individual to be eligible for training  
2 8 extension benefits all of the following criteria must  
2 9 be met:

2 10 (1) Training extension benefits end upon  
2 11 completion of the training even though a portion of  
2 12 the training extension benefit amount may remain, but  
2 13 the benefits shall not extend beyond the end of the  
2 14 benefit year.

2 15 (2) The individual must be enrolled, participating  
2 16 in the training, and making satisfactory progress to  
2 17 complete the training.

2 18 (3) The individual is considered to be in training  
2 19 during regularly scheduled vacation or recess periods  
2 20 of three weeks or less but not during a summer  
2 21 vacation period or school break which is longer than  
2 22 three weeks. If the individual immediately returns to  
2 23 training after the summer vacation or break period of  
2 24 longer than three weeks, the individual may reopen the  
2 25 training extension claim. Otherwise, the individual  
2 26 must be continuously in training in order to be  
2 27 eligible for training extension benefits.

2 28 Sec. 2. Section 96.4, subsection 4, Code 2007, is  
2 29 amended to read as follows:

2 30 4. a. The individual has been paid wages for  
2 31 insured work during the individual's base period in an  
2 32 amount at least one and one-quarter times the wages  
2 33 paid to the individual during that quarter of the  
2 34 individual's base period in which the individual's  
2 35 wages were highest; provided that the individual has  
2 36 been paid wages for insured work totaling at least  
2 37 three and five-tenths percent of the statewide average  
2 38 annual wage for insured work, computed for the  
2 39 preceding calendar year if the individual's benefit  
2 40 year begins on or after the first full week in July  
2 41 and computed for the second preceding calendar year if  
2 42 the individual's benefit year begins before the first  
2 43 full week in July, in that calendar quarter in the  
2 44 individual's base period in which the individual's  
2 45 wages were highest, and the individual has been paid  
2 46 wages for insured work totaling at least one-half of  
2 47 the amount of wages required under this ~~subsection~~  
2 48 paragraph in the calendar quarter of the base period  
2 49 in which the individual's wages were highest, in a  
2 50 calendar quarter in the individual's base period other



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8642 continued

3 1 than the calendar quarter in which the individual's  
3 2 wages were highest. The calendar quarter wage  
3 3 requirements shall be rounded to the nearest multiple  
3 4 of ten dollars.

3 5 b. For an individual who does not have sufficient  
3 6 wages in the base period, as defined in section 96.19,  
3 7 to otherwise qualify for benefits pursuant to this  
3 8 subsection, the individual's base period shall be the  
3 9 last four completed calendar quarters immediately  
3 10 preceding the first day of the individual's benefit  
3 11 year if such period qualifies the individual for  
3 12 benefits under this subsection.

3 13 (1) Wages that fall within the alternative base  
3 14 period established under this paragraph "b" are not  
3 15 available for qualifying benefits in any subsequent  
3 16 benefit year.

3 17 (2) Employers shall be charged in the manner  
3 18 provided in this chapter for benefits paid based upon  
3 19 quarters used in the alternative base period.

3 20 (3) The alternative base period in this paragraph  
3 21 "b" shall apply to any new claim filed one hundred  
3 22 twenty days or more after enactment of federal law  
3 23 providing for distribution of funding relating to  
3 24 section 903 of the federal Social Security Act and  
3 25 contingent in whole or in part upon state law  
3 26 containing an alternative base period provision.

3 27 c. If the individual has drawn benefits in any  
3 28 benefit year, the individual must during or subsequent  
3 29 to that year, work in and be paid wages for insured  
3 30 work totaling at least two hundred fifty dollars, as a  
3 31 condition to receive benefits in the next benefit  
3 32 year.

3 33 Sec. 3. Section 96.5, subsection 1, Code  
3 34 Supplement 2007, is amended by adding the following  
3 35 new paragraph:

3 36 NEW PARAGRAPH. b. (1) The individual left  
3 37 employment to accompany a spouse due to a change in  
3 38 location of the spouse's employment to a place from  
3 39 which it is impractical for the individual to commute.  
3 40 Benefits based upon wage credits earned with the  
3 41 employer that the individual has left shall be charged  
3 42 to the unemployment compensation fund for both  
3 43 contributory and reimbursable employers,  
3 44 notwithstanding section 96.8, subsection 5.

3 45 (2) This paragraph "b" shall apply to any new  
3 46 claim filed one hundred twenty days or more after the  
3 47 enactment of federal law providing for distribution of  
3 48 funding relating to section 903 of the federal Social  
3 49 Security Act.

3 50 Sec. 4. Section 96.5, subsection 1, paragraph c,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8642 continued

4 1 Code Supplement 2007, is amended to read as follows:

4 2 c. ~~The individual left employment for the~~

~~4 3 necessary and sole purpose of taking care of a member~~  
~~4 4 of the individual's immediate family who was then~~  
~~4 5 injured or ill, and if after said member of the family~~  
~~4 6 sufficiently recovered, the individual immediately~~  
~~4 7 returned to and offered the individual's services to~~  
~~4 8 the individual's employer, provided, however, that~~  
~~4 9 during such period the individual did not accept any~~  
~~4 10 other employment. The individual left employment as a~~  
4 11 result of the illness, injury, or disability of a  
4 12 member of the individual's immediate family. The  
4 13 individual must demonstrate a compelling need to leave  
4 14 employment and provide medical evidence establishing  
4 15 the debilitating condition of the immediate family  
4 16 member. Benefits based upon wage credits earned with  
4 17 the employer that the individual has left shall be  
4 18 charged to the unemployment compensation fund for both  
4 19 contributory and reimbursable employers,  
4 20 notwithstanding section 96.8, subsection 5.

4 21 Sec. 5. Section 96.5, subsection 1, Code  
4 22 Supplement 2007, is amended by adding the following  
4 23 new paragraph:

4 24 NEW PARAGRAPH. k. The individual left employment  
4 25 due to domestic abuse, as defined in section 236.2, or  
4 26 stalking, as described in section 708.11, perpetrated  
4 27 against the individual, and the individual reasonably  
4 28 believed such act was necessary to protect the safety  
4 29 of the individual or the individual's family.  
4 30 Benefits related to wage credits earned with the  
4 31 employer that the individual has left shall be charged  
4 32 to the unemployment compensation fund. This paragraph  
4 33 applies to both contributory and reimbursable  
4 34 employers, notwithstanding section 96.8, subsection 5.  
4 35 All evidence of domestic abuse or stalking experienced  
4 36 by an individual, including the individual's statement  
4 37 and any corroborating evidence, shall not be disclosed  
4 38 by the department, except to the parties in a  
4 39 contested benefit case proceeding and to the  
4 40 employment appeal board or courts in an appeal or  
4 41 unless consent for disclosure is granted in writing by  
4 42 the individual. Evidence of domestic abuse or  
4 43 stalking may include but is not limited to any of the  
4 44 following:

4 45 (1) A statement or report from a law enforcement  
4 46 agency or professional, medical professional, mental  
4 47 health professional, or domestic violence shelter or  
4 48 professional.

4 49 (2) Witness statements regarding an incident that  
4 50 causes the individual to believe the individual's life



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8642 continued

5 1 or safety or the life or safety of a member of the  
5 2 individual's family is in danger.  
5 3 Sec. 6. Section 96.23, subsection 2, Code 2007, is  
5 4 amended to read as follows:  
5 5 2. The individual did not receive wages from  
5 6 insured work for two calendar quarters and did not  
5 7 receive wages from insured work for another calendar  
5 8 quarter equal to or greater than the amount required  
5 9 for a calendar quarter, other than the calendar  
5 10 quarter in which the individual's wages were highest,  
5 11 under section 96.4, subsection 4, paragraph "a".  
5 12 Sec. 7. FUTURE APPROPRIATION OF FEDERAL FUNDS.  
5 13 Any funds received by this state from the federal  
5 14 government pursuant to section 903 of the federal  
5 15 Social Security Act as a result of the enactment of  
5 16 this Act shall be appropriated by the general assembly  
5 17 to the department of workforce development to be used  
5 18 for the payment of unemployment insurance benefits or  
5 19 for the administration of the Iowa employment security  
5 20 law, chapter 96, and public employment offices.  
5 21 Sec. 8. EFFECTIVE AND APPLICABILITY DATES. The  
5 22 section of this Act amending section 96.3 applies to  
5 23 any week of unemployment benefits beginning on or  
5 24 after July 1, 2008. The sections of this Act amending  
5 25 section 96.5, subsection 1, paragraph "c", and  
5 26 enacting section 96.5, subsection 1, paragraph "k",  
5 27 take effect June 29, 2008, and apply to any claim with  
5 28 an effective date on or after June 29, 2008.>  
5 29 #2. Title page, by striking lines 1 through 3 and  
5 30 inserting the following: <An Act relating to  
5 31 unemployment insurance benefits and compliance with  
5 32 federal law and including effective date and  
5 33 applicability provisions.>  
5 34  
5 35  
5 36  
5 37 T. TAYLOR of Linn  
5 38 HF 2675.302 82  
5 39 ak/rj/12579



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8643

PAG LIN

1 1 Amend Senate File 2377, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. Section 96.3, subsection 5, Code 2007,  
1 6 is amended to read as follows:  
1 7 5. a. DURATION OF BENEFITS. The maximum total  
1 8 amount of benefits payable to an eligible individual  
1 9 during a benefit year shall not exceed the total of  
1 10 the wage credits accrued to the individual's account  
1 11 during the individual's base period, or twenty=six  
1 12 times the individual's weekly benefit amount,  
1 13 whichever is the lesser. The director shall maintain  
1 14 a separate account for each individual who earns wages  
1 15 in insured work. The director shall compute wage  
1 16 credits for each individual by crediting the  
1 17 individual's account with one=third of the wages for  
1 18 insured work paid to the individual during the  
1 19 individual's base period. However, the director shall  
1 20 recompute wage credits for an individual who is laid  
1 21 off due to the individual's employer going out of  
1 22 business at the factory, establishment, or other  
1 23 premises at which the individual was last employed, by  
1 24 crediting the individual's account with one=half,  
1 25 instead of one=third, of the wages for insured work  
1 26 paid to the individual during the individual's base  
1 27 period. Benefits paid to an eligible individual shall  
1 28 be charged against the base period wage credits in the  
1 29 individual's account which have not been previously  
1 30 charged, in the inverse chronological order as the  
1 31 wages on which the wage credits are based were paid.  
1 32 However if the state "off indicator" is in effect and  
1 33 if the individual is laid off due to the individual's  
1 34 employer going out of business at the factory,  
1 35 establishment, or other premises at which the  
1 36 individual was last employed, the maximum benefits  
1 37 payable shall be extended to thirty=nine times the  
1 38 individual's weekly benefit amount, but not to exceed  
1 39 the total of the wage credits accrued to the  
1 40 individual's account.  
1 41 b. TRAINING EXTENSION BENEFITS. An individual who  
1 42 is in training with the approval of the director at  
1 43 the time regular benefits are exhausted may be  
1 44 eligible for training extension benefits. The  
1 45 training extension benefit amount shall be twenty=six  
1 46 times the individual's weekly benefit amount, and the  
1 47 weekly benefit amount shall be equal to the  
1 48 individual's weekly benefit amount for the claim in  
1 49 which benefits were exhausted while in training. An  
1 50 individual who is receiving training extension



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8643 continued

2 1 benefits shall not be denied benefits due to  
2 2 application of section 96.4, subsection 3, or section  
2 3 96.5, subsection 3. However, an employer's account  
2 4 shall not be charged with benefits so paid. Relief of  
2 5 charges under this paragraph applies to both  
2 6 contributory and reimbursable employers,  
2 7 notwithstanding section 96.8, subsection 5. In order  
2 8 for the individual to be eligible for training  
2 9 extension benefits all of the following criteria must  
2 10 be met:

2 11 (1) Training extension benefits end upon  
2 12 completion of the training even though a portion of  
2 13 the training extension benefit amount may remain, but  
2 14 the benefits shall not extend beyond the end of the  
2 15 benefit year.

2 16 (2) The individual must be enrolled, participating  
2 17 in the training, and making satisfactory progress to  
2 18 complete the training.

2 19 (3) The individual is considered to be in training  
2 20 during regularly scheduled vacation or recess periods  
2 21 of three weeks or less but not during a summer  
2 22 vacation period or school break which is longer than  
2 23 three weeks. If the individual immediately returns to  
2 24 training after the summer vacation or break period of  
2 25 longer than three weeks, the individual may reopen the  
2 26 training extension claim. Otherwise, the individual  
2 27 must be continuously in training in order to be  
2 28 eligible for training extension benefits.

2 29 Sec. 2. Section 96.5, subsection 1, Code  
2 30 Supplement 2007, is amended by adding the following  
2 31 new paragraph:

2 32 NEW PARAGRAPH. b. The individual left employment  
2 33 due to domestic abuse, as defined in section 236.2, or  
2 34 stalking, as described in section 708.11, perpetrated  
2 35 against the individual, and the individual reasonably  
2 36 believed such act was necessary to protect the safety  
2 37 of the individual or the individual's family.  
2 38 Benefits related to wage credits earned with the  
2 39 employer that the individual has left shall be charged  
2 40 to the unemployment compensation fund. This paragraph  
2 41 applies to both contributory and reimbursable  
2 42 employers, notwithstanding section 96.8, subsection 5.  
2 43 All evidence of domestic abuse or stalking experienced  
2 44 by an individual, including the individual's statement  
2 45 and any corroborating evidence, shall not be disclosed  
2 46 by the department, except to the parties in a  
2 47 contested benefit case proceeding and to the  
2 48 employment appeal board or courts in an appeal or  
2 49 unless consent for disclosure is granted in writing by  
2 50 the individual. Evidence of domestic abuse or



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8643 continued

3 1 stalking may include but is not limited to any of the  
3 2 following:  
3 3 (1) A statement or report from a law enforcement  
3 4 agency or professional, medical professional, mental  
3 5 health professional, or domestic violence shelter or  
3 6 professional.  
3 7 (2) Witness statements regarding an incident that  
3 8 causes the individual to believe the individual's life  
3 9 or safety or the life or safety of a member of the  
3 10 individual's family is in danger.  
3 11 Sec. 3. Section 96.7, subsection 2, paragraph a,  
3 12 subparagraph (2), Code 2007, is amended by adding the  
3 13 following new unnumbered paragraph after unnumbered  
3 14 paragraph 5:  
3 15 NEW UNNUMBERED PARAGRAPH. The account of an  
3 16 employer shall not be charged with benefits paid to an  
3 17 individual who is laid off if the benefits are paid as  
3 18 the result of the return to work of a permanent  
3 19 employee who is one of the following:  
3 20 (a) A member of the national guard or organized  
3 21 reserves of the armed forces of the United States  
3 22 ordered to temporary duty, as defined in section  
3 23 29A.1, subsection 3, 11, or 12, for any purpose, who  
3 24 has completed the duty as evidenced in accordance with  
3 25 section 29A.43.  
3 26 (b) A member of the civil air patrol performing  
3 27 duty pursuant to section 29A.3A, who has completed the  
3 28 duty as evidenced in accordance with section 29A.43.  
3 29 Sec. 4. FUTURE APPROPRIATION OF FEDERAL FUNDS.  
3 30 Any funds received by this state from the federal  
3 31 government pursuant to section 903 of the federal  
3 32 Social Security Act as a result of the enactment of  
3 33 this Act shall be appropriated by the general assembly  
3 34 to the department of workforce development to be used  
3 35 for the payment of unemployment insurance benefits or  
3 36 for the administration of the Iowa employment security  
3 37 law, chapter 96, and public employment offices.  
3 38 Sec. 5. EFFECTIVE AND APPLICABILITY DATES. The  
3 39 sections of this Act amending sections 96.3 and 96.7  
3 40 apply to any week of unemployment benefits beginning  
3 41 on or after July 1, 2008. The section of this Act  
3 42 enacting section 96.5, subsection 1, paragraph "b",  
3 43 takes effect June 29, 2008, and applies to any week of  
3 44 unemployment benefits beginning on or after that  
3 45 date.>  
3 46  
3 47  
3 48  
3 49 T. TAYLOR of Linn  
3 50 SF 2377.302 82



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8643 continued

4 1 ak/rj/12352



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

**House Amendment 8644**

PAG LIN

1 1 Amend the amendment, H=8640, to House File 2690 as  
1 2 follows:  
1 3 #1. Page 2, line 18, by striking the words  
1 4 <REVIEW. The> and inserting the following: <==  
1 5 REVIEW.  
1 6 1. The state superintendent of banking shall not  
1 7 serve on the board of directors of the qualified  
1 8 student loan bond issuer.  
1 9 2. The>.  
1 10 #2. By renumbering as necessary.  
1 11  
1 12  
1 13  
1 14 TYMESON of Madison  
1 15 HF 2690.303 82  
1 16 kh/nh/12158  
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 23, 2008

House Amendment 8645

PAG LIN

1 1 Amend Senate File 2428, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 19, by inserting after line 25 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 423.31, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 7. Notwithstanding any other  
1 8 provision of the Code to the contrary, the department  
1 9 shall not attempt to collect delinquent sales tax on a  
1 10 transaction that occurred more than five years from  
1 11 the date of any audit.>  
1 12 #2. By renumbering as necessary.  
1 13  
1 14  
1 15  
1 16 HEATON of Henry  
1 17 SF 2428.510 82  
1 18 jm/nh/21366  
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 23, 2008

# House Amendment 8646

PAG LIN

1 1 Amend House File 901, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. Section 123.32, subsection 4, Code  
1 6 2007, is amended to read as follows:  
1 7 4. SECURITY EMPLOYEE TRAINING. A local authority,  
1 8 as a condition of obtaining and holding a license or  
1 9 permit for on-premises consumption, may require a  
1 10 designated security employee as defined in section  
1 11 123.3 to be trained and certified in security methods.  
1 12 The training shall include but is not limited to  
1 13 ~~mediation~~ de-escalation techniques, anger management  
1 14 techniques, civil rights or unfair practices awareness  
1 15 as provided in section 216.7, recognition of fake or  
1 16 altered identification, information on laws applicable  
1 17 to the serving of alcohol at a licensed premises, use  
1 18 of force and techniques for safely removing patrons,  
1 19 ~~and providing~~ instruction on the proper physical  
1 20 restraint methods used against a person who has become  
1 21 combative.  
1 22 Sec. 2. PILOT PROJECT == ALCOHOLIC BEVERAGE  
1 23 CONTROL == SECURITY EMPLOYEE TRAINING == FEES ==  
1 24 REPORT.  
1 25 1. On and after January 1, 2009, and  
1 26 notwithstanding any other provision of law to the  
1 27 contrary, a local authority located in a county with a  
1 28 population as of the most recent decennial census in  
1 29 excess of three hundred thousand persons, shall  
1 30 require a licensee or permittee, as provided in  
1 31 chapter 123, of a premises with an occupancy of at  
1 32 least two hundred persons to have at least one  
1 33 designated security employee, as defined in section  
1 34 123.3, who shall be designated as the supervising  
1 35 security person, who is trained and certified in  
1 36 security methods as provided in this section, on the  
1 37 premises during an event for which an admission or a  
1 38 cover charge of at least five dollars is charged or  
1 39 collected to enter the premises or attend a  
1 40 performance or program on the premises while alcoholic  
1 41 beverages are served or made available to patrons.  
1 42 However, a designated security employee who is a  
1 43 certified peace officer shall be exempt from the  
1 44 requirement to be trained and certified through a  
1 45 program conducted by the division of labor services as  
1 46 provided in this section.  
1 47 2. a. The labor commissioner of the division of  
1 48 labor services of the department of workforce  
1 49 development shall establish and conduct an eight-hour  
1 50 security and safety certification training program for



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8646 continued

2 1 designated security employees. The commissioner shall  
2 2 assess a fee of not more than fifty dollars to a  
2 3 person participating in the training and issue a  
2 4 certificate to the designated security employee upon  
2 5 successful completion of the training program.  
2 6 b. The training program shall include but is not  
2 7 limited to the following:  
2 8 (1) De-escalation techniques.  
2 9 (2) Anger management techniques.  
2 10 (3) Use of force and techniques for safely  
2 11 removing patrons.  
2 12 (4) Recognition of fake or altered identification.  
2 13 (5) Information on laws applicable to the serving  
2 14 of alcohol at a licensed premises.  
2 15 (6) Disaster preparedness.  
2 16 (7) Communications skills and report writing.  
2 17 (8) Civil rights or unfair practices awareness as  
2 18 provided in section 216.7.  
2 19 (9) Instruction on the proper physical restraint  
2 20 methods used against a person who has become  
2 21 combative.  
2 22 3. Fees assessed pursuant to this section of this  
2 23 Act shall be retained by the commissioner and shall be  
2 24 considered repayment receipts as defined in section  
2 25 8.2, and shall be used to offset the cost of  
2 26 conducting the training. Notwithstanding section  
2 27 8.33, repayment receipts collected by the commissioner  
2 28 for security employee training that remain  
2 29 unencumbered or unobligated at the close of the fiscal  
2 30 year shall not revert but shall remain available for  
2 31 expenditure for the purpose designated until the close  
2 32 of the succeeding fiscal year.  
2 33 4. The labor commissioner of the division of labor  
2 34 services of the department of workforce development  
2 35 and the administrator of the alcoholic beverages  
2 36 division of the department of commerce shall jointly  
2 37 submit a written report to the general assembly by  
2 38 January 1, 2011, concerning the effectiveness of the  
2 39 pilot project and any recommendations for legislative  
2 40 action to expand or modify the pilot project.  
2 41 5. This section of this Act is repealed June 30,  
2 42 2011.>  
2 43 #2. Title page, line 3, by inserting after the  
2 44 word <permit> the following: <and providing for  
2 45 fees>.  
2 46 #3. By renumbering as necessary.  
2 47 HF 901.S  
2 48 ec/ml/12



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8647

PAG LIN

1 1 Amend Senate File 2428, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 14, by inserting after line 9 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 15.329, subsection 1, Code  
1 6 2007, is amended by adding the following new  
1 7 paragraph:  
1 8 NEW PARAGRAPH. d. The business does not have  
1 9 delinquent civil penalties or fines pursuant to  
1 10 section 91A.12, 94A.6, 455B.109, or 455D.22.>  
1 11 #2. Title page, line 4, by inserting after the  
1 12 word <licenses,> the following: <denying certain tax  
1 13 credits,>.  
1 14 #3. By renumbering as necessary.  
1 15  
1 16  
1 17  
1 18 HUNTER of Polk  
1 19 SF 2428.509 82  
1 20 jm/nh/21365  
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 23, 2008

# House Amendment 8648

PAG LIN

1 1 Amend the amendment, H=8641, to Senate File 2160,  
1 2 as passed by the Senate, as follows:  
1 3 #1. Page 1, line 19, by inserting after the word  
1 4 <atters.> the following: <This subparagraph does not  
1 5 apply to attorneys or counselors admitted to practice  
1 6 in the courts of this state pursuant to section  
1 7 602.10101.>  
1 8  
1 9  
1 10  
1 11 T. TAYLOR of Linn  
1 12 SF 2160.202 82  
1 13 ak/rj/21367  
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 23, 2008

House Amendment 8649

PAG LIN

1 1 Amend Senate File 2428, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 23, by striking lines 4 through 6 and  
1 4 inserting the following:  
1 5 <(2) The remaining sixty percent shall be paid to  
1 6 the clerk of the district court each fiscal year for  
1 7 distribution under section 602.8108. However, if such  
1 8 amount, when added to the amount deposited into the  
1 9 general fund of the county pursuant to subparagraph  
1 10 (1), exceeds the following applicable threshold  
1 11 amount, the excess shall be distributed as provided in  
1 12 paragraph "d":>  
1 13 #2. Page 23, by striking lines 25 through 28.  
1 14 #3. Page 23, line 30, by striking the words  
1 15 <threshold amount> and inserting the following:  
1 16 <distributions>.  
1 17 #4. Page 23, lines 30 and 31, by striking the  
1 18 words <has been distributed>.  
1 19 #5. Page 28, line 2, by inserting after the word  
1 20 <court> the following: <or the county attorney>.  
1 21 #6. Title page, lines 4 and 5, by striking the  
1 22 words <county attorney collections> and inserting the  
1 23 following: <collection practices and costs>.  
1 24  
1 25  
1 26  
1 27 T. TAYLOR of Linn  
1 28  
1 29  
1 30  
1 31 KRESSIG of Black Hawk  
1 32 SF 2428.206 82  
1 33 jm/nh/12362  
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 23, 2008**

# House Amendment 8650

PAG LIN

```

1 1 Amend the House Amendment, S=5330, to Senate File
1 2 2400, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 1, by inserting after line 2 the
1 5 following:
1 6 <#____. Page 1, by inserting before line 1 the
1 7 following:
1 8
1 9 <DIVISION I
1 10 ADMINISTRATION AND REGULATION APPROPRIATIONS>>
1 11 #2. Page 1, by inserting after line 6 the
1 12 following:
1 13 <#____. Page 7, by striking lines 3 and 4 and
1 14 inserting the following:
1 15 <..... $ 2,524,462
1 16 ..... FTEs 26.25>
1 17 #____. Page 7, by striking line 9 and inserting the
1 18 following:
1 19 <..... $ 492,593>>
1 20 #3. Page 1, by inserting after line 18 the
1 21 following:
1 22 <#____. Page 8, by striking line 32 and inserting
1 23 the following:
1 24 <..... $ 356,535>
1 25 #____. Page 9, by striking line 3 and inserting the
1 26 following:
1 27 <..... $ 421,700>
1 28 #____. Page 9, by striking line 10 and inserting
1 29 the following:
1 30 <..... $ 153,093>
1 31 #____. Page 9, by striking line 16 and inserting
1 32 the following:
1 33 <..... $ 217,221>
1 34 #____. Page 9, by striking line 22 and inserting
1 35 the following:
1 36 <..... $ 207,035>
1 37 #____. Page 9, by striking line 29 and inserting
1 38 the following:
1 39 <..... $ 367,203>
1 40 #____. Page 10, by inserting after line 1 the
1 41 following:
1 42 <7A. NATIVE AMERICAN AFFAIRS DIVISION
1 43 For travel reimbursement for members of the
1 44 commission on Native American affairs:
1 45 ..... $ 6,000>
1 46 7B. DEVELOPMENT ASSESSMENT AND RESOLUTION PROGRAM
1 47 For support, maintenance, and miscellaneous
1 48 purposes:
1 49 ..... $ 10,000
1 50 #____. Page 13, line 19, by striking the words <USE
TAX APPROPRIATION> and inserting the following: <ROAD

```



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8650 continued

2 1 USE TAX FUND APPROPRIATION == DEPARTMENT OF  
 2 2 INSPECTIONS AND APPEALS>.  
 2 3 #\_\_\_\_. Page 13, by striking lines 20 through 22 and  
 2 4 inserting the following: <from the road use tax fund  
 2 5 to the administrative hearings>.>  
 2 6 #4. Page 1, by inserting after line 26 the  
 2 7 following:  
 2 8 <#\_\_\_\_. Page 15, by striking line 29 and inserting  
 2 9 the following:  
 2 10 <..... \$ 1,499,063>>  
 2 11 #5. Page 1, by inserting after line 45 the  
 2 12 following:  
 2 13 <#\_\_\_\_. Page 18, line 20, by inserting after the  
 2 14 word <this> the following: <division of this>.  
 2 15 #\_\_\_\_. Page 18, line 26, by inserting after the  
 2 16 word <this> the following: <division of this>.>  
 2 17 #6. Page 1, line 48, by inserting after the word  
 2 18 <this> the following: <division of this>.  
 2 19 #7. Page 1, by inserting after line 50 the  
 2 20 following:  
 2 21 <DIVISION II  
 2 22 DEPARTMENT OF ADMINISTRATIVE SERVICES OPERATIONS  
 2 23 Sec. \_\_\_\_\_. Section 8.6, Code Supplement 2007, is  
 2 24 amended by adding the following new subsection:  
 2 25 NEW SUBSECTION. 16. DESIGNATION OF SERVICES ==  
 2 26 FUNDING == CUSTOMER COUNCILS.  
 2 27 a. Establish a process by which the department, in  
 2 28 consultation with the department of administrative  
 2 29 services, shall determine which services provided by  
 2 30 the department of administrative services shall be  
 2 31 funded by an appropriation and which services shall be  
 2 32 funded by the governmental entity receiving the  
 2 33 service.  
 2 34 b. Establish a process for determining whether the  
 2 35 department of administrative services shall be the  
 2 36 sole provider of a service for purposes of those  
 2 37 services which the department determines under  
 2 38 paragraph "a" are to be funded by the governmental  
 2 39 entities receiving the service.  
 2 40 c. Establish, by rule, a customer council  
 2 41 responsible for overseeing the services provided  
 2 42 solely by the department of administrative services.  
 2 43 The rules adopted shall provide for all of the  
 2 44 following:  
 2 45 (1) The method of appointment of members to the  
 2 46 council by the governmental entities required to  
 2 47 receive the services.  
 2 48 (2) The duties of the customer council which shall  
 2 49 be as follows:  
 2 50 (a) Annual review and approval of the department



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

3 1 of administrative services' business plan regarding  
3 2 services provided solely by the department of  
3 3 administrative services.  
3 4 (b) Annual review and approval of the procedure  
3 5 for resolving complaints concerning services provided  
3 6 by the department of administrative services.  
3 7 (c) Annual review and approval of the procedure  
3 8 for setting rates for the services provided solely by  
3 9 the department of administrative services.  
3 10 (3) A process for receiving input from affected  
3 11 governmental entities as well as for a biennial review  
3 12 by the customer council of the determinations made by  
3 13 the department of which services are funded by an  
3 14 appropriation to the department of administrative  
3 15 services and which services are funded by the  
3 16 governmental entities receiving the service, including  
3 17 any recommendations as to whether the department of  
3 18 administrative services shall be the sole provider of  
3 19 a service funded by the governmental entities  
3 20 receiving the service. The department, in  
3 21 consultation with the department of administrative  
3 22 services, may change the determination of a service if  
3 23 it is determined that the change is in the best  
3 24 interests of those governmental entities receiving the  
3 25 service.  
3 26 d. If a service to be provided may also be  
3 27 provided to the judicial branch and legislative  
3 28 branch, then the rules shall provide that the chief  
3 29 justice of the supreme court may appoint a member to  
3 30 the customer council, and the legislative council may  
3 31 appoint a member from the Senate and a member from the  
3 32 House of Representatives to the customer council, in  
3 33 their discretion.  
3 34 Sec. \_\_\_\_ . NEW SECTION. 8A.111 REPORTS REQUIRED.  
3 35 The department shall provide all of the following  
3 36 reports:  
3 37 1. An annual report of the department as required  
3 38 under section 7E.3, subsection 4.  
3 39 2. Internal service fund service business plans  
3 40 and financial reports as required under section  
3 41 8A.123, subsection 5, paragraph "a", and an annual  
3 42 internal service fund expenditure report as required  
3 43 under section 8A.123, subsection 5, paragraph "b".  
3 44 3. An annual report regarding total spending on  
3 45 technology as required under section 8A.204,  
3 46 subsection 3, paragraph "a".  
3 47 4. An annual report of expenditures from the  
3 48 Iowa Access revolving fund as provided in section  
3 49 8A.224.  
3 50 5. A technology audit of the electronic



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

4 1 transmission system as required under section 8A.223.  
4 2 6. An annual report on state purchases of recycled  
4 3 and soybean-based products as required under section  
4 4 8A.315, subsection 1, paragraph "d".  
4 5 7. An annual report on the status of capital  
4 6 projects as required under section 8A.321, subsection  
4 7 11.  
4 8 8. An annual salary report as required under  
4 9 section 8A.341, subsection 2.  
4 10 9. An annual average fuel economy standards  
4 11 compliance report as required under section 8A.362,  
4 12 subsection 4, paragraph "c".  
4 13 10. An annual report of the capitol planning  
4 14 commission as required under section 8A.373.  
4 15 11. A comprehensive annual financial report as  
4 16 required under section 8A.502, subsection 8.  
4 17 11A. An annual report regarding the Iowa targeted  
4 18 small business procurement Act activities of the  
4 19 department as required under section 15.108,  
4 20 subsection 7, paragraph "c", and quarterly reports  
4 21 regarding the total dollar amount of certified  
4 22 purchases for certified targeted small businesses  
4 23 during the previous quarter as required in section  
4 24 73.16, subsection 2. The department shall keep any  
4 25 vendor identification information received from the  
4 26 department of inspections and appeals as provided in  
4 27 section 10A.104, subsection 8, and necessary for the  
4 28 quarterly reports, confidential to the same extent as  
4 29 the department of inspection and appeals is required  
4 30 to keep such information. Confidential information  
4 31 received by the department from the department of  
4 32 inspections and appeals shall not be disclosed except  
4 33 pursuant to court order or with the approval of the  
4 34 department of inspections and appeals.  
4 35 12. An annual report on the condition of  
4 36 affirmative action, diversity, and multicultural  
4 37 programs as provided under section 19B.5, subsection  
4 38 2.  
4 39 13. An unpaid warrants report as required under  
4 40 section 25.2, subsection 3, paragraph "b".  
4 41 14. A report on educational leave as provided  
4 42 under section 70A.25.  
4 43 15. A monthly report regarding the revitalize  
4 44 Iowa's sound economy fund as required under section  
4 45 315.7.  
4 46 Sec. \_\_\_\_\_. Section 8A.202, subsection 2, paragraph  
4 47 e, Code 2007, is amended by striking the paragraph.  
4 48 Sec. \_\_\_\_\_. Section 8A.221, subsection 2, paragraph  
4 49 a, subparagraph (2), Code 2007, is amended to read as  
4 50 follows:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

5 1 (2) Recommend to the director the priority of  
5 2 projects associated with IowAccess. The  
5 3 recommendation may also include a recommendation  
5 4 concerning funding for a project proposed by a  
5 5 political subdivision of the state or an association,  
5 6 the membership of which is comprised solely of  
5 7 political subdivisions of the state. Prior to  
5 8 recommending a project proposed by a political  
5 9 subdivision, the advisory council shall verify that  
5 10 all of the following conditions are met:  
5 11 (a) The proposed project provides a benefit to the  
5 12 state.  
5 13 (b) The proposed project, once completed, can be  
5 14 shared with and used by other political subdivisions  
5 15 or the state, as appropriate.  
5 16 (c) The state retains ownership of any final  
5 17 product or is granted a permanent license to the use  
5 18 of the product.  
5 19 Sec. \_\_\_\_\_. Section 8A.402, subsection 2, Code 2007,  
5 20 is amended by adding the following new paragraph:  
5 21 NEW PARAGRAPH. f. Develop, in consultation with  
5 22 the department of veterans affairs, programs to inform  
5 23 members of the national guard or organized reserves of  
5 24 the armed forces of the United States returning to  
5 25 Iowa following active federal service about job  
5 26 opportunities in state government.  
5 27 Sec. \_\_\_\_\_. Section 10A.104, subsection 8, Code  
5 28 2007, is amended to read as follows:  
5 29 8. Establish by rule standards and procedures for  
5 30 certifying that targeted small businesses are eligible  
5 31 to participate in the procurement program established  
5 32 in sections 73.15 through 73.21. The procedure for  
5 33 determination of eligibility shall not include  
5 34 self-certification by a business. The director shall  
5 35 maintain a current directory of targeted small  
5 36 businesses that have been certified pursuant to this  
5 37 subsection. The director shall also provide  
5 38 information to the department of administrative  
5 39 services necessary for the identification of targeted  
5 40 small businesses as provided under section 8A.111,  
5 41 subsection 11A.  
5 42 Sec. \_\_\_\_\_. Section 305.10, subsection 1, paragraph  
5 43 h, Code 2007, is amended to read as follows:  
5 44 h. Prepare all mandated reports, newsletters, and  
5 45 publications for electronic distribution in accordance  
5 46 with government information policies, standards, and  
5 47 guidelines. A reference copy of all mandated reports,  
5 48 newsletters, and publications shall be located at an  
5 49 electronic repository for public access ~~to be~~  
~~5 50 developed and maintained by the department of~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

~~House Amendment 8650 continued~~

~~6 1 administrative services in consultation with the state~~  
~~6 2 librarian and the state archivist.~~  
6 3 Sec. \_\_\_\_\_. Section 8A.121, Code 2007, is repealed.  
6 4 DIVISION III  
6 5 COMMISSION ON NATIVE AMERICAN AFFAIRS  
6 6 Sec. \_\_\_\_\_. Section 7E.5, subsection 1, paragraph s,  
6 7 Code 2007, is amended to read as follows:  
6 8 s. The department of human rights, created in  
6 9 section 216A.1, which has primary responsibility for  
6 10 services relating to Latino persons, women, persons  
6 11 with disabilities, community action agencies, criminal  
6 12 and juvenile justice planning, the status of  
6 13 African-Americans, ~~and~~ deaf and hard-of-hearing  
6 14 persons, and Native-Americans.  
6 15 Sec. \_\_\_\_\_. Section 216A.1, Code 2007, is amended by  
6 16 adding the following new subsection:  
6 17 NEW SUBSECTION. 9. Division on Native American  
6 18 affairs.  
6 19 Sec. \_\_\_\_\_. NEW SECTION. 216A.161 DEFINITIONS.  
6 20 For purposes of this subchapter, unless the context  
6 21 otherwise requires:  
6 22 1. "Administrator" means the administrator of the  
6 23 division on Native American affairs.  
6 24 2. "Commission" means the commission on Native  
6 25 American affairs.  
6 26 3. "Division" means the division on Native  
6 27 American affairs of the department of human rights.  
6 28 4. "Tribal government" means the governing body of  
6 29 a federally recognized Indian tribe.  
6 30 Sec. \_\_\_\_\_. NEW SECTION. 216A.162 ESTABLISHMENT ==  
6 31 PURPOSE.  
6 32 1. A commission on Native American affairs is  
6 33 established consisting of eleven voting members  
6 34 appointed by the governor, subject to confirmation by  
6 35 the senate. The members of the commission shall  
6 36 appoint one of the members to serve as chairperson of  
6 37 the commission.  
6 38 2. The purpose of the commission shall be to work  
6 39 in concert with tribal governments, Native American  
6 40 groups, and Native American persons in this state to  
6 41 advance the interests of tribal governments and Native  
6 42 American persons in the areas of human rights, access  
6 43 to justice, economic equality, and the elimination of  
6 44 discrimination.  
6 45 3. The members of the commission shall be as  
6 46 follows:  
6 47 a. Seven public members appointed in compliance  
6 48 with sections 69.16 and 69.16A who shall be appointed  
6 49 with consideration given to the geographic residence  
6 50 of the member and the population density of Native



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

7 1 Americans within the vicinity of the geographic  
7 2 residence of a member. Of the seven public members  
7 3 appointed, at least one shall be a Native American who  
7 4 is an enrolled tribal member living on a tribal  
7 5 settlement or reservation in Iowa and whose tribal  
7 6 government is located in Iowa and one shall be a  
7 7 Native American who is primarily descended from a  
7 8 tribe other than those specified in paragraph "b".  
7 9 b. Four members selected by and representing  
7 10 tribal governments.  
7 11 c. All members of the commission shall be  
7 12 residents of Iowa.  
7 13 Sec. \_\_\_\_\_. NEW SECTION. 216A.163 TERM OF OFFICE.  
7 14 Five of the members appointed to the initial  
7 15 commission shall be designated by the governor to  
7 16 serve two-year terms, and six shall be designated by  
7 17 the governor to serve four-year terms. Succeeding  
7 18 appointments shall be for a term of four years.  
7 19 Vacancies in the membership shall be filled for the  
7 20 remainder of the term of the original appointment.  
7 21 Sec. \_\_\_\_\_. NEW SECTION. 216A.164 MEETINGS OF THE  
7 22 COMMISSION.  
7 23 The commission shall meet at least four times each  
7 24 year, and shall hold special meetings on the call of  
7 25 the chairperson. The commission shall adopt rules  
7 26 pursuant to chapter 17A as it deems necessary for the  
7 27 conduct of its business. The members of the  
7 28 commission shall be reimbursed for actual expenses  
7 29 while engaged in their official duties. A member may  
7 30 also be eligible to receive compensation as provided  
7 31 in section 7E.6.  
7 32 Sec. \_\_\_\_\_. NEW SECTION. 216A.165 DUTIES.  
7 33 The commission shall have all powers necessary to  
7 34 carry out the functions and duties specified in this  
7 35 subchapter and shall do all of the following:  
7 36 1. Advise the governor and the general assembly on  
7 37 issues confronting tribal governments and Native  
7 38 American persons in this state.  
7 39 2. Promote legislation beneficial to tribal  
7 40 governments and Native American persons in this state.  
7 41 3. Recommend to the governor and the general  
7 42 assembly any revisions in the state's affirmative  
7 43 action program and other steps necessary to eliminate  
7 44 discrimination against and the underutilization of  
7 45 Native American persons in the state's workforce.  
7 46 4. Serve as a conduit to state government for  
7 47 Native American persons in this state.  
7 48 5. Serve as an advocate for Native American  
7 49 persons and a referral agency to assist Native  
7 50 American persons in securing access to justice and



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

8 1 state agencies and programs.  
8 2 6. Serve as a liaison with federal, state, and  
8 3 local governmental units, and private organizations on  
8 4 matters relating to Native American persons in this  
8 5 state.  
8 6 7. Conduct studies, make recommendations, and  
8 7 implement programs designed to solve the problems of  
8 8 Native American persons in this state in the areas of  
8 9 human rights, housing, education, welfare, employment,  
8 10 health care, access to justice, and any other related  
8 11 problems.  
8 12 8. Publicize the accomplishments of Native  
8 13 American persons and their contributions to this  
8 14 state.  
8 15 9. Work with other state, tribal, and federal  
8 16 agencies and organizations to develop small business  
8 17 opportunities and promote economic development for  
8 18 Native American persons.  
8 19 Sec. \_\_\_\_\_. NEW SECTION. 216A.166 REVIEW OF GRANT  
8 20 APPLICATIONS AND BUDGET REQUESTS.  
8 21 Before the submission of an application, a state  
8 22 department or agency shall consult with the commission  
8 23 concerning an application for federal funding that  
8 24 will have its primary effect on tribal governments or  
8 25 Native American persons. The commission shall advise  
8 26 the governor, the director of the department of human  
8 27 rights, and the director of revenue concerning any  
8 28 state agency budget request that will have its primary  
8 29 effect on tribal governments or Native American  
8 30 persons.  
8 31 Sec. \_\_\_\_\_. NEW SECTION. 216A.167 ADDITIONAL  
8 32 DUTIES AND AUTHORITY == LIMITATIONS.  
8 33 1. The commission shall have responsibility for  
8 34 the budget of the commission and the division and  
8 35 shall submit the budget to the director of the  
8 36 department of human rights as provided in section  
8 37 216A.2, subsection 2.  
8 38 2. The commission may do any of the following:  
8 39 a. Enter into contracts, within the limit of funds  
8 40 made available, with individuals, organizations, and  
8 41 institutions for services.  
8 42 b. Accept gifts, grants, devises, or bequests of  
8 43 real or personal property from the federal government  
8 44 or any other source for the use and purposes of the  
8 45 commission.  
8 46 3. The commission shall not have the authority to  
8 47 do any of the following:  
8 48 a. Implement or administer the duties of the state  
8 49 of Iowa under the federal Indian Gaming Regulatory  
8 50 Act, shall not have any authority to recommend,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

9 1 negotiate, administer, or enforce any agreement or  
9 2 compact entered into between the state of Iowa and  
9 3 Indian tribes located in the state pursuant to section  
9 4 10A.104, and shall not have any authority relative to  
9 5 Indian gaming issues.  
9 6 b. Administer the duties of the state under the  
9 7 federal National Historic Preservation Act, the  
9 8 federal Native American Graves Protection and  
9 9 Repatriation Act, and chapter 263B. The commission  
9 10 shall also not interfere with the advisory role of a  
9 11 separate Indian advisory council or committee  
9 12 established by the state archeologist by rule for the  
9 13 purpose of consultation on matters related to ancient  
9 14 human skeletal remains and associated artifacts.  
9 15 4. This subchapter shall not diminish or inhibit  
9 16 the right of any tribal government to interact  
9 17 directly with the state or any of its departments or  
9 18 agencies for any purpose which a tribal government  
9 19 desires to conduct its business or affairs as a  
9 20 sovereign governmental entity.  
9 21 Sec. \_\_\_\_\_. NEW SECTION. 216A.168 ADMINISTRATOR.  
9 22 The commission shall designate the duties and  
9 23 obligations of the position of administrator. The  
9 24 administrator shall carry out programs and policies as  
9 25 determined by the commission. The administrator may  
9 26 employ other persons necessary to carry out the  
9 27 programs of the division.  
9 28 Sec. \_\_\_\_\_. NEW SECTION. 216A.169 STATE AGENCY  
9 29 ASSISTANCE.  
9 30 On the request of the commission, state departments  
9 31 and agencies may supply the commission with advisory  
9 32 staff services on matters relating to the jurisdiction  
9 33 of the commission. The commission shall cooperate and  
9 34 coordinate its activities with other state agencies to  
9 35 the highest possible degree.  
9 36 Sec. \_\_\_\_\_. NEW SECTION. 216A.170 ANNUAL REPORT.  
9 37 Not later than February 1 of each year, the  
9 38 commission shall file a report in an electronic format  
9 39 with the governor and the general assembly of its  
9 40 activities for the previous calendar year. With the  
9 41 report, the commission may submit any recommendations  
9 42 pertaining to its activities and shall submit  
9 43 recommendations for legislative consideration and  
9 44 other action it deems necessary.  
9 45 Sec. \_\_\_\_\_. COMMISSION ON NATIVE AMERICAN AFFAIRS ==  
9 46 TRANSITION PROVISIONS.  
9 47 1. The initial members of the commission  
9 48 established pursuant to this Act shall be appointed by  
9 49 September 1, 2008.  
9 50 2. Notwithstanding any provision of this Act to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

10 1 the contrary, an administrator of the division on  
10 2 Native American affairs and employees of the division  
10 3 shall not be appointed or hired prior to July 1, 2009.  
10 4 3. Prior to June 1, 2009, the commission shall  
10 5 submit a report to the director of human rights. The  
10 6 report shall include a job description for the  
10 7 administrator of the division, goals for division  
10 8 operations, and performance measures to measure  
10 9 achievement of division goals.

DIVISION IV

DEPARTMENT OF REVENUE ADMINISTRATION

10 12 Sec. \_\_\_\_\_. Section 99B.10B, subsection 2, Code  
10 13 Supplement 2007, is amended to read as follows:

10 14 2. a. The department shall revoke a registration  
10 15 issued pursuant to section 99B.10 or 99B.10A, for a  
10 16 period of ten years if a person commits an offense of  
10 17 awarding a cash prize in violation of section 99B.10,  
10 18 subsection 1, paragraph "b", pursuant to rules adopted  
10 19 by the department. A person whose registration is  
10 20 revoked under this subsection who is a person for  
10 21 which a class "A", class "B", class "C", special class  
10 22 "C", or class "D" liquor control license has been  
10 23 issued pursuant to chapter 123 shall have the person's  
10 24 liquor control license suspended for a period of  
10 25 fourteen days in the same manner as provided in  
10 26 section 123.50, subsection 3, paragraph "a". A person  
10 27 whose registration is revoked under this subsection  
10 28 who is a person for which only a class "B" or class  
10 29 "C" beer permit has been issued pursuant to chapter  
10 30 123 shall have the person's class "B" or class "C"  
10 31 beer permit suspended ~~and that person's sales tax~~  
~~10 32 permit suspended~~ for a period of fourteen days in the  
10 33 same manner as provided in section 123.50, subsection  
10 34 3, paragraph "a".

10 35 b. If a person owning or employed by an  
10 36 establishment having a class "A", class "B", class  
10 37 "C", special class "C", or class "D" liquor control  
10 38 license issued pursuant to chapter 123 commits an  
10 39 offense of awarding a cash prize in violation of  
10 40 section 99B.10, subsection 1, paragraph "b", pursuant  
10 41 to rules adopted by the department, the liquor control  
10 42 license of the establishment shall be suspended for a  
10 43 period of fourteen days in the same manner as provided  
10 44 in section 123.50, subsection 3, paragraph "a". If a  
10 45 person owning or employed by an establishment having a  
10 46 class "B" or class "C" beer permit issued pursuant to  
10 47 chapter 123 awards a cash prize in violation of  
10 48 section 99B.10, subsection 1, paragraph "b", pursuant  
10 49 to rules adopted by the department, the beer permit of  
10 50 the establishment ~~and the establishment's sales tax~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

~~House Amendment 8650 continued~~

~~11 1 permit shall be suspended for a period of fourteen~~  
11 2 days in the same manner as provided in section 123.50,  
11 3 subsection 3, paragraph "a".  
11 4 Sec. \_\_\_\_\_. Section 99B.14, subsection 1, Code 2007,  
11 5 is amended to read as follows:  
11 6 1. The department may deny, suspend, or revoke a  
11 7 license if the department finds that an applicant,  
11 8 licensee, or an agent of the licensee violated or  
11 9 permitted a violation of a provision of this chapter  
11 10 or a departmental rule adopted pursuant to chapter  
11 11 17A, or for any other cause for which the director of  
11 12 the department would be or would have been justified  
11 13 in refusing to issue a license, or upon the conviction  
11 14 of a person of a violation of this chapter or a rule  
11 15 adopted under this chapter which occurred on the  
11 16 licensed premises. However, the denial, suspension,  
11 17 or revocation of one type of gambling license does not  
11 18 require, but may result in, the denial, suspension, or  
11 19 revocation of a different type of gambling license  
11 20 held by the same licensee. In addition, a person  
11 21 whose license is revoked under this section who is a  
11 22 person for which a class "A", class "B", class "C", or  
11 23 class "D" liquor control license has been issued  
11 24 pursuant to chapter 123 shall have the person's liquor  
11 25 control license suspended for a period of fourteen  
11 26 days in the same manner as provided in section 123.50,  
11 27 subsection 3, paragraph "a". In addition, a person  
11 28 whose license is revoked under this section who is a  
11 29 person for which only a class "B" or class "C" beer  
11 30 permit has been issued pursuant to chapter 123 shall  
11 31 have the person's class "B" or class "C" beer permit  
11 32 ~~suspended and that person's sales tax permit suspended~~  
11 33 for a period of fourteen days in the same manner as  
11 34 provided in section 123.50, subsection 3, paragraph  
11 35 "a".  
11 36 Sec. \_\_\_\_\_. Section 421.17, Code 2007, is amended by  
11 37 adding the following new subsection:  
11 38 NEW SUBSECTION. 30. If a natural disaster is  
11 39 declared by the governor in any area of the state, the  
11 40 director may extend for a period of up to one year the  
11 41 due date for the filing of any tax return and may  
11 42 suspend any associated penalty or interest that would  
11 43 accrue during that period of time for any affected  
11 44 taxpayer whose principal residence or business is  
11 45 located in the covered area if the director determines  
11 46 it necessary for the efficient administration of the  
11 47 tax laws of this state.  
11 48 Sec. \_\_\_\_\_. Section 421.60, subsection 8, Code 2007,  
11 49 is amended to read as follows:  
11 50 8. REFUND OF UNTIMELY ASSESSED TAXES.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

12 1 Notwithstanding any other refund statute, if it  
12 2 appears that an amount of tax, penalty, or interest  
12 3 has been paid to the department after the expiration  
12 4 of the statute of limitations for the department to  
12 5 determine and assess or collect the amount of such tax  
12 6 due, then the amount paid shall be credited against  
12 7 another tax liability of the taxpayer which is  
12 8 outstanding, if the statute of limitations for  
12 9 assessment or collection of that other tax has not  
12 10 expired or the amount paid shall be refunded to the  
12 11 person or, with the person's approval, credited to tax  
12 12 to become due. An application for refund or credit  
12 13 under this subsection must be filed within one year of  
12 14 payment. This subsection shall not be construed to  
12 15 prohibit the department from offsetting the refund  
12 16 claim against any tax due, if the statute of  
12 17 limitations for that other tax has not expired.  
12 18 However, any tax, penalty, or interest due for which a  
12 19 notice of assessment was not issued by the department  
12 20 but which was voluntarily paid by a taxpayer after the  
12 21 expiration of the statute of limitations for  
12 22 assessment shall not be refunded.

12 23 Sec. \_\_\_\_\_. Section 422.16, subsection 1, paragraph  
12 24 a, Code Supplement 2007, is amended to read as  
12 25 follows:

12 26 a. Every withholding agent and every employer as  
12 27 defined in this chapter and further defined in the  
12 28 Internal Revenue Code, with respect to income tax  
12 29 collected at source, making payment of wages to a  
12 30 nonresident employee working in Iowa, or to a resident  
12 31 employee, shall deduct and withhold from the wages an  
12 32 amount which will approximate the employee's annual  
12 33 tax liability on a calendar year basis, calculated on  
12 34 the basis of tables to be prepared by the department  
12 35 and schedules or percentage rates, based on the wages,  
12 36 to be prescribed by the department. Every employee or  
12 37 other person shall declare to the employer or  
12 38 withholding agent the number of the employee's or  
12 39 other person's personal ~~exemptions and dependency~~  
12 40 ~~exemptions or credits allowances~~ to be used in  
12 41 applying the tables and schedules or percentage rates.  
12 42 However, no greater number of ~~personal or dependency~~  
12 43 ~~exemptions or credits allowances~~ may be declared by  
12 44 the employee or other person than the number to which  
12 45 the employee or other person is entitled except as  
12 46 allowed under sections 3402(m)(1) and 3402(m)(3) of  
12 47 the Internal Revenue Code and as allowed for the child  
12 48 and dependent care credit provided in section 422.12C.  
12 49 The claiming of ~~exemptions or credits allowances~~ in  
12 50 excess of entitlement is a serious misdemeanor.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

13 1 Sec. \_\_\_\_\_. Section 423.3, subsection 8, paragraph  
13 2 c, unnumbered paragraph 1, Code Supplement 2007, is  
13 3 amended to read as follows:

13 4 The replacement part is ~~essential to~~ used in any  
13 5 repair or reconstruction necessary to the farm  
13 6 machinery's or equipment's exempt use in the  
13 7 production of agricultural products.

13 8 Sec. \_\_\_\_\_. Section 423.3, subsection 11, paragraph  
13 9 c, Code Supplement 2007, is amended to read as  
13 10 follows:

13 11 c. The replacement part is ~~essential to~~ used in  
13 12 any repair or reconstruction necessary to the farm  
13 13 machinery's or equipment's exempt use in livestock or  
13 14 dairy production, aquaculture production, or the  
13 15 production of flowering, ornamental, or vegetable  
13 16 plants.

13 17 Sec. \_\_\_\_\_. Section 423.36, subsection 2, Code 2007,  
13 18 is amended to read as follows:

13 19 2. To collect sales or use tax, the applicant must  
13 20 have a permit for each place of business in the state  
13 21 of Iowa. The department may deny a permit to an  
13 22 applicant who is substantially delinquent in paying a  
13 23 tax due, or the interest or penalty on the tax,  
13 24 administered by the department at the time of  
13 25 application or if the applicant had a previous  
13 26 delinquent liability with the department. If the

13 27 applicant is a partnership, a permit may be denied if  
13 28 a partner is substantially delinquent in paying any  
13 29 delinquent tax, penalty, or interest or if a partner  
13 30 had a previous delinquent liability with the

13 31 department. If the applicant is a corporation, a  
13 32 permit may be denied if any officer having a  
13 33 substantial legal or equitable interest in the  
13 34 ownership of the corporation owes any delinquent tax,  
13 35 penalty, or interest or if any officer having a  
13 36 substantial legal or equitable interest in the  
13 37 ownership of the corporation had a previous delinquent  
13 38 liability with the department.

13 39 Sec. \_\_\_\_\_. Section 423A.5, subsection 1, Code 2007,  
13 40 is amended by adding the following new paragraph:

13 41 NEW PARAGRAPH. c. The sales price from  
13 42 transactions exempt from state sales tax under section  
13 43 423.3.

13 44 Sec. \_\_\_\_\_. Section 423A.5, subsection 2, Code 2007,  
13 45 is amended by adding the following new paragraph:

13 46 NEW PARAGRAPH. c. The sales price from  
13 47 transactions exempt from state sales tax under section  
13 48 423.3.

13 49 Sec. \_\_\_\_\_. Section 423D.3, Code 2007, is amended to  
13 50 read as follows:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

14 1 423D.3 EXEMPTION.

14 2 The sales price on the lease or rental of equipment  
14 3 to contractors for direct and primary use in  
14 4 construction is exempt from the tax imposed by this  
14 5 chapter. The sales price from transactions exempt  
14 6 from state sales tax under section 423.3 is also  
14 7 exempt from the tax imposed by this chapter.

14 8 Sec. \_\_\_\_\_. Section 427.1, subsection 7, Code  
14 9 Supplement 2007, is amended to read as follows:

14 10 7. LIBRARIES AND ART GALLERIES. All grounds and  
14 11 buildings used for public libraries, public art  
14 12 galleries, and libraries and art galleries owned and  
14 13 kept by private individuals, associations, or  
14 14 corporations, for public use and not for private  
14 15 profit. Claims for exemption for libraries and art  
14 16 galleries owned and kept by private individuals,  
14 17 associations, or corporations for public use and not  
14 18 for private profit must be filed with the local  
14 19 assessor by February 1 of the first year the exemption  
14 20 is requested. Once the exemption is granted, the  
14 21 exemption shall continue to be granted for subsequent  
14 22 assessment years without further filing of claims as  
14 23 long as the property continues to be used as a library  
14 24 or art gallery for public use and not for private  
14 25 profit.

14 26 Sec. \_\_\_\_\_. Section 452A.2, subsection 35, Code  
14 27 2007, is amended to read as follows:

14 28 35. "Supplier" means a person who acquires motor  
14 29 fuel or special fuel by pipeline or marine vessel from  
14 30 a state, territory, or possession of the United  
14 31 States, or from a foreign country for storage at and  
14 32 distribution from a terminal and who is registered  
14 33 under 26 U.S.C. } 4101 for tax-free transactions in  
14 34 gasoline, a person who produces in this state or  
14 35 acquires by truck, railcar, or barge for storage at  
14 36 and distribution from a terminal, biofuel, biodiesel,  
14 37 alcohol, or alcohol derivative substances, or a person  
14 38 who produces, manufactures, or refines motor fuel or  
14 39 special fuel in this state. "Supplier" includes a  
14 40 person who does not meet the jurisdictional connection  
14 41 to this state but voluntarily agrees to act as a  
14 42 supplier for purposes of collecting and reporting the  
14 43 motor fuel or special fuel tax. "Supplier" does not  
14 44 include a retail dealer or wholesaler who merely  
14 45 blends alcohol with gasoline or biofuel with diesel  
14 46 before the sale or distribution of the product or a  
14 47 terminal operator who merely handles, in a terminal,  
14 48 motor fuel or special fuel consigned to the terminal  
14 49 operator.

14 50 Sec. \_\_\_\_\_. Section 452A.33, subsection 2,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8650 continued

15 1 unnumbered paragraph 1, Code 2007, is amended to read  
15 2 as follows:  
15 3 On or before ~~February~~ April 1 the department shall  
15 4 deliver a report to the governor and the legislative  
15 5 services agency. The report shall compile information  
15 6 reported by retail dealers to the department as  
15 7 provided in this section and shall at least include  
15 8 all of the following:

15 9 Sec. \_\_\_\_\_. Section 452A.59, Code 2007, is amended  
15 10 to read as follows:

15 11 452A.59 ADMINISTRATIVE RULES.

15 12 The department of revenue and the state department  
15 13 of transportation are authorized and empowered to  
15 14 adopt rules under chapter 17A, relating to the  
15 15 administration and enforcement of this chapter as  
15 16 deemed necessary by the departments. However, when in  
15 17 the opinion of the director it is necessary for the  
15 18 efficient administration of this chapter, the director  
15 19 may regard persons in possession of motor fuel,  
15 20 special fuel, biofuel, alcohol, or alcohol derivative  
15 21 substances as blenders, dealers, eligible purchasers,  
15 22 exporters, importers, restrictive suppliers,  
15 23 suppliers, terminal operators, or nonterminal storage  
15 24 facility operators.

15 25 Sec. \_\_\_\_\_. Section 453A.46, subsection 7, Code  
15 26 Supplement 2007, is amended to read as follows:

15 27 7. The director may require by rule that ~~reports~~  
15 28 returns be filed by electronic transmission.

15 29 Sec. \_\_\_\_\_. Section 422.24A, Code 2007, is repealed.

15 30 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY DATE. The  
15 31 section of this division of this Act repealing section  
15 32 422.24A applies retroactively to January 1, 2008, for  
15 33 tax years beginning on or after that date.

15 34 DIVISION V

15 35 DEPUTY SHERIFF POSITIONS

15 36 Sec. \_\_\_\_\_. Section 341A.7, Code 2007, is amended to  
15 37 read as follows:

15 38 341A.7 CLASSIFICATIONS.

15 39 1. The classified civil service positions covered  
15 40 by this chapter include persons actually serving as  
15 41 deputy sheriffs who are salaried pursuant to section  
15 42 331.904, subsection 2, but do not include a chief  
15 43 deputy sheriff, two second deputy sheriffs in counties  
15 44 with a population of more than one hundred thousand,  
15 45 three second deputy sheriffs in counties with a  
15 46 population of more than one hundred fifty thousand,  
15 47 and four second deputy sheriffs in counties with a  
15 48 population of more than two hundred thousand.  
15 49 However, a chief deputy sheriff or second deputy  
15 50 sheriff who becomes a candidate for a partisan



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8650 continued

16 1 elective office for remuneration is subject to section  
16 2 341A.18. A deputy sheriff serving with permanent rank  
16 3 under this chapter may be designated chief deputy  
16 4 sheriff or second deputy sheriff and retain that rank  
16 5 during the period of service as chief deputy sheriff  
16 6 or second deputy sheriff and shall, upon termination  
16 7 of the duties as chief deputy sheriff or second deputy  
16 8 sheriff, revert to the permanent rank.

16 9 2. If the positions of two second deputy sheriffs  
16 10 of a county were exempt from classified civil service  
16 11 coverage under this chapter based on the 1980  
16 12 decennial census, the two second deputy positions  
16 13 shall remain exempt from classified civil service  
16 14 coverage under this chapter.

16 15 Sec. \_\_\_\_\_. IMPLEMENTATION OF ACT. Section 25B.2,  
16 16 subsection 3, shall not apply to this division of this  
16 17 Act.

DIVISION VI

MISCELLANEOUS PROVISIONS

16 20 Sec. \_\_\_\_\_. Section 8.64, subsection 2, Code  
16 21 Supplement 2007, is amended to read as follows:

16 22 2. "Community-wide area" means a distinct  
16 23 geographical area voluntarily formed by and comprised  
16 24 of counties, cities, or townships, or any combination  
16 25 thereof, all of which possess a degree of autonomy in  
16 26 a varying number of matters. State agencies,  
16 27 community colleges, and school districts may also  
16 28 participate in a community-wide area if joined by a  
16 29 county, city, or township.

16 30 Sec. \_\_\_\_\_. Section 331.907, subsection 3, Code  
16 31 2007, is amended to read as follows:

16 32 3. The elected county officers are also entitled  
16 33 to receive their actual and necessary expenses  
16 34 incurred in performance of official duties of their  
16 35 respective offices. The board of supervisors may  
16 36 authorize the reimbursement of expenses related to an  
16 37 educational course, seminar, or school which is  
16 38 attended by a county officer after the county officer  
16 39 is elected, but prior to the county officer taking  
16 40 office.

16 41 Sec. \_\_\_\_\_. NEW SECTION. 504.132 SECRETARY OF  
16 42 STATE == INTERNET SITE.

16 43 The secretary of state shall place on the secretary  
16 44 of state's internet site a link to a free internet  
16 45 site with completed internal revenue service forms 990  
16 46 and 990EZ.>

16 47 #8. Title page, line 4, by inserting after the  
16 48 word <effective> the following: <and retroactive  
16 49 applicability>.

16 50 #9. By renumbering as necessary.



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8650 continued

17 1 SF 2400.S  
17 2 ec/ml/12



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

# House Amendment 8651

PAG LIN

```

1 1 Amend the House amendment, S=5410, to Senate File
1 2 2406, as passed by the Senate, as follows:
1 3 #1. Page 1, by inserting after line 20 the
1 4 following:
1 5 <#____. Page 13, by inserting after line 24 the
1 6 following:
1 7 <Sec. ____ . NEW SECTION. 69.16C MINORITY
1 8 REPRESENTATION.
1 9 All appointive boards, commissions, committees, and
1 10 councils of the state established by the Code if not
1 11 otherwise provided by law should provide, to the
1 12 extent practicable, for minority representation. All
1 13 appointing authorities of boards, commissions,
1 14 committees, and councils subject to this section
1 15 should consider qualified minority persons for
1 16 appointment to boards, commissions, committees, and
1 17 councils. For purposes of this section, "minority"
1 18 means a minority person as defined in section
1 19 15.102.>>
1 20 #2. By renumbering as necessary.
1 21 SF 2406.S
1 22 jp/ml/12
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 23, 2008**

**House Amendment 8652**

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 2, by striking line 29 and inserting the  
 1 4 following:  
 1 5 <..... \$ 4,000,000>  
 1 6 #2. Page 3, by inserting after line 32 the  
 1 7 following:  
 1 8 <\_\_. WASHINGTON, D.C., INTERNSHIP GRANT  
 1 9 For a grant to a national nonprofit organization  
 1 10 with over 30 years experience of assisting college  
 1 11 students to serve internships in Washington, D.C.,  
 1 12 helping place during the 2006=2007 academic year over  
 1 13 1,400 students from across the world in internships,  
 1 14 including over 40 students from Iowa colleges and  
 1 15 universities, in order to provide students enrolled in  
 1 16 Iowa accredited higher education institutions, as  
 1 17 defined in section 261.92, subsection 1, and is  
 1 18 participating in a one=semester internship opportunity  
 1 19 in Washington, D.C., with financial aid to offset  
 1 20 costs related to the internship:  
 1 21 ..... \$ 100,000  
 1 22 Up to 50 percent of the funds shall be dedicated to  
 1 23 students participating in the two=to=one federal and  
 1 24 state matching agricultural biofuels from biomass  
 1 25 internship pilot program if the program is contained  
 1 26 in federal legislation enacted and funded by Congress  
 1 27 during the 2008=2009 fiscal year.>  
 1 28 #3. Page 4, line 3, by striking the figure  
 1 29 <698,923> and inserting the following: <995,000>.  
 1 30 #4. Page 4, line 4, by striking the figure  
 1 31 <338,958> and inserting the following: <484,972>.  
 1 32 #5. Page 7, by inserting after line 13 the  
 1 33 following:  
 1 34 <\_\_. For a grant to a center for independent  
 1 35 living established in accordance with the federal  
 1 36 Rehabilitation Act of 1973, that is designed and  
 1 37 operated within a local community by individuals with  
 1 38 disabilities and provides an array of independent  
 1 39 living services, and which adheres to the state plan  
 1 40 for independent living required in order to receive  
 1 41 federal Part B dollars for independent living services  
 1 42 for Iowans with disabilities:  
 1 43 ..... \$ 250,000  
 1 44 By October 1, 2009, the grant recipient shall  
 1 45 submit a written report to the division and the state  
 1 46 board of education regarding the expenditure of moneys  
 1 47 received from the state under this lettered  
 1 48 paragraph.>  
 1 49 #6. Page 12, by inserting after line 9 the  
 1 50 following:



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8652 continued

2 1 <g. Grant amount award reductions for the  
2 2 2008=2009 fiscal year resulting from the Iowa  
2 3 empowerment board's restriction on carryforward of  
2 4 grant funding may be applied to categorical funding  
2 5 requirements at the discretion of each community  
2 6 empowerment area, regardless of the categorical  
2 7 sources of the area's fiscal year 2006=2007 ending  
2 8 balance.

2 9 h. The Iowa empowerment board shall develop and  
2 10 implement a plan to strengthen the fiscal  
2 11 accountability of local areas. The plan shall not  
2 12 include hiring additional staff. The plan shall  
2 13 address fiscal accountability for community  
2 14 empowerment area boards, including but not limited to  
2 15 training for board members and coordinators, and shall  
2 16 address contractual arrangements with and fiscal  
2 17 oversight of program providers. The plan shall  
2 18 provide for assistance to the community empowerment  
2 19 office and the community empowerment assistance team  
2 20 to improve state fiscal oversight of local boards and  
2 21 ongoing training for community empowerment area boards  
2 22 and coordinators. The Iowa empowerment board and the  
2 23 community empowerment office shall submit a report to  
2 24 the general assembly and the legislative services  
2 25 agency by January 1, 2009.>

2 26 #7. Page 13, by inserting before line 24 the  
2 27 following:

2 28 <\_\_\_\_. IOWA SENIOR YEAR PLUS PROGRAM  
2 29 For purposes of implementing the senior year plus  
2 30 program established pursuant to section 261E.1, if  
2 31 enacted by this Act:  
2 32 ..... \$ 1,900,000>

2 33 #8. By striking page 13, line 27, through page 14,  
2 34 line 10, and inserting the following:

2 35 <..... \$183,062,414

2 36 Notwithstanding the allocation formula in section  
2 37 260C.18C, the funds appropriated in this subsection  
2 38 shall be allocated as follows:

2 39	a. Merged Area I .....	\$ 9,074,424
2 40	b. Merged Area II .....	\$ 9,840,581
2 41	c. Merged Area III .....	\$ 9,045,521
2 42	d. Merged Area IV .....	\$ 4,449,263
2 43	e. Merged Area V .....	\$ 9,992,314
2 44	f. Merged Area VI .....	\$ 8,656,370
2 45	g. Merged Area VII .....	\$ 12,826,359
2 46	h. Merged Area IX .....	\$ 15,963,828
2 47	i. Merged Area X .....	\$ 27,662,970
2 48	j. Merged Area XI .....	\$ 27,602,009
2 49	k. Merged Area XII .....	\$ 10,522,547
2 50	l. Merged Area XIII .....	\$ 10,685,790



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8652 continued

3 1 m. Merged Area XIV ..... \$ 4,505,374  
3 2 n. Merged Area XV ..... \$ 14,147,609  
3 3 o. Merged Area XVI ..... \$ 8,087,455>  
3 4 #9. Page 14, by striking line 18 and inserting the  
3 5 following:  
3 6 <..... \$ 1,500,000>  
3 7 #10. Page 14, by striking lines 26 through 33.  
3 8 #11. Page 16, by striking lines 18 through 23.  
3 9 #12. Page 17, by inserting after line 21 the  
3 10 following:  
3 11 <f. For funds to be distributed to Iowa public  
3 12 radio for public radio operations:  
3 13 ..... \$ 500,000>  
3 14 #13. Page 22, by inserting after line 7 the  
3 15 following:  
3 16 <c. Science, technology, engineering, and  
3 17 mathematics (STEM) collaborative initiative  
3 18 For purposes of establishing a science, technology,  
3 19 engineering, and mathematics (STEM) collaborative  
3 20 initiative:  
3 21 ..... \$ 4,000,000  
3 22 #14. Page 22, by striking line 12 and inserting  
3 23 the following:  
3 24 <..... \$ 10,077,191>  
3 25 #15. Page 22, by striking line 18 and inserting  
3 26 the following:  
3 27 <..... \$ 5,674,351>  
3 28 #16. Page 22, line 28, by striking the word  
3 29 <UNIVERSITY> and inserting the following:  
3 30 <MATHEMATICS AND SCIENCE COLLABORATIVE>.  
3 31 #17. Page 22, line 29, by striking the words <AND  
3 32 COLLEGES>.  
3 33 #18. Page 22, lines 30 and 31, by striking the  
3 34 words <require the universities it governs> and  
3 35 inserting the following: <conduct a mathematics and  
3 36 science collaborative study. The purpose of the study  
3 37 shall be>.  
3 38 #19. Page 22, line 32, by inserting before the  
3 39 word <proportion> the following: <number and>.  
3 40 #20. Page 22, lines 33 and 34, by striking the  
3 41 words <and colleges>.  
3 42 #21. Page 22, line 35, by inserting after the word  
3 43 <way.> the following: <The study shall develop and  
3 44 submit to the board recommendations for science,  
3 45 technology, engineering, and technology-related  
3 46 programming measures for improving the number and  
3 47 proportion of women and minorities in science,  
3 48 technology, engineering, and mathematics university  
3 49 programs.>  
3 50 #22. Page 23, line 5, by inserting after the word



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

4 1 <the> the following: <number and>.  
4 2 #23. Page 24, by striking lines 10 through 23.  
4 3 #24. Page 25, by inserting after line 28 the  
4 4 following:  
4 5 <Sec. \_\_\_\_\_. Section 28.8, Code 2007, is amended by  
4 6 adding the following new subsection:  
4 7 NEW SUBSECTION. 7. It is the intent of the  
4 8 general assembly that community empowerment areas  
4 9 consider whether support services to prevent the  
4 10 spread of infectious diseases, prevent child injuries,  
4 11 develop health emergency protocols, help with  
4 12 medication, and care for children with special health  
4 13 needs are being provided to child care facilities  
4 14 registered or licensed under chapter 237A.>  
4 15 #25. By striking page 26, line 20, through page  
4 16 27, line 23.  
4 17 #26. By striking page 30, line 33, through page  
4 18 31, line 14.  
4 19 #27. Page 37, by striking lines 10 through 16.  
4 20 #28. Page 40, by striking lines 10 and 11.  
4 21 #29. Page 40, line 14, by striking the word  
4 22 <DATES.> and inserting the following: <DATE. The>.  
4 23 #30. Page 40, line 15, by striking the figure and  
4 24 words <1. The section> and inserting the following:  
4 25 <section>.  
4 26 #31. Page 40, by striking lines 19 through 21.  
4 27 #32. Page 48, line 1, by striking the word <of>  
4 28 and inserting the following: <established by>.  
4 29 #33. Page 49, line 2, by inserting after the word  
4 30 <collaborate> the following: <, as appropriate,>.  
4 31 #34. Page 49, line 4, by striking the words  
4 32 <teacher or instructor> and inserting the following:  
4 33 <district, in collaboration with the teacher or  
4 34 instructor,>.  
4 35 #35. Page 50, line 10, by striking the word <and,>  
4 36 and inserting the following: <or>.  
4 37 #36. Page 50, line 31, by striking the words <an  
4 38 annual> and inserting the following: <a regular>.  
4 39 #37. Page 52, lines 13 and 14, by striking the  
4 40 words <hold a master's degree from an accredited  
4 41 college or university,>.  
4 42 #38. Page 52, line 16, by striking the figure  
4 43 <272,> and inserting the following: <272>.  
4 44 #39. Page 52, by inserting after line 24 the  
4 45 following:  
4 46 <Sec. \_\_\_\_\_. NEW SECTION. 261E.4A ADVANCED  
4 47 PLACEMENT COURSES == ACCESS == EXAMINATION FEE  
4 48 PAYMENT.  
4 49 1. A student enrolled in a school district or  
4 50 accredited nonpublic school shall be provided access



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Amendment 8652 continued

5 1 to advanced placement examinations at a rate of  
5 2 one-half of the cost of the regular examination fee  
5 3 the student or the student's parents or guardians  
5 4 would normally pay for the examination.  
5 5     2. The board of directors of a school district and  
5 6 the authorities in charge of an accredited nonpublic  
5 7 school shall ensure that any student enrolled who is  
5 8 interested in taking an advanced placement examination  
5 9 is properly registered for the examination. An  
5 10 accredited nonpublic school shall provide a list of  
5 11 students registered for advanced placement  
5 12 examinations to the school district in which the  
5 13 accredited nonpublic school is located. The school  
5 14 district and the accredited nonpublic school shall  
5 15 also ensure that any student enrolled in the school  
5 16 district or school, as applicable, who is interested  
5 17 in taking an advanced placement examination and  
5 18 qualifies for a reduced fee for the examination is  
5 19 properly registered for the fee reduction. The school  
5 20 district shall provide the college board with a list  
5 21 of all students enrolled in the school district and  
5 22 the accredited nonpublic schools located in the school  
5 23 district who are properly registered for advanced  
5 24 placement examinations administered by the college  
5 25 board.  
5 26     3. From the funds allocated pursuant to section  
5 27 261E.12, subsection 1, paragraph "d", the department  
5 28 shall remit amounts to the college board for advanced  
5 29 placement examinations administered by the college  
5 30 board for students enrolled in school districts and  
5 31 accredited nonpublic schools pursuant to subsection 2  
5 32 and shall distribute an amount per student to a school  
5 33 district submitting a list of students properly  
5 34 registered for the advanced placement examinations  
5 35 pursuant to subsection 2. The remittance rates to the  
5 36 college board and distribution amounts to the school  
5 37 districts in accordance with this subsection for the  
5 38 fiscal year beginning July 1, 2008, are as follows:  
5 39 thirty-eight dollars for each school district or  
5 40 accredited nonpublic school student who does not  
5 41 qualify for fee reduction; twenty-seven dollars for  
5 42 each school district or accredited nonpublic school  
5 43 student who qualifies for fee reduction; and eight  
5 44 dollars to the school district for each school  
5 45 district or accredited nonpublic school student who  
5 46 was listed by the school district and who takes an  
5 47 advanced placement examination in accordance with this  
5 48 section.>  
5 49 #40. Page 58, by inserting after line 26 the  
5 50 following:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

6 1 <d. Degree, certifications, and other  
6 2 qualifications to meet the minimum hiring standards.  
6 3 e. Salary information including regular contracted  
6 4 salary and total salary.  
6 5 f. Credit hours and laboratory contact hours and  
6 6 other data on instructional time.  
6 7 g. Other information comparable to the data  
6 8 regarding teachers collected in the basic education  
6 9 data survey.>

6 10 #41. Page 61, by inserting after line 10 the  
6 11 following:

6 12 <d. For the fiscal year beginning July 1, 2008,  
6 13 and succeeding fiscal years, an amount up to five  
6 14 hundred thousand dollars to the department to provide  
6 15 advanced placement course examination fee remittance  
6 16 pursuant to section 261E.4A. If the funds  
6 17 appropriated for purposes of section 261E.5 are  
6 18 insufficient to distribute the amounts set out in  
6 19 section 261E.5, subsection 3, to school districts, the  
6 20 department shall prorate the amount distributed to  
6 21 school districts based on the amount appropriated.>

6 22 #42. Page 62, by inserting after line 19 the  
6 23 following:

6 24 <DIVISION III  
6 25 STATEWIDE PRESCHOOL PROGRAM

6 26 Sec. \_\_\_\_\_. Section 256C.3, subsection 1, Code  
6 27 Supplement 2007, is amended to read as follows:

6 28 1. ELIGIBLE CHILDREN. A child who is a resident  
6 29 of Iowa and is four years of age ~~by~~ on or before  
6 30 September 15 of a school year shall be eligible to  
6 31 enroll in the preschool program under this chapter.  
6 32 If space and funding are available, a school district  
6 33 approved to participate in the preschool program may  
6 34 enroll a younger or older child in the preschool  
6 35 program; however, the child shall not be counted for  
6 36 state funding purposes.

6 37 Sec. \_\_\_\_\_. Section 256C.4, subsection 1, Code  
6 38 Supplement 2007, is amended by adding the following  
6 39 new paragraph:

6 40 NEW PARAGRAPH. f. The receipt of funding by a  
6 41 school district for the purposes of this chapter, the  
6 42 need for additional funding for the purposes of this  
6 43 chapter, or the enrollment count of eligible students  
6 44 under this chapter, shall not be considered to be  
6 45 unusual circumstances, create an unusual need for  
6 46 additional funds, or qualify under any other  
6 47 circumstances that may be used by the school budget  
6 48 review committee to grant supplemental aid to or  
6 49 establish modified allowable growth for a school  
6 50 district under section 257.31.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

7 1 Sec. \_\_\_\_\_. Section 256C.5, subsection 2, paragraph  
7 2 b, Code Supplement 2007, is amended to read as  
7 3 follows:

7 4 b. For budget years subsequent to the initial  
7 5 school year for which a school district approved to  
7 6 participate in the preschool program receives that  
7 7 initial approval and implements the preschool program,  
7 8 the funding for the preschool foundation aid payable  
7 9 to that school district shall be paid from the  
7 10 appropriation made in section 257.16. Continuation of  
7 11 a school district's participation in the preschool  
7 12 program for a second or subsequent budget year is  
7 13 subject to the approval of the department based upon  
7 14 the school district's compliance with accountability  
7 15 provisions and the department's on-site review of the  
7 16 school district's implementation of the preschool  
7 17 program.

7 18 Sec. \_\_\_\_\_. Section 256C.6, subsection 1, Code  
7 19 Supplement 2007, is amended to read as follows:

7 20 1. PHASE=IN. For the initial fiscal year in which  
7 21 a school district participates in the preschool  
7 22 program pursuant to an appropriation provided in  
7 23 subsection 2, the department shall apply a modified  
7 24 set of the requirements of the provisions of this  
7 25 chapter relating to preschool program implementation,  
7 26 preschool enrollment reporting, and distribution of  
7 27 funding as necessary to begin the distribution in that  
7 28 fiscal year and additional program implementation in  
7 29 the next fiscal year. ~~For each month after September~~  
~~7 30 1, in the initial fiscal year that a school district~~  
~~7 31 approved to participate in the preschool program~~  
~~7 32 begins programming, the department shall reduce the~~  
~~7 33 preschool foundation aid payable to the school~~  
~~7 34 district by one-tenth of the amount that would~~  
~~7 35 otherwise have been payable to the school district for~~  
~~7 36 the full school year.~~

7 37 Sec. \_\_\_\_\_. Section 256C.6, subsection 2, Code  
7 38 Supplement 2007, is amended by adding the following  
7 39 new unnumbered paragraph:

7 40 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
7 41 8.33, moneys appropriated in this subsection that  
7 42 remain unencumbered or unobligated at the close of the  
7 43 fiscal year shall not revert but shall remain  
7 44 available for expenditure for the purposes designated  
7 45 until the close of the succeeding fiscal year.

7 46 Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 214, section 6,  
7 47 subsection 13, is amended by adding the following new  
7 48 unnumbered paragraph:

7 49 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
7 50 8.33, moneys appropriated in this subsection that



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

8 1 remain unencumbered or unobligated at the close of the  
8 2 fiscal year shall not revert but shall remain  
8 3 available for expenditure for the purposes designated  
8 4 until the close of the succeeding fiscal year.

8 5 Sec. \_\_\_\_\_. STATEWIDE EARLY CHILDHOOD PROFESSIONAL  
8 6 DEVELOPMENT SYSTEM. It is the intent of the general  
8 7 assembly that if funding is designated or is otherwise  
8 8 made available for purposes of implementing a  
8 9 statewide early childhood professional development  
8 10 system during the fiscal year beginning July 1, 2007,  
8 11 or the succeeding fiscal year, that the system shall  
8 12 be implemented by the department of education through  
8 13 the area education agencies and shall be designed to  
8 14 support the statewide preschool program for  
8 15 four-year-old children offered in accordance with  
8 16 chapter 256C. The department of education shall  
8 17 collaborate with early childhood Iowa and its public  
8 18 and private member agencies to ensure that the system  
8 19 complements existing programs and resources committed  
8 20 by the agencies to professional development. To the  
8 21 extent possible, the system shall support  
8 22 professionals engaged in other early childhood  
8 23 programs.

8 24 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
8 25 Act, being deemed of immediate importance, takes  
8 26 effect upon enactment.

8 27 DIVISION IV

8 28 STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

8 29 Sec. \_\_\_\_\_. Section 282.10, subsection 4, Code 2007,  
8 30 is amended to read as follows:

8 31 4. A whole grade sharing agreement shall be signed  
8 32 by the boards of the districts involved in the  
8 33 agreement not later than February 1 of the school year  
8 34 preceding the school year for which the agreement is  
8 35 to take effect. The boards of the districts shall  
8 36 negotiate as part of the new or existing agreement the  
8 37 disposition of teacher quality funding provided under  
8 38 chapter 284.

8 39 Sec. \_\_\_\_\_. Section 284.2, subsection 11, Code  
8 40 Supplement 2007, is amended to read as follows:

8 41 11. "Teacher" means an individual who holds a  
8 42 practitioner's license issued under chapter 272, or a  
8 43 statement of professional recognition issued under  
8 44 chapter 272 who is employed in a nonadministrative  
8 45 position by a school district or area education agency  
8 46 pursuant to a contract issued by a board of directors  
8 47 under section 279.13. A teacher may be employed in  
8 48 both an administrative and a nonadministrative  
8 49 position by a board of directors and shall be  
8 50 considered a part-time teacher for the portion of time



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

9 1 that the teacher is employed in a nonadministrative  
9 2 position. "Teacher" ~~includes a licensed individual~~  
~~9 3 employed on a less than full-time basis by a school~~  
~~9 4 district through a contract between the school~~  
~~9 5 district and an institution of higher education with a~~  
~~9 6 practitioner preparation program in which the licensed~~  
~~9 7 teacher is enrolled.~~

9 8 Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
9 9 a, subparagraph (2), Code Supplement 2007, is amended  
9 10 to read as follows:

9 11 (2) Beginning July 1, ~~2007~~ 2008, the minimum  
9 12 salary for a beginning teacher shall be ~~twenty-six~~  
9 13 twenty-eight thousand ~~five hundred~~ dollars.

9 14 Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
9 15 b, subparagraph (2), Code Supplement 2007, is amended  
9 16 to read as follows:

9 17 (2) Beginning July 1, ~~2007~~ 2008, the minimum  
9 18 salary for a first-year career teacher shall be  
9 19 ~~twenty-seven~~ thirty thousand ~~five hundred~~ dollars ~~and~~  
~~9 20 the minimum salary for all other career teachers shall~~  
~~9 21 be twenty-eight thousand five hundred dollars.~~

9 22 Sec. \_\_\_\_\_. Section 284.7, subsection 5, paragraph  
9 23 b, Code Supplement 2007, is amended to read as  
9 24 follows:

9 25 b. If, once the minimum salary requirements of  
9 26 this section have been met by the school district or  
9 27 area education agency, and the school district or area  
9 28 education agency receiving funds pursuant to section  
9 29 284.13, subsection 1, paragraph "h" or "i", for  
9 30 purposes of this section, and the certified bargaining  
9 31 representative for the licensed employees have not  
9 32 reached an agreement for distribution of the funds  
9 33 remaining, in accordance with paragraph "a", the board  
9 34 of directors shall divide the funds remaining among  
9 35 full-time teachers employed by the district or area  
9 36 education agency whose regular compensation is equal  
9 37 to or greater than the minimum salary specified in  
9 38 this section. The payment amount for teachers  
9 39 employed on less than a full-time basis shall be  
9 40 prorated. For purposes of this paragraph, regular  
~~9 41 compensation means base salary plus any salary~~  
~~9 42 provided under chapter 294A.~~

9 43 Sec. \_\_\_\_\_. Section 284.7, subsection 5, Code  
9 44 Supplement 2007, is amended by adding the following  
9 45 new paragraph:

9 46 NEW PARAGRAPH. e. A school district or area  
9 47 education agency receiving funds pursuant to section  
9 48 284.13, subsection 1, paragraph "h" or "i", shall  
9 49 determine the amount to be paid to teachers in  
9 50 accordance with this subsection and the amount



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

10 1 determined to be paid to an individual teacher shall  
10 2 be divided evenly and paid in each pay period of the  
10 3 fiscal year beginning with the October payroll.

10 4 Sec. \_\_\_\_\_. Section 284.8, subsection 1, Code  
10 5 Supplement 2007, is amended to read as follows:

10 6 1. A school district shall review a teacher's  
10 7 performance at least once every three years for  
10 8 purposes of assisting teachers in making continuous  
10 9 improvement, documenting continued competence in the  
10 10 Iowa teaching standards, identifying teachers in need  
10 11 of improvement, or to determine whether the teacher's  
10 12 practice meets school district expectations for career  
10 13 advancement in accordance with section 284.7. The  
10 14 review shall include, at minimum, classroom  
10 15 observation of the teacher, the teacher's progress,  
10 16 and implementation of the teacher's individual  
10 17 professional development plan, subject to the level of  
10 18 ~~funding~~ resources provided to implement the plan; and  
10 19 shall include supporting documentation from parents,  
10 20 students, and other ~~evaluators, teachers, parents, and~~  
10 21 ~~students.~~

10 22 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
10 23 a, Code Supplement 2007, is amended to read as  
10 24 follows:

10 25 a. For ~~each~~ the fiscal year ~~of the fiscal period~~  
10 26 beginning July 1, ~~2007~~ 2008, and ending June 30, 2009,  
10 27 to the department of education, the amount of one  
10 28 million ~~eighty-seven~~ seven hundred seven thousand five  
10 29 hundred dollars for the issuance of national board  
10 30 certification awards in accordance with section  
10 31 256.44.

10 32 ~~(1)~~ Of the amount allocated under this paragraph  
10 33 "a", not less than ~~eighty-five~~ eighty-five thousand dollars shall  
10 34 be used to administer the ambassador to education  
10 35 position in accordance with section 256.45.

10 36 ~~(2)~~ ~~Of the amount allocated under this paragraph~~  
10 37 ~~"a", for the fiscal year beginning July 1, 2007, and~~  
10 38 ~~ending June 30, 2008, not less than one million~~  
10 39 ~~dollars shall be used to supplement the allocation of~~  
10 40 ~~funds for market factor teacher incentives made~~  
10 41 ~~pursuant to paragraph "f", subparagraph (1).~~

10 42 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraphs  
10 43 d and e, Code Supplement 2007, are amended to read as  
10 44 follows:

10 45 d. (1) For the fiscal year beginning July 1, ~~2007~~  
10 46 2008, and ending June 30, ~~2008~~ 2009, up to ~~twenty~~  
10 47 twenty-eight million five hundred thousand dollars to  
10 48 the department for use by school districts for  
10 49 professional development as provided in section 284.6.  
10 50 Of the amount allocated under this paragraph, up to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

11 1 eight million five hundred thousand dollars shall be  
11 2 provided to school districts for professional  
11 3 development related to the infusion and implementation  
11 4 of the model core curriculum prescribed in section  
11 5 256.7, subsection 26. The department shall distribute  
11 6 funds allocated for the purpose of this paragraph  
11 7 based on the average per diem contract salary for each  
11 8 district as reported to the department for the school  
11 9 year beginning July 1, ~~2006~~ 2007, multiplied by the  
11 10 total number of full-time equivalent teachers in the  
11 11 base year. The department shall adjust each  
11 12 district's average per diem salary by the allowable  
11 13 growth rate established under section 257.8 for the  
11 14 fiscal year beginning July 1, ~~2007~~ 2008. The contract  
11 15 salary amount shall be the amount paid for their  
11 16 regular responsibilities but shall not include pay for  
11 17 extracurricular activities. These funds shall not  
11 18 supplant existing funding for professional development  
11 19 activities. Notwithstanding any provision to the  
11 20 contrary, moneys received by a school district under  
11 21 this paragraph shall not revert but shall remain  
11 22 available for the same purpose in the succeeding  
11 23 fiscal year. A school district shall submit a report  
11 24 to the department in a manner determined by the  
11 25 department describing its use of the funds received  
11 26 under this paragraph. The department shall submit a  
11 27 report on school district use of the moneys  
11 28 distributed pursuant to this paragraph to the general  
11 29 assembly and the legislative services agency not later  
11 30 than January 15 of the fiscal year for which moneys  
11 31 are allocated for purposes of this paragraph.  
11 32 (2) From moneys available under subparagraph (1)  
11 33 for the fiscal year beginning July 1, ~~2007~~ 2008, and  
11 34 ending June 30, ~~2008~~ 2009, the department shall  
11 35 allocate to area education agencies an amount per  
11 36 teacher employed by an area education agency that is  
11 37 approximately equivalent to the average per teacher  
11 38 amount allocated to the districts. The average per  
11 39 teacher amount shall be calculated by dividing the  
11 40 total number of teachers employed by school districts  
11 41 and the teachers employed by area education agencies  
11 42 into the total amount of moneys available under  
11 43 subparagraph (1).  
11 44 (3) For the fiscal year beginning July 1, 2008,  
11 45 and ending June 30, 2009, up to nine hundred fifteen  
11 46 thousand dollars to the department for implementation  
11 47 of a statewide early childhood professional  
11 48 development system through the area education agencies  
11 49 that is designed to support the statewide preschool  
11 50 program for four-year-old children under chapter 256C



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

12 1 and to the extent possible, other early childhood  
12 2 programs.

12 3 e. For ~~the each~~ fiscal year ~~beginning July 1,~~  
12 4 ~~2007, and ending June 30, 2008~~ in which funds are  
12 5 appropriated for purposes of this chapter, an amount  
12 6 up to one million eight hundred forty-five thousand  
12 7 dollars to the department for the establishment of  
12 8 teacher development academies in accordance with  
12 9 section 284.6, subsection 10. A portion of the funds  
12 10 allocated to the department for purposes of this  
12 11 paragraph may be used for administrative purposes.

12 12 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
12 13 f, Code Supplement 2007, is amended by striking the  
12 14 paragraph and inserting in lieu thereof the following:

12 15 f. For the fiscal year beginning July 1, 2008, and  
12 16 ending June 30, 2009, to the department of education,  
12 17 the amount of two hundred fifty thousand dollars for  
12 18 distribution to the institute for tomorrow's workforce  
12 19 created pursuant to section 7K.1.

12 20 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
12 21 g, subparagraph (3), Code Supplement 2007, is amended  
12 22 to read as follows:

12 23 (3) For the fiscal year beginning July 1, 2008,  
12 24 and ending June 30, 2009, the sum of ~~two million five~~  
12 25 three hundred thirty-five thousand dollars. From the  
12 26 amount allocated for the fiscal year under this  
12 27 subparagraph, an amount up to ten thousand dollars  
12 28 shall be used for purposes of the pay-for-performance  
12 29 commission's expenses, an amount up to one hundred  
12 30 thousand dollars shall be used by the department for  
12 31 oversight and administration of the implementation  
12 32 pilots as provided in sections 284.14 and 284.14A, and  
12 33 an amount up to two hundred thousand dollars shall be  
12 34 used for the employment of an external evaluator.

12 35 Sec. \_\_\_\_\_. Section 284.11, Code Supplement 2007, is  
12 36 repealed.

DIVISION V

STATE SCHOOL AID FORMULA CHANGES

12 39 Sec. \_\_\_\_\_. Section 256D.2, Code 2007, is amended to  
12 40 read as follows:

12 41 256D.2 PROGRAM EXPENDITURES.

12 42 1. A school district shall expend funds received  
12 43 pursuant to section 256D.4 at the kindergarten through  
12 44 grade three levels to reduce class sizes to the state  
12 45 goal of seventeen students for every one teacher and  
12 46 to achieve a higher level of student success in the  
12 47 basic skills, especially reading. In order to support  
12 48 these efforts, school districts may expend funds  
12 49 received pursuant to section 256D.4 at the  
12 50 kindergarten through grade three level on programs,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

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



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

14 1 department of administrative services of the amount of  
14 2 the allocation to be paid to each school district as  
14 3 provided in subsections 1 and 2. The allocation to  
14 4 each school district shall be made in one payment on  
14 5 or about October 15 of the fiscal year for which the  
14 6 appropriation is made, taking into consideration the  
14 7 relative budget and cash position of the state  
14 8 resources. Moneys received under this section shall  
14 9 not be commingled with state aid payments made under  
14 10 section 257.16 to a school district and shall be  
14 11 accounted for by the local school district separately  
14 12 from state aid payments. Payments made to school  
14 13 districts under this section are miscellaneous income  
14 14 for purposes of chapter 257. ~~A school district shall~~  
~~14 15 maintain a separate listing within its budget for~~  
~~14 16 payments received and expenditures made pursuant to~~  
~~14 17 this section. A school district shall certify to the~~  
~~14 18 department of education that moneys received under~~  
~~14 19 this section were used to supplement, not supplant,~~  
~~14 20 moneys otherwise received and used by the school~~  
~~14 21 district.~~

14 22 Sec. \_\_\_\_\_. Section 256D.4, subsection 4, Code 2007,  
14 23 is amended by striking the subsection and inserting in  
14 24 lieu thereof the following:

14 25 4. This section is repealed June 30, 2009.

14 26 Sec. \_\_\_\_\_. NEW SECTION. 256D.4A PROGRAM  
14 27 REQUIREMENTS.

14 28 A school district shall maintain a separate listing  
14 29 within its budget for payments received and  
14 30 expenditures made pursuant to this section. A school  
14 31 district shall certify to the department of education  
14 32 that moneys received under this section were used to  
14 33 supplement, not supplant, moneys otherwise received  
14 34 and used by the school district.

14 35 Sec. \_\_\_\_\_. Section 256D.5, subsection 4, Code  
14 36 Supplement 2007, is amended to read as follows:

14 37 4. For each fiscal year of the fiscal period  
14 38 beginning July 1, 2004, and ending June 30, ~~2012~~ 2009,  
14 39 the sum of twenty-nine million two hundred fifty  
14 40 thousand dollars.

14 41 Sec. \_\_\_\_\_. Section 257.1, subsection 2, unnumbered  
14 42 paragraph 2, Code 2007, is amended to read as follows:

14 43 For the budget year commencing July 1, 1999, and  
14 44 for each succeeding budget year the regular program  
14 45 foundation base per pupil is eighty-seven and  
14 46 five-tenths percent of the regular program state cost  
14 47 per pupil. For the budget year commencing July 1,  
14 48 1991, and for each succeeding budget year the special  
14 49 education support services foundation base is  
14 50 seventy-nine percent of the special education support



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

15 1 services state cost per pupil. The combined  
15 2 foundation base is the sum of the regular program  
15 3 foundation base, ~~and~~ the special education support  
15 4 services foundation base, the total teacher salary  
15 5 supplement district cost, the total professional  
15 6 development supplement district cost, the total early  
15 7 intervention supplement district cost, the total area  
15 8 education agency teacher salary supplement district  
15 9 cost, and the total area education agency professional  
15 10 development supplement district cost.

15 11 Sec. \_\_\_\_\_. Section 257.1, subsection 3, Code 2007,  
15 12 is amended to read as follows:

15 13 3. COMPUTATIONS ROUNDED. In making computations  
15 14 and payments under this chapter, except in the case of  
15 15 computations relating to funding of special education  
15 16 support services, media services, and educational  
15 17 services provided through the area education agencies,  
15 18 and the teacher salary supplement, the professional  
15 19 development supplement, and the early intervention  
15 20 supplement, the department of management shall round  
15 21 amounts to the nearest whole dollar.

15 22 Sec. \_\_\_\_\_. Section 257.4, subsection 1, paragraph  
15 23 a, Code 2007, is amended to read as follows:

15 24 a. A school district shall cause an additional  
15 25 property tax to be levied each year. The rate of the  
15 26 additional property tax levy in a school district  
15 27 shall be determined by the department of management  
15 28 and shall be calculated to raise the difference  
15 29 between the combined district cost for the budget year  
15 30 and the sum of ~~the products~~ the following:

15 31 (1) The product of the regular program foundation  
15 32 base per pupil times the weighted enrollment in the  
15 33 district. ~~and the~~

15 34 (2) The product of special education support  
15 35 services foundation base per pupil times the special  
15 36 education support services weighted enrollment in the  
15 37 district.

15 38 (3) The total teacher salary supplement district  
15 39 cost.

15 40 (4) The total professional development supplement  
15 41 district cost.

15 42 (5) The total early intervention supplement  
15 43 district cost.

15 44 (6) The total area education agency teacher salary  
15 45 supplement district cost.

15 46 (7) The total area education agency professional  
15 47 development supplement district cost.

15 48 Sec. \_\_\_\_\_. Section 257.8, Code Supplement 2007, is  
15 49 amended by adding the following new subsection:

15 50 NEW SUBSECTION. 1A. CATEGORICAL STATE PERCENT OF



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

16 1 GROWTH. The categorical state percent of growth for  
16 2 each budget year shall be established by statute which  
16 3 shall be enacted within thirty days of the submission  
16 4 in the year preceding the base year of the governor's  
16 5 budget under section 8.21. The establishment of the  
16 6 categorical state percent of growth for a budget year  
16 7 shall be the only subject matter of the bill which  
16 8 enacts the categorical state percent of growth for a  
16 9 budget year. The categorical state percent of growth  
16 10 may include state percents of growth for the teacher  
16 11 salary supplement, the professional development  
16 12 supplement, and the early intervention supplement.  
16 13 Sec. \_\_\_\_\_. Section 257.9, Code 2007, is amended by  
16 14 adding the following new subsections:  
16 15 NEW SUBSECTION. 6. TEACHER SALARY SUPPLEMENT  
16 16 STATE COST PER PUPIL. For the budget year beginning  
16 17 July 1, 2009, for the teacher salary supplement state  
16 18 cost per pupil, the department of management shall add  
16 19 together the teacher compensation allocation made to  
16 20 each district for the fiscal year beginning July 1,  
16 21 2008, pursuant to section 284.13, subsection 1,  
16 22 paragraph "h", and the phase II allocation made to  
16 23 each district for the fiscal year beginning July 1,  
16 24 2008, pursuant to section 294A.9, and divide that sum  
16 25 by the statewide total budget enrollment for the  
16 26 fiscal year beginning July 1, 2009. The teacher  
16 27 salary supplement state cost per pupil for the budget  
16 28 year beginning July 1, 2010, and succeeding budget  
16 29 years, shall be the amount calculated by the  
16 30 department of management under this subsection for the  
16 31 base year plus an allowable growth amount that is  
16 32 equal to the teacher salary supplement categorical  
16 33 state percent of growth, pursuant to section 257.8,  
16 34 subsection 1A, for the budget year, multiplied by the  
16 35 amount calculated by the department of management  
16 36 under this subsection for the base year.  
16 37 NEW SUBSECTION. 7. PROFESSIONAL DEVELOPMENT  
16 38 SUPPLEMENT STATE COST PER PUPIL. For the budget year  
16 39 beginning July 1, 2009, for the professional  
16 40 development supplement state cost per pupil, the  
16 41 department of management shall add together the  
16 42 professional development allocation made to each  
16 43 district for the fiscal year beginning July 1, 2008,  
16 44 pursuant to section 284.13, subsection 1, paragraph  
16 45 "d", and divide that sum by the statewide total budget  
16 46 enrollment for the fiscal year beginning July 1, 2009.  
16 47 The professional development supplement state cost per  
16 48 pupil for the budget year beginning July 1, 2010, and  
16 49 succeeding budget years, shall be the amount  
16 50 calculated by the department of management under this



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

17 1 subsection for the base year plus an allowable growth  
17 2 amount that is equal to the professional development  
17 3 supplement categorical state percent of growth,  
17 4 pursuant to section 257.8, subsection 1A, for the  
17 5 budget year, multiplied by the amount calculated by  
17 6 the department of management under this subsection for  
17 7 the base year.

17 8 NEW SUBSECTION. 8. EARLY INTERVENTION SUPPLEMENT  
17 9 STATE COST PER PUPIL. For the budget year beginning  
17 10 July 1, 2009, for the early intervention supplement  
17 11 state cost per pupil, the department of management  
17 12 shall add together the early intervention allocation  
17 13 made to each district for the fiscal year beginning  
17 14 July 1, 2008, pursuant to section 256D.4, and divide  
17 15 that sum by the statewide total budget enrollment for  
17 16 the fiscal year beginning July 1, 2009. The early  
17 17 intervention supplement state cost per pupil for the  
17 18 budget year beginning July 1, 2010, and succeeding  
17 19 budget years, shall be the amount calculated by the  
17 20 department of management under this subsection for the  
17 21 base year plus an allowable growth amount that is  
17 22 equal to the early intervention supplement categorical  
17 23 state percent of growth, pursuant to section 257.8,  
17 24 subsection 1A, for the budget year, multiplied by the  
17 25 amount calculated by the department of management  
17 26 under this subsection for the base year.

17 27 NEW SUBSECTION. 9. AREA EDUCATION AGENCY TEACHER  
17 28 SALARY SUPPLEMENT STATE COST PER PUPIL. For the  
17 29 budget year beginning July 1, 2009, for the area  
17 30 education agency teacher salary supplement state cost  
17 31 per pupil, the department of management shall add  
17 32 together the teacher compensation allocation made to  
17 33 each area education agency for the fiscal year  
17 34 beginning July 1, 2008, pursuant to section 284.13,  
17 35 subsection 1, paragraph "i", and the phase II  
17 36 allocation made to each area education agency for the  
17 37 fiscal year beginning July 1, 2008, pursuant to  
17 38 section 294A.9, and divide that sum by the statewide  
17 39 special education support services weighted enrollment  
17 40 for the fiscal year beginning July 1, 2009. The area  
17 41 education agency teacher salary supplement state cost  
17 42 per pupil for the budget year beginning July 1, 2010,  
17 43 and succeeding budget years, shall be the amount  
17 44 calculated by the department of management under this  
17 45 subsection for the base year plus an allowable growth  
17 46 amount that is equal to the teacher salary supplement  
17 47 categorical state percent of growth, pursuant to  
17 48 section 257.8, subsection 1A, for the budget year,  
17 49 multiplied by the amount calculated by the department  
17 50 of management under this subsection for the base year.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

18 1 NEW SUBSECTION. 10. AREA EDUCATION AGENCY  
18 2 PROFESSIONAL DEVELOPMENT SUPPLEMENT STATE COST PER  
18 3 PUPIL. For the budget year beginning July 1, 2009,  
18 4 for the area education agency professional development  
18 5 supplement state cost per pupil, the department of  
18 6 management shall add together the professional  
18 7 development allocation made to each area education  
18 8 agency for the fiscal year beginning July 1, 2008,  
18 9 pursuant to section 284.13, subsection 1, paragraph  
18 10 "d", and divide that sum by the statewide special  
18 11 education support services weighted enrollment for the  
18 12 fiscal year beginning July 1, 2009. The area  
18 13 education agency professional development supplement  
18 14 state cost per pupil for the budget year beginning  
18 15 July 1, 2010, and succeeding budget years, shall be  
18 16 the amount calculated by the department of management  
18 17 under this subsection for the base year plus an  
18 18 allowable growth amount that is equal to the  
18 19 professional development supplement categorical state  
18 20 percent of growth, pursuant to section 257.8,  
18 21 subsection 1A, for the budget year, multiplied by the  
18 22 amount calculated by the department of management  
18 23 under this subsection for the base year.

18 24 Sec. \_\_\_\_\_. Section 257.10, subsection 8, unnumbered  
18 25 paragraph 1, Code 2007, is amended to read as follows:

18 26 Combined district cost is the sum of the regular  
18 27 program district cost per pupil multiplied by the  
18 28 weighted enrollment, ~~and~~ the special education support  
18 29 services district cost, the total teacher salary  
18 30 supplement district cost, the total professional  
18 31 development supplement district cost, and the total  
18 32 early intervention supplement district cost, plus the  
18 33 sum of the additional district cost allocated to the  
18 34 district to fund media services and educational  
18 35 services provided through the area education agency,  
18 36 the area education agency total teacher salary  
18 37 supplement district cost and the area education agency  
18 38 total professional development supplement district  
18 39 cost.

18 40 Sec. \_\_\_\_\_. Section 257.10, Code 2007, is amended by  
18 41 adding the following new subsections:

18 42 NEW SUBSECTION. 9. TEACHER SALARY SUPPLEMENT COST  
18 43 PER PUPIL AND DISTRICT COST.

18 44 a. For the budget year beginning July 1, 2009, the  
18 45 department of management shall add together the  
18 46 teacher compensation allocation made to each district  
18 47 for the fiscal year beginning July 1, 2008, pursuant  
18 48 to section 284.13, subsection 1, paragraph "h", and  
18 49 the phase II allocation made to each district for the  
18 50 fiscal year beginning July 1, 2008, pursuant to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

19 1 section 294A.9, and divide that sum by the district's  
19 2 budget enrollment in the fiscal year beginning July 1,  
19 3 2009, to determine the teacher salary supplement  
19 4 district cost per pupil. For the budget year  
19 5 beginning July 1, 2010, and succeeding budget years,  
19 6 the teacher salary supplement district cost per pupil  
19 7 for each school district for a budget year is the  
19 8 teacher salary supplement program district cost per  
19 9 pupil for the base year plus the teacher salary  
19 10 supplement state allowable growth amount for the  
19 11 budget year.

19 12 b. For the budget year beginning July 1, 2010, and  
19 13 succeeding budget years, if the department of  
19 14 management determines that the unadjusted teacher  
19 15 salary supplement district cost of a school district  
19 16 for a budget year is less than one hundred percent of  
19 17 the unadjusted teacher salary supplement district cost  
19 18 for the base year for the school district, the school  
19 19 district shall receive a budget adjustment for that  
19 20 budget year equal to the difference.

19 21 c. (1) The unadjusted teacher salary supplement  
19 22 district cost is the teacher salary supplement  
19 23 district cost per pupil for each school district for a  
19 24 budget year multiplied by the budget enrollment for  
19 25 that school district.

19 26 (2) The total teacher salary supplement district  
19 27 cost is the sum of the unadjusted teacher salary  
19 28 supplement district cost plus the budget adjustment  
19 29 for that budget year.

19 30 d. The use of the funds calculated under this  
19 31 subsection shall comply with the requirements of  
19 32 chapters 284 and 294A and shall be distributed to  
19 33 teachers pursuant to section 284.7.

19 34 NEW SUBSECTION. 10. PROFESSIONAL DEVELOPMENT  
19 35 SUPPLEMENT COST PER PUPIL AND DISTRICT COST.

19 36 a. For the budget year beginning July 1, 2009, the  
19 37 department of management shall divide the professional  
19 38 development allocation made to each district for the  
19 39 fiscal year beginning July 1, 2008, pursuant to  
19 40 section 284.13, by the district's budget enrollment in  
19 41 the fiscal year beginning July 1, 2009, to determine  
19 42 the professional development supplement cost per  
19 43 pupil. For the budget year beginning July 1, 2010,  
19 44 and succeeding budget years, the professional  
19 45 development supplement district cost per pupil for  
19 46 each school district for a budget year is the  
19 47 professional development supplement district cost per  
19 48 pupil for the base year plus the professional  
19 49 development supplement state allowable growth amount  
19 50 for the budget year.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

20 1 b. For the budget year beginning July 1, 2010, and  
20 2 succeeding budget years, if the department of  
20 3 management determines that the unadjusted professional  
20 4 development supplement district cost of a school  
20 5 district for a budget year is less than one hundred  
20 6 percent of the unadjusted professional development  
20 7 supplement district cost for the base year for the  
20 8 school district, the school district shall receive a  
20 9 budget adjustment for that budget year equal to the  
20 10 difference.

20 11 c. (1) The unadjusted professional development  
20 12 supplement district cost is the professional  
20 13 development supplement district cost per pupil for  
20 14 each school district for a budget year multiplied by  
20 15 the budget enrollment for that school district.

20 16 (2) The total professional development supplement  
20 17 district cost is the sum of the unadjusted  
20 18 professional development supplement district cost plus  
20 19 the budget adjustment for that budget year.

20 20 d. The use of the funds calculated under this  
20 21 subsection shall comply with the requirements of  
20 22 chapter 284.

20 23 NEW SUBSECTION. 11. EARLY INTERVENTION SUPPLEMENT  
20 24 COST PER PUPIL AND DISTRICT COST.

20 25 a. For the budget year beginning July 1, 2009, the  
20 26 department of management shall divide the early  
20 27 intervention allocation made to each district for the  
20 28 fiscal year beginning July 1, 2008, pursuant to  
20 29 section 256D.4, by the district's budget enrollment in  
20 30 the fiscal year beginning July 1, 2009, to determine  
20 31 the early intervention supplement cost per pupil. For  
20 32 the budget year beginning July 1, 2010, and succeeding  
20 33 budget years, the early intervention supplement  
20 34 district cost per pupil for each school district for a  
20 35 budget year is the early intervention supplement  
20 36 district cost per pupil for the base year plus the  
20 37 early development supplement state allowable growth  
20 38 amount for the budget year.

20 39 b. For the budget year beginning July 1, 2010, and  
20 40 succeeding budget years, if the department of  
20 41 management determines that the unadjusted early  
20 42 intervention supplement district cost of a school  
20 43 district for a budget year is less than one hundred  
20 44 percent of the unadjusted early intervention  
20 45 supplement district cost for the base year for the  
20 46 school district, the school district shall receive a  
20 47 budget adjustment for that budget year equal to the  
20 48 difference.

20 49 c. (1) The unadjusted early intervention  
20 50 supplement district cost is the early intervention



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

21 1 supplement district cost per pupil for each school  
21 2 district for a budget year multiplied by the budget  
21 3 enrollment for that school district.  
21 4 (2) The total early intervention supplement  
21 5 district cost is the sum of the unadjusted early  
21 6 intervention supplement district cost plus the budget  
21 7 adjustment for that budget year.  
21 8 d. The use of the funds calculated under this  
21 9 subsection shall comply with the requirements of  
21 10 chapter 256D.  
21 11 Sec. \_\_\_\_\_. Section 257.35, subsection 1, Code  
21 12 Supplement 2007, is amended to read as follows:  
21 13 1. The department of management shall deduct the  
21 14 amounts calculated for special education support  
21 15 services, media services, area education agency  
21 16 teacher salary supplement district cost, area  
21 17 education agency professional development supplement  
21 18 district cost, and educational services for each  
21 19 school district from the state aid due to the district  
21 20 pursuant to this chapter and shall pay the amounts to  
21 21 the respective area education agencies on a monthly  
21 22 basis from September 15 through June 15 during each  
21 23 school year. The department of management shall  
21 24 notify each school district of the amount of state aid  
21 25 deducted for these purposes and the balance of state  
21 26 aid shall be paid to the district. If a district does  
21 27 not qualify for state aid under this chapter in an  
21 28 amount sufficient to cover its amount due to the area  
21 29 education agency as calculated by the department of  
21 30 management, the school district shall pay the  
21 31 deficiency to the area education agency from other  
21 32 moneys received by the district, on a quarterly basis  
21 33 during each school year.  
21 34 Sec. \_\_\_\_\_. NEW SECTION. 257.37A AREA EDUCATION  
21 35 AGENCY SALARY SUPPLEMENT FUNDING.  
21 36 1. AREA EDUCATION AGENCY TEACHER SALARY SUPPLEMENT  
21 37 COST PER PUPIL AND DISTRICT COST.  
21 38 a. For the budget year beginning July 1, 2009, the  
21 39 department of management shall add together the  
21 40 teacher compensation allocation made to each area  
21 41 education agency for the fiscal year beginning July 1,  
21 42 2008, pursuant to section 284.13, subsection 1,  
21 43 paragraph "i", and the phase II allocation made to  
21 44 each area education agency for the fiscal year  
21 45 beginning July 1, 2008, pursuant to section 294A.9,  
21 46 and divide that sum by the special education support  
21 47 services weighted enrollment in the fiscal year  
21 48 beginning July 1, 2009, to determine the area  
21 49 education agency teacher salary supplement cost per  
21 50 pupil. For the budget year beginning July 1, 2010,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

22 1 and succeeding budget years, the area education agency  
22 2 teacher salary supplement district cost per pupil for  
22 3 each area education agency for a budget year is the  
22 4 area education agency teacher salary supplement  
22 5 district cost per pupil for the base year plus the  
22 6 area education agency teacher salary supplement state  
22 7 allowable growth amount for the budget year.  
22 8     b. For the budget year beginning July 1, 2010, and  
22 9 succeeding budget years, if the department of  
22 10 management determines that the unadjusted area  
22 11 education agency teacher salary supplement district  
22 12 cost of an area education agency for a budget year is  
22 13 less than one hundred percent of the unadjusted area  
22 14 education agency teacher salary supplement district  
22 15 cost for the base year for the area education agency,  
22 16 the area education agency shall receive a budget  
22 17 adjustment for that budget year equal to the  
22 18 difference.  
22 19     c. (1) The unadjusted area education agency  
22 20 teacher salary supplement district cost is the area  
22 21 education agency teacher salary supplement district  
22 22 cost per pupil for each area education agency for a  
22 23 budget year multiplied by the special education  
22 24 support services weighted enrollment for that area  
22 25 education agency.  
22 26     (2) The total area education agency teacher salary  
22 27 supplement district cost is the sum of the unadjusted  
22 28 area education agency teacher salary supplement  
22 29 district cost plus the budget adjustment for that  
22 30 budget year.  
22 31     d. The use of the funds calculated under this  
22 32 subsection shall comply with requirements of chapters  
22 33 284 and 294A and shall be distributed to teachers  
22 34 pursuant to section 284.7.  
22 35     2. AREA EDUCATION AGENCY PROFESSIONAL DEVELOPMENT  
22 36 SUPPLEMENT COST PER PUPIL AND DISTRICT COST.  
22 37     a. For the budget year beginning July 1, 2009, the  
22 38 department of management shall divide the area  
22 39 education agency professional development supplement  
22 40 made to each area education agency for the fiscal year  
22 41 beginning July 1, 2008, pursuant to section 284.13, by  
22 42 the special education support services weighted  
22 43 enrollment in the fiscal year beginning July 1, 2009,  
22 44 to determine the professional development supplement  
22 45 cost per pupil. For the budget year beginning July 1,  
22 46 2010, and succeeding budget years, the area education  
22 47 agency professional development supplement district  
22 48 cost per pupil for each area education agency for a  
22 49 budget year is the area education agency professional  
22 50 development supplement district cost per pupil for the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

23 1 base year plus the area education agency professional  
23 2 development supplement state allowable growth amount  
23 3 for the budget year.  
23 4 b. For the budget year beginning July 1, 2010, and  
23 5 succeeding budget years, if the department of  
23 6 management determines that the unadjusted area  
23 7 education agency professional development supplement  
23 8 district cost of an area education agency for a budget  
23 9 year is less than one hundred percent of the  
23 10 unadjusted area education agency professional  
23 11 development supplement district cost for the base year  
23 12 for the area education agency, the area education  
23 13 agency shall receive a budget adjustment for that  
23 14 budget year equal to the difference.  
23 15 c. (1) The unadjusted area education agency  
23 16 professional development supplement district cost is  
23 17 the area education agency professional development  
23 18 supplement district cost per pupil for each area  
23 19 education agency for a budget year multiplied by the  
23 20 special education support services weighted enrollment  
23 21 for that area education agency.  
23 22 (2) The total area education agency professional  
23 23 development supplement district cost is the sum of the  
23 24 unadjusted area education agency professional  
23 25 development supplement district cost plus the budget  
23 26 adjustment for that budget year.  
23 27 d. The use of the funds calculated under this  
23 28 subsection shall comply with requirements of chapter  
23 29 284.  
23 30 Sec. \_\_\_\_\_. NEW SECTION. 257.51 CATEGORICAL STATE  
23 31 APPROPRIATIONS.  
23 32 For the budget year beginning July 1, 2009, and  
23 33 succeeding budget years, if the general assembly makes  
23 34 an appropriation pursuant to section 284.13,  
23 35 subsection 1, paragraph "h" or "i", or for the phase  
23 36 II allocation pursuant to section 294A.9, or for  
23 37 professional development pursuant to section 284.13,  
23 38 subsection 1, paragraph "d", or for early intervention  
23 39 pursuant to section 256D.4, the department of  
23 40 management shall recalculate the formulas in section  
23 41 257.9, subsections 6 through 10; section 257.10,  
23 42 subsections 9, 10, and 11; and section 257.37A.  
23 43 Sec. \_\_\_\_\_. Section 294A.9, Code 2007, is amended to  
23 44 read as follows:  
23 45 294A.9 PHASE II PROGRAM.  
23 46 1. Phase II is established to improve the salaries  
23 47 of teachers.  
23 48 2. For each fiscal year beginning on or after July  
23 49 1, 1992, the per pupil amount upon which the phase II  
23 50 moneys are based is equal to the per pupil allocation



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

24 1 plus supplemental allocations for the immediately  
24 2 preceding fiscal year.  
24 3 3. The department of education shall certify the  
24 4 amounts of the allocations for each school district  
24 5 and area education agency to the department of  
24 6 administrative services and the department of  
24 7 administrative services shall make the payments to  
24 8 school districts and area education agencies.  
24 9 4. If a school district has discontinued grades  
24 10 under section 282.7, subsection 1, or students attend  
24 11 school in another school district, under an agreement  
24 12 with the board of the other school district, the board  
24 13 of directors of the district of residence either shall  
24 14 transmit the phase II moneys allocated to the district  
24 15 for those students based upon the full-time equivalent  
24 16 attendance of those students to the board of the  
24 17 school district of attendance of the students or shall  
24 18 transmit to the board of the school district of  
24 19 attendance of the students a portion of the phase II  
24 20 moneys allocated to the district of residence based  
24 21 upon an agreement between the board of the resident  
24 22 district and the board of the district of attendance.  
24 23 5. If a school district uses teachers under a  
24 24 contract between the district and the area education  
24 25 agency in which the district is located, the school  
24 26 district shall transmit to the employing area  
24 27 education agency a portion of its phase II allocation  
24 28 based upon the portion that the salaries of teachers  
24 29 employed by the area education agency and assigned to  
24 30 the school district for a school year bears to the  
24 31 total teacher salaries paid in the district for that  
24 32 school year, including the salaries of the teachers  
24 33 employed by the area education agency.  
24 34 6. If the school district or area education agency  
24 35 is organized under chapter 20 for collective  
24 36 bargaining purposes, the board of directors and  
24 37 certified bargaining representative for the licensed  
24 38 employees shall mutually agree upon a formula for  
24 39 distributing the phase II allocation among the  
24 40 teachers.  
24 41 7. For the school year beginning July 1, 1987,  
24 42 only, the parties shall follow the procedures  
24 43 specified in chapter 20 except that if the parties  
24 44 reach an impasse, neither impasse procedures agreed to  
24 45 by the parties nor sections 20.20 through 20.22 shall  
24 46 apply and the phase II allocation shall be divided as  
24 47 provided in section 294A.10. Negotiations under this  
24 48 section are subject to the scope of negotiations  
24 49 specified in section 20.9. If a board of directors  
24 50 and certified bargaining representative for licensed



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

25 1 employees have not reached mutual agreement by July  
25 2 15, 1987, for the distribution of the phase II  
25 3 payment, section 294A.10 will apply.  
25 4 8. If the school district or area education agency  
25 5 is not organized for collective bargaining purposes,  
25 6 the board of directors shall determine the method of  
25 7 distribution.  
25 8 9. Subsections 2, 3, 4, and 7 are repealed June  
25 9 30, 2009.

---

25 10 Sec. \_\_\_\_\_. Section 294A.10, Code 2007, is amended  
25 11 by adding the following new subsection:  
25 12 NEW SUBSECTION. 5. This section is repealed June  
25 13 30, 2009.  
25 14 Sec. \_\_\_\_\_. Section 294A.22, Code 2007, is amended  
25 15 to read as follows:  
25 16 294A.22 PAYMENTS.  
25 17 1. Payments for each phase of the educational  
25 18 excellence program shall be made by the department of  
25 19 administrative services on a monthly basis commencing  
25 20 on October 15 and ending on June 15 of each fiscal  
25 21 year, taking into consideration the relative budget  
25 22 and cash position of the state resources. The  
25 23 payments shall be separate from state aid payments  
25 24 made pursuant to sections 257.16 and 257.35. The  
25 25 payments made under this section to a school district  
25 26 or area education agency may be combined and a  
25 27 separate accounting of the amount paid for each  
25 28 program shall be included.  
25 29 2. Any payments made to school districts or area  
25 30 education agencies under this chapter are  
25 31 miscellaneous income for purposes of chapter 257.  
25 32 3. Payments made to a teacher by a school district  
25 33 or area education agency under this chapter are wages  
25 34 for the purposes of chapter 91A.  
25 35 4. If funds appropriated are insufficient to pay  
25 36 phase II allocations in full, the department of  
25 37 administrative services shall prorate payments to  
25 38 school districts and area education agencies.  
25 39 This subsection is repealed June 30, 2009.  
25 40 Sec. \_\_\_\_\_. Section 294A.25, subsection 1, Code  
25 41 2007, is amended to read as follows:  
25 42 1. For the fiscal year period beginning July 1,  
25 43 2003, and for each succeeding year ending June 30,  
25 44 2009, there is appropriated each fiscal year from the  
25 45 general fund of the state to the department of  
25 46 education the amount of fifty=six million eight  
25 47 hundred ninety=one thousand three hundred thirty=six  
25 48 dollars to be used to improve teacher salaries. The  
25 49 moneys shall be distributed as provided in this  
25 50 section.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Amendment 8652 continued

26 1       Sec. \_\_\_\_\_. Section 294A.25, Code 2007, is amended  
26 2 by adding the following new subsection:  
26 3       NEW SUBSECTION. 1A. For the fiscal year beginning  
26 4 July 1, 2009, and for each succeeding year, there is  
26 5 appropriated from the general fund of the state to the  
26 6 department of education an amount not to exceed  
26 7 fifteen million six hundred thirty=three thousand two  
26 8 hundred forty=five dollars. The moneys shall be  
26 9 distributed as provided in this section.  
26 10       Sec. \_\_\_\_\_. Section 294A.25, subsection 6, Code  
26 11 2007, is amended to read as follows:  
26 12       6. Except as otherwise provided in this section,  
26 13 for the fiscal ~~year~~ period beginning July 1, 2003, and  
26 14 ~~succeeding fiscal years~~ ending June 30, 2009, the  
26 15 remainder of moneys appropriated in subsection 1 to  
26 16 the department of education shall be deposited each  
26 17 fiscal year in the educational excellence fund to be  
26 18 allocated in an amount to meet the requirements of  
26 19 this chapter for phase I and phase II.  
26 20       Sec. \_\_\_\_\_. Section 294A.25, Code 2007, is amended  
26 21 by adding the following new subsection:  
26 22       NEW SUBSECTION. 6A. Except as otherwise provided  
26 23 in this section, for the fiscal year beginning July 1,  
26 24 2009, and succeeding fiscal years, the remainder of  
26 25 moneys appropriated in subsection 1 to the department  
26 26 of education shall be deposited in the educational  
26 27 excellence fund to be allocated in an amount to meet  
26 28 the requirements of this chapter for phase I.>  
26 29 #43. By renumbering, redesignating, and correcting  
26 30 internal references as necessary.  
26 31 HF 2679.S  
26 32 kh/ml/12



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced

HOUSE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 796)

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

A BILL FOR

1 An Act relating to the collection of delinquent debt owed the  
2 state and political subdivisions of the state by requiring  
3 offsets of gambling winnings, sanctioning of professional  
4 licenses, modifying provisions related to county attorney  
5 collections, writing off certain delinquent court debt,  
6 modifying provisions relating to the deposit of certain funds  
7 in the jury and witness fee fund, and making penalties  
8 applicable.  
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
10 TL5B 5215HV 82  
11 jm/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

PAG LIN

1 1 DIVISION I  
1 2 GAMBLING SETOFF  
1 3 Section 1. Section 99D.2, Code 2007, is amended by adding  
1 4 the following new subsection:  
1 5 NEW SUBSECTION. 2A. "Claimant agency" means a state  
1 6 agency as defined in section 8A.504, subsection 1, or the  
1 7 state court administrator as defined in section 602.1101.  
1 8 Sec. 2. Section 99D.7, Code 2007, is amended by adding the  
1 9 following new subsection:  
1 10 NEW SUBSECTION. 22A. To require licensees to establish a  
1 11 process with the state for licensees to have electronic access  
1 12 to names and social security numbers of debtors of claimant  
1 13 agencies through a secured interactive web site maintained by  
1 14 the state.  
1 15 Sec. 3. NEW SECTION. 99D.28 SETOFF.  
1 16 1. A licensee or a person acting on behalf of a licensee  
1 17 shall be provided electronic access to the names of the  
1 18 persons indebted to a claimant agency pursuant to the process  
1 19 established pursuant to section 99D.7, subsection 22A. The  
1 20 electronic access provided by the claimant agency shall  
1 21 include access to the names of the debtors, their social  
1 22 security numbers, and any other information that assists the  
1 23 licensee in identifying the debtors. If the name of a debtor  
1 24 provided to the licensee through electronic access is  
1 25 retrieved by the licensee, and the winnings are equal to or  
1 26 greater than ten thousand dollars per occurrence, the  
1 27 retrieval of such a name shall constitute a valid lien upon  
1 28 and claim of lien against the winnings of the debtor whose  
1 29 name is electronically retrieved from the claimant agency. If  
1 30 a debtor's winnings are equal to or greater than ten thousand  
1 31 dollars per occurrence, the full amount of the debt shall be  
1 32 collectible from any winnings due the debtor without regard to  
1 33 limitations on the amounts that may be collectible in  
1 34 increments through setoff or other proceedings.  
1 35 2. The licensee is authorized and directed to withhold any



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

2 1 winnings of a debtor which are paid out directly by the  
2 2 licensee subject to the lien created by this section and  
2 3 provide notice of such withholding to the winner when the  
2 4 winner appears and claims winnings in person. The licensee  
2 5 shall pay the funds over to the collection entity which  
2 6 administers the setoff program pursuant to section 8A.504.

2 7 3. Notwithstanding any other provision of law to the  
2 8 contrary, the licensee may provide to a claimant agency all  
2 9 information necessary to accomplish and effectuate the intent  
2 10 of this section, and likewise the claimant agency may provide  
2 11 all information necessary to accomplish and effectuate the  
2 12 intent of this section.

2 13 4. The information obtained by a claimant agency from the  
2 14 licensee in accordance with this section shall retain its  
2 15 confidentiality and shall only be used by a claimant agency in  
2 16 the pursuit of its debt collection duties and practices. An  
2 17 employee or prior employee of a claimant agency who unlawfully  
2 18 discloses any such information for any other purpose, except  
2 19 as otherwise specifically authorized by law, shall be subject  
2 20 to the penalties specified by law for unauthorized disclosure  
2 21 of confidential information by an agent or employee of the  
2 22 claimant agency.

2 23 5. The information obtained by a licensee from a claimant  
2 24 agency in accordance with this section shall retain its  
2 25 confidentiality and only be used by the licensee in the  
2 26 pursuit of debt collection duties and practices. An employee  
2 27 or prior employee of a licensee who unlawfully discloses any  
2 28 such information for any other purpose, except as otherwise  
2 29 specifically authorized by law, shall be subject to the same  
2 30 penalties specified by law for unauthorized disclosure of  
2 31 confidential information by an agent or employee of the  
2 32 licensee.

2 33 6. Except as otherwise provided in this chapter,  
2 34 attachments, setoffs, or executions authorized and issued  
2 35 pursuant to law shall be withheld if timely served upon the



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

3 1 licensee.

3 2 7. A claimant agency or licensee, acting in good faith,  
3 3 shall not be liable for actions taken to comply with this  
3 4 section.

3 5 Sec. 4. Section 99F.1, Code Supplement 2007, is amended by  
3 6 adding the following new subsection:

3 7 NEW SUBSECTION. 3A. "Claimant agency" means a state  
3 8 agency as defined in section 8A.504, subsection 1, or the  
3 9 state court administrator as defined in section 602.1101.

3 10 Sec. 5. Section 99F.4, Code Supplement 2007, is amended by  
3 11 adding the following new subsection:

3 12 NEW SUBSECTION. 26. To require licensees to establish a  
3 13 process with the state for licensees to have electronic access  
3 14 to names and social security numbers of debtors of claimant  
3 15 agencies through a secured interactive web site maintained by  
3 16 the state.

3 17 Sec. 6. NEW SECTION. 99F.19 SETOFF.

3 18 1. A licensee or a person acting on behalf of a licensee  
3 19 shall be provided electronic access to the names of the  
3 20 persons indebted to a claimant agency pursuant to the process  
3 21 established pursuant to section 99F.4, subsection 26. The  
3 22 electronic access provided by the claimant agency shall  
3 23 include access to the names of the debtors, their social  
3 24 security numbers, and any other information that assists the  
3 25 licensee in identifying the debtors. If the name of a debtor  
3 26 provided to the licensee through electronic access is  
3 27 retrieved by the licensee, and the winnings are equal to or  
3 28 greater than ten thousand dollars per occurrence, the  
3 29 retrieval of such a name shall constitute a valid lien upon  
3 30 and claim of lien against the winnings of the debtor whose  
3 31 name is electronically retrieved from the claimant agency. If  
3 32 a debtor's winnings are equal to or greater than ten thousand  
3 33 dollars per occurrence, the full amount of the debt shall be  
3 34 collectible from any winnings due the debtor without regard to  
3 35 limitations on the amounts that may be collectible in



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2698 - Introduced continued

4 1 increments through setoff or other proceedings.  
4 2 2. The licensee is authorized and directed to withhold any  
4 3 winnings of a debtor which are paid out directly by the  
4 4 licensee subject to the lien created by this section and  
4 5 provide notice of such withholding to the winner when the  
4 6 winner appears and claims winnings in person. The licensee  
4 7 shall pay the funds over to the collection entity which  
4 8 administers the setoff program pursuant to section 8A.504.  
4 9 3. Notwithstanding any other provision of law to the  
4 10 contrary, the licensee may provide to a claimant agency all  
4 11 information necessary to accomplish and effectuate the intent  
4 12 of this section, and likewise the claimant agency may provide  
4 13 all information necessary to accomplish and effectuate the  
4 14 intent of this section.  
4 15 4. The information obtained by a claimant agency from the  
4 16 licensee in accordance with this section shall retain its  
4 17 confidentiality and shall only be used by a claimant agency in  
4 18 the pursuit of its debt collection duties and practices. An  
4 19 employee or prior employee of a claimant agency who unlawfully  
4 20 discloses any such information for any other purpose, except  
4 21 as otherwise specifically authorized by law, shall be subject  
4 22 to the penalties specified by law for unauthorized disclosure  
4 23 of confidential information by an agent or employee of the  
4 24 claimant agency.  
4 25 5. The information obtained by a licensee from a claimant  
4 26 agency in accordance with this section shall retain its  
4 27 confidentiality and only be used by the licensee in the  
4 28 pursuit of debt collection duties and practices. An employee  
4 29 or prior employee of a licensee who unlawfully discloses any  
4 30 such information for any other purpose, except as otherwise  
4 31 specifically authorized by law, shall be subject to the same  
4 32 penalties specified by law for unauthorized disclosure of  
4 33 confidential information by an agent or employee of the  
4 34 licensee.  
4 35 6. Except as otherwise provided in this chapter,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

5 1 attachments, setoffs, or executions authorized and issued  
5 2 pursuant to law shall be withheld if timely served upon the  
5 3 licensee.

5 4 7. A claimant agency or licensee, acting in good faith,  
5 5 shall not be liable for actions taken to comply with this  
5 6 section.

5 7

DIVISION II

5 8

LICENSING SANCTIONS

5 9

Sec. 7. NEW SECTION. 272D.1 DEFINITIONS.

5 10

As used in this chapter, unless the context otherwise

5 11

requires:

5 12

1. "Certificate of noncompliance" means a document

5 13

provided by the unit certifying the named person has

5 14

outstanding liability placed with the unit and has not entered

5 15

into an approved payment plan to pay the liability.

5 16

2. "Liability" means a debt or obligation placed with the

5 17

unit for collection that is greater than one thousand dollars.

5 18

For purposes of this chapter "liability" does not include

5 19

support payments collected pursuant to chapter 252J.

5 20

3. "License" means a license, certification, registration,

5 21

permit, approval, renewal, or other similar authorization

5 22

issued to a person by a licensing authority which evidences

5 23

the admission to, or granting of authority to engage in, a

5 24

profession, occupation, business, industry, or recreation.

5 25

"License" includes licenses for hunting and fishing, or other

5 26

recreational activity.

5 27

4. "Licensee" means a person to whom a license has been

5 28

issued, or who is seeking the issuance of a license.

5 29

5. "Licensing authority" means the supreme court, or an

5 30

instrumentality, agency, board, commission, department,

5 31

officer, organization, or any other entity of the state, which

5 32

has authority within this state to suspend or revoke a license

5 33

or to deny the renewal or issuance of a license authorizing a

5 34

person to engage in a business, occupation, profession,

5 35

recreation, or industry.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

6 1 6. "Obligor" means a person with a liability placed with  
6 2 the unit.

6 3 7. "Person" means a licensee.

6 4 8. "Unit" means the centralized collection unit of the  
6 5 department of revenue.

6 6 9. "Withdrawal of a certificate of noncompliance" means a  
6 7 document provided by the unit certifying that the certificate  
6 8 of noncompliance is withdrawn and that the licensing authority  
6 9 may proceed with issuance, reinstatement, or renewal of the  
6 10 person's license.

6 11 Sec. 8. NEW SECTION. 272D.2 PURPOSE AND USE.

6 12 1. Notwithstanding other statutory provisions to the  
6 13 contrary, the unit may utilize the process established in this  
6 14 chapter to collect liabilities placed with the unit.

6 15 2. Actions initiated by the unit under this chapter shall  
6 16 not be subject to contested case proceedings or further review  
6 17 pursuant to chapter 17A and any resulting court hearing shall  
6 18 be an original hearing before the district court.

6 19 3. Notwithstanding chapter 22, all of the following apply:

6 20 a. Information obtained by the unit under this chapter  
6 21 shall be used solely for the purposes of this chapter.

6 22 b. Information obtained by a licensing authority under  
6 23 this chapter shall be used solely for the purposes of this  
6 24 chapter.

6 25 4. Notwithstanding any other law to the contrary,  
6 26 information shall be exchanged by a licensing authority and  
6 27 the unit to effectuate this chapter.

6 28 Sec. 9. NEW SECTION. 272D.3 NOTICE TO PERSON OF  
6 29 POTENTIAL SANCTION OF LICENSE.

6 30 The unit shall proceed in accordance with this chapter only  
6 31 if the unit sends a notice to the person by regular mail to  
6 32 the last known address of the person. The notice shall  
6 33 include all of the following:

6 34 1. The address and telephone number of the unit and the  
6 35 person's unit account number.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

7 1 2. A statement that the person may request a conference  
7 2 with the unit to contest the action.  
7 3 3. A statement that if, within twenty days of mailing of  
7 4 the notice to the person, the person fails to contact the unit  
7 5 to schedule a conference, the unit shall issue a certificate  
7 6 of noncompliance, bearing the person's name, social security  
7 7 number, and unit account number, to any appropriate licensing  
7 8 authority, certifying that the obligor has an outstanding  
7 9 liability placed with the unit.  
7 10 4. A statement that in order to stay the issuance of a  
7 11 certificate of noncompliance the request for a conference  
7 12 shall be in writing and shall be received by the unit within  
7 13 twenty days of mailing of the notice to the person.  
7 14 5. The names of the licensing authorities to which the  
7 15 unit intends to issue a certificate of noncompliance.  
7 16 6. A statement that if the unit issues a certificate of  
7 17 noncompliance to an appropriate licensing authority, the  
7 18 licensing authority shall initiate proceedings to refuse to  
7 19 issue or renew, or to suspend or revoke the person's license,  
7 20 unless the unit provides the licensing authority with a  
7 21 withdrawal of a certificate of noncompliance.  
7 22 Sec. 10. NEW SECTION. 272D.4 CONFERENCE.  
7 23 1. The person may schedule a conference with the unit  
7 24 following mailing of the notice pursuant to section 272D.3, or  
7 25 at any time after service of notice of suspension, revocation,  
7 26 denial of issuance, or nonrenewal of a license from a  
7 27 licensing authority, to challenge the unit's actions under  
7 28 this chapter.  
7 29 2. The request for a conference shall be made to the unit,  
7 30 in writing, and, if requested after mailing of the notice  
7 31 pursuant to section 272D.3, shall be received by the unit  
7 32 within twenty days following mailing of the notice.  
7 33 3. The unit shall notify the person of the date, time, and  
7 34 location of the conference by regular mail, with the date of  
7 35 the conference to be no earlier than ten days following



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

8 1 issuance of notice of the conference by the unit. If the  
8 2 person fails to appear at the conference, the unit shall issue  
8 3 a certificate of noncompliance.

8 4 4. Following the conference, the unit shall issue a  
8 5 certificate of noncompliance unless any of the following  
8 6 applies:

8 7 a. The unit finds a mistake in the identity of the person.

8 8 b. The unit finds a mistake in determining the amount of  
8 9 the liability.

8 10 c. The unit determines the amount of the liability is not  
8 11 greater than one thousand dollars.

8 12 d. The obligor enters into an acceptable payment plan.

8 13 e. Issuance of a certificate of noncompliance is not  
8 14 appropriate under other criteria established in accordance  
8 15 with rules adopted by the department of revenue pursuant to  
8 16 chapter 17A.

8 17 5. The unit shall grant the person a stay of the issuance  
8 18 of a certificate of noncompliance upon receiving a timely  
8 19 written request for a conference, and if a certificate of  
8 20 noncompliance has previously been issued, shall issue a  
8 21 withdrawal of a certificate of noncompliance if the obligor  
8 22 enters into a written agreement with the unit to pay the  
8 23 liability.

8 24 6. If the person does not timely request a conference or  
8 25 does not pay the total amount of liability owed within twenty  
8 26 days of mailing of the notice pursuant to section 272D.3, the  
8 27 unit shall issue a certificate of noncompliance.

8 28 Sec. 11. NEW SECTION. 272D.5 WRITTEN AGREEMENT.

8 29 1. The obligor and the unit may enter into a written  
8 30 agreement for payment of the liability owed which takes into  
8 31 consideration the obligor's ability to pay and other criteria  
8 32 established by rule of the department of revenue. The written  
8 33 agreement shall include all of the following:

8 34 a. The method, amount, and dates of payments by the  
8 35 obligor.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

9 1 b. A statement that upon breach of the written agreement  
9 2 by the obligor, the unit shall issue a certificate of  
9 3 noncompliance to any appropriate licensing authority.  
9 4 2. A written agreement entered into pursuant to this  
9 5 section does not preclude any other remedy provided by law.  
9 6 3. Following issuance of a certificate of noncompliance,  
9 7 if the obligor enters into a written agreement with the unit,  
9 8 the unit shall issue a withdrawal of the certificate of  
9 9 noncompliance to any appropriate licensing authority and shall  
9 10 forward a copy of the withdrawal by regular mail to the  
9 11 obligor.  
9 12 Sec. 12. NEW SECTION. 272D.6 DECISION OF THE UNIT.  
9 13 1. If the unit mails a notice to a person pursuant to  
9 14 section 272D.3, and the person requests a conference pursuant  
9 15 to section 272D.4, the unit shall issue a written decision if  
9 16 any of the following conditions exist:  
9 17 a. The person fails to appear at a scheduled conference  
9 18 under section 272D.4.  
9 19 b. A conference is held under section 272D.4.  
9 20 c. The obligor fails to comply with a written agreement  
9 21 entered into by the obligor and the unit under section 272D.5.  
9 22 2. The unit shall send a copy of the written decision to  
9 23 the person by regular mail at the person's most recent address  
9 24 of record. If the decision is made to issue a certificate of  
9 25 noncompliance or to withdraw the certificate of noncompliance,  
9 26 a copy of the certificate of noncompliance or of the  
9 27 withdrawal of the certificate of noncompliance shall be  
9 28 attached to the written decision. The written decision shall  
9 29 state all of the following:  
9 30 a. That the certificate of noncompliance or withdrawal of  
9 31 the certificate of noncompliance has been provided to the  
9 32 licensing authorities named in the notice provided pursuant to  
9 33 section 272D.3.  
9 34 b. That upon receipt of a certificate of noncompliance,  
9 35 the licensing authority shall initiate proceedings to suspend,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

10 1 revoke, deny issuance, or deny renewal of a license, unless  
10 2 the licensing authority is provided with a withdrawal of a  
10 3 certificate of noncompliance from the unit.  
10 4 c. That in order to obtain a withdrawal of a certificate  
10 5 of noncompliance from the unit, the obligor shall enter into a  
10 6 written agreement with the unit, comply with an existing  
10 7 written agreement with the unit, or pay the total amount of  
10 8 liability owed.  
10 9 d. That if the unit issues a written decision which  
10 10 includes a certificate of noncompliance, the person may  
10 11 request a hearing as provided in section 272D.9, before the  
10 12 district court. The person may retain an attorney at the  
10 13 person's own expense to represent the person at the hearing.  
10 14 The review of the district court shall be limited to  
10 15 demonstration of a mistake of fact related to the amount of  
10 16 the liability owed or the identity of the person.  
10 17 3. If the unit issues a certificate of noncompliance, the  
10 18 unit shall only issue a withdrawal of the certificate of  
10 19 noncompliance if any of the following applies:  
10 20 a. The unit or the court finds a mistake in the identity  
10 21 of the person.  
10 22 b. The unit or the court finds a mistake in the amount  
10 23 owed.  
10 24 c. The obligor enters into a written agreement with the  
10 25 unit to pay the liability owed, the obligor complies with an  
10 26 existing written agreement, or the obligor pays the total  
10 27 amount of liability owed.  
10 28 d. Issuance of a withdrawal of the certificate of  
10 29 noncompliance is appropriate under other criteria in  
10 30 accordance with rules adopted by the department of revenue  
10 31 pursuant to chapter 17A.  
10 32 Sec. 13. NEW SECTION. 272D.7 CERTIFICATE OF  
10 33 NONCOMPLIANCE == CERTIFICATION TO LICENSING AUTHORITY.  
10 34 1. If a person fails to respond to a notice of potential  
10 35 license sanction provided pursuant to section 272D.3 or the



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

11 1 unit issues a written decision under section 272D.6 which  
11 2 states that the person is not in compliance, the unit shall  
11 3 issue a certificate of noncompliance to any appropriate  
11 4 licensing authority.

11 5 2. The certificate of noncompliance shall contain the  
11 6 person's name and social security number.

11 7 3. The certificate of noncompliance shall require all of  
11 8 the following:

11 9 a. That the licensing authority initiate procedures for  
11 10 the revocation or suspension of the person's license, or for  
11 11 the denial of the issuance or renewal of a license using the  
11 12 licensing authority's procedures.

11 13 b. That the licensing authority provide notice to the  
11 14 person, as provided in section 272D.8, of the intent to  
11 15 suspend, revoke, deny issuance, or deny renewal of a license  
11 16 including the effective date of the action. The suspension,  
11 17 revocation, or denial shall be effective no sooner than thirty  
11 18 days following provision of notice to the person.

11 19 Sec. 14. NEW SECTION. 272D.8 REQUIREMENTS AND PROCEDURES  
11 20 OF LICENSING AUTHORITY.

11 21 1. A licensing authority shall maintain records of  
11 22 licensees by name, current known address, and social security  
11 23 number. The records shall be made available to the unit in an  
11 24 electronic format in order for the unit to match the names of  
11 25 the persons with any liability placed with the unit for  
11 26 collection.

11 27 2. In addition to other grounds for suspension,  
11 28 revocation, or denial of issuance or renewal of a license, a  
11 29 licensing authority shall include in rules adopted by the  
11 30 licensing authority as grounds for suspension, revocation, or  
11 31 denial of issuance or renewal of a license, the receipt of a  
11 32 certificate of noncompliance from the unit.

11 33 3. The supreme court shall prescribe rules for admission  
11 34 of persons to practice as attorneys and counselors pursuant to  
11 35 chapter 602, article 10, which include provisions, as



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

12 1 specified in this chapter, for the denial, suspension, or  
12 2 revocation of the admission for failure to pay a liability  
12 3 placed with the unit.  
12 4 4. a. A licensing authority that is issued a certificate  
12 5 of noncompliance shall initiate procedures for the suspension,  
12 6 revocation, or denial of issuance or renewal of licensure to a  
12 7 person. The licensing authority shall utilize existing rules  
12 8 and procedures for suspension, revocation, or denial of the  
12 9 issuance or renewal of a license.  
12 10 b. In addition, the licensing authority shall provide  
12 11 notice to the person of the licensing authority's intent to  
12 12 suspend, revoke, or deny issuance or renewal of a license  
12 13 under this chapter. The suspension, revocation, or denial  
12 14 shall be effective no sooner than thirty days following  
12 15 provision of notice to the person. The notice shall state all  
12 16 of the following:  
12 17 (1) The licensing authority intends to suspend, revoke, or  
12 18 deny issuance or renewal of a person's license due to the  
12 19 receipt of a certificate of noncompliance from the unit.  
12 20 (2) The person must contact the unit to schedule a  
12 21 conference or to otherwise obtain a withdrawal of a  
12 22 certificate of noncompliance.  
12 23 (3) Unless the unit furnishes a withdrawal of a  
12 24 certificate of noncompliance to the licensing authority within  
12 25 thirty days of the issuance of the notice under this section,  
12 26 the person's license will be revoked, suspended, or denied.  
12 27 (4) If the licensing authority's rules and procedures  
12 28 conflict with the additional requirements of this section, the  
12 29 requirements of this section shall apply. Notwithstanding  
12 30 section 17A.18, the person does not have a right to a hearing  
12 31 before the licensing authority to contest the authority's  
12 32 actions under this chapter but may request a court hearing  
12 33 pursuant to section 272D.9 within thirty days of the provision  
12 34 of notice under this section.  
12 35 5. If the licensing authority receives a withdrawal of a



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

13 1 certificate of noncompliance from the unit, the licensing  
13 2 authority shall immediately reinstate, renew, or issue a  
13 3 license if the person is otherwise in compliance with  
13 4 licensing requirements established by the licensing authority.

13 5 Sec. 15. NEW SECTION. 272D.9 DISTRICT COURT HEARING.

13 6 1. Following the issuance of a written decision by the  
13 7 unit under section 272D.6 which includes the issuance of a  
13 8 certificate of noncompliance, or following provision of notice  
13 9 to the person by a licensing authority pursuant to section  
13 10 272D.8, a person may seek review of the decision and request a  
13 11 hearing before the district court by filing an application  
13 12 with the district court in the county where the majority of  
13 13 the liability was incurred, and sending a copy of the  
13 14 application to the unit by regular mail.

13 15 2. An application shall be filed to seek review of the  
13 16 decision by the unit or following issuance of notice by the  
13 17 licensing authority no later than within thirty days after the  
13 18 issuance of the notice pursuant to section 272D.8. The clerk  
13 19 of the district court shall schedule a hearing and mail a copy  
13 20 of the order scheduling the hearing to the person and the unit  
13 21 and shall also mail a copy of the order to the licensing  
13 22 authority, if applicable. The unit shall certify a copy of  
13 23 its written decision and certificate of noncompliance,  
13 24 indicating the date of issuance, and the licensing authority  
13 25 shall certify a copy of a notice issued pursuant to section  
13 26 272D.8, to the court prior to the hearing.

13 27 3. The filing of an application pursuant to this section  
13 28 shall automatically stay the actions of a licensing authority  
13 29 pursuant to section 272D.8. The hearing on the application  
13 30 shall be scheduled and held within thirty days of the filing  
13 31 of the application. However, if the person fails to appear at  
13 32 the scheduled hearing, the stay shall be lifted and the  
13 33 licensing authority shall continue procedures pursuant to  
13 34 section 272D.8.

13 35 4. The scope of review by the district court shall be



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

14 1 limited to demonstration of the amount of the liability owed  
14 2 or the identity of the person.  
14 3 5. If the court finds that the unit was in error in  
14 4 issuing a certificate of noncompliance, or in failing to issue  
14 5 a withdrawal of a certificate of noncompliance, the unit shall  
14 6 issue a withdrawal of a certificate of noncompliance to the  
14 7 appropriate licensing authority.

14 8 DIVISION III  
14 9 COLLECTION OF DEBT

14 10 Sec. 16. Section 96.11, subsection 6, paragraph b,  
14 11 subparagraph (3), Code Supplement 2007, is amended to read as  
14 12 follows:

14 13 (3) Information obtained from an employing unit or  
14 14 individual in the course of administering this chapter and an  
14 15 initial determination made by a representative of the  
14 16 department under section 96.6, subsection 2, as to benefit  
14 17 rights of an individual shall not be used in any action or  
14 18 proceeding, except in a contested case proceeding or judicial  
14 19 review under chapter 17A. However, the department shall make  
14 20 information, which is obtained from an employing unit or  
14 21 individual in the course of administering this chapter and  
14 22 which relates to the employment and wage history of the  
14 23 individual, available to a county attorney for the county  
14 24 attorney's use in the performance of duties under section  
14 25 331.756, subsection 5, or section 602.8107. The department  
14 26 shall make such information electronically accessible to the  
14 27 county attorney at the county attorney's office, if requested,  
14 28 provided the county attorney's office pays the cost of the  
14 29 installation of the equipment to provide such access.

14 30 Information in the department's possession which may affect a  
14 31 claim for benefits or a change in an employer's rating account  
14 32 shall be made available to the interested parties. The  
14 33 information may be used by the interested parties in a  
14 34 proceeding under this chapter to the extent necessary for the  
14 35 proper presentation or defense of a claim.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

15 1 Sec. 17. NEW SECTION. 321.11A PERSONAL INFORMATION  
15 2 DISCLOSURE == EXCEPTION.  
15 3 1. Notwithstanding section 321.11, the department, upon  
15 4 request, shall provide personal information that identifies a  
15 5 person by the social security number of the person to the  
15 6 following:  
15 7 a. The department of revenue for the purpose of collecting  
15 8 debt.  
15 9 b. The judicial branch for the purpose of collecting court  
15 10 debt pursuant to section 602.8107.  
15 11 c. The department of administrative services for the  
15 12 purpose of administering the setoff program pursuant to  
15 13 section 8A.504.  
15 14 2. The social security number obtained by the department  
15 15 of revenue or the judicial branch shall retain its  
15 16 confidentiality and shall only be used for the purposes  
15 17 provided in this section.  
15 18 Sec. 18. Section 321.40, Code Supplement 2007, is amended  
15 19 by adding the following new subsection:  
15 20 NEW SUBSECTION. 9. a. The county treasurer shall refuse  
15 21 to renew the registration of a vehicle registered to the  
15 22 applicant if the county treasurer has been notified by the  
15 23 clerk of the district court that the applicant has delinquent  
15 24 court debt, as defined in section 602.8107, which is being  
15 25 collected by the county attorney pursuant to section 602.8107,  
15 26 subsection 4.  
15 27 b. If the applicant enters into or renews a payment plan  
15 28 that is satisfactory to the county attorney or the county  
15 29 attorney's designee, the county attorney shall provide the  
15 30 department with written or electronic notice of the payment  
15 31 plan within five days of entering into such a plan. The  
15 32 county treasurer shall temporarily lift the registration hold  
15 33 on an applicant for a period of ten days if the treasurer  
15 34 receives such notice in order to allow the applicant to  
15 35 register a vehicle for the year. If the applicant remains



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

16 1 current with the payment plan entered into with the county  
16 2 attorney or the county attorney's designee, subsequent lifts  
16 3 of registration holds shall be granted without additional  
16 4 restrictions.  
16 5 Sec. 19. Section 321.210B, subsections 1 and 11, Code  
16 6 Supplement 2007, are amended to read as follows:  
16 7 1. If a person's fine, penalty, surcharge, or court cost  
16 8 is deemed delinquent as provided in section 602.8107,  
16 9 subsection ~~3~~ 2, and the person's driver's license has been  
16 10 suspended pursuant to section 321.210A, the person may execute  
16 11 an installment agreement with the county attorney or the  
16 12 county attorney's designee to pay the delinquent amount and  
16 13 the fee assessed in subsection 7 in installments. Prior to  
16 14 execution of the installment agreement, the person shall  
16 15 provide the county attorney or the county attorney's designee  
16 16 with a financial statement in order for the parties to the  
16 17 agreement to determine the amount of the installment payments.  
16 18 11. If a new fine, penalty, surcharge, or court cost is  
16 19 imposed on a person after the person has executed an  
16 20 installment agreement with the county attorney or the county  
16 21 attorney's designee, and the new fine, penalty, surcharge, or  
16 22 court cost is deemed delinquent as provided in section  
16 23 602.8107, subsection ~~3~~ 2, and the person's driver's license  
16 24 has been suspended pursuant to section 321.210A, the person  
16 25 may enter into a second installment agreement with the county  
16 26 attorney or county attorney's designee to pay the delinquent  
16 27 amount and the fee, if assessed, in subsection 7 in  
16 28 installments.  
16 29 Sec. 20. Section 331.756, subsection 5, paragraph e, Code  
16 30 Supplement 2007, is amended by striking the paragraph.  
16 31 Sec. 21. Section 602.8102, Code Supplement 2007, is  
16 32 amended by adding the following new subsection:  
16 33 NEW SUBSECTION. 105B. Facilitate the collection of court  
16 34 debt pursuant to section 602.8107.  
16 35 Sec. 22. Section 602.8107, Code Supplement 2007, is



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

17 1 amended by striking the section and inserting in lieu thereof  
17 2 the following:

17 3 602.8107 COLLECTION OF COURT DEBT.

17 4 1. As used in this section, "court debt" means all fines,  
17 5 penalties, court costs, fees, forfeited bail, surcharges under  
17 6 chapter 911, victim restitution, restitution for  
17 7 court-appointed attorney fees or for expenses of a public  
17 8 defender, or fees charged pursuant to section 356.7 or  
17 9 904.108.

17 10 2. CLERK OF THE DISTRICT COURT COLLECTION. Court debt  
17 11 shall be owed and payable to the clerk of the district court.  
17 12 All amounts collected shall be distributed pursuant to  
17 13 sections 602.8106 and 602.8108 or as otherwise provided by  
17 14 this Code. The clerk may accept payment of an obligation or a  
17 15 portion thereof by credit card. Any fees charged to the clerk  
17 16 with respect to payment by credit card may be paid from  
17 17 receipts collected by credit card.

17 18 a. If the clerk receives payment from a person who is an  
17 19 inmate at a correctional institution or who is under the  
17 20 supervision of a judicial district department of correctional  
17 21 services, the payment shall be applied to the balance owed  
17 22 under the identified case number of the case which has  
17 23 resulted in the placement of the person at a correctional  
17 24 institution or under the supervision of the judicial district  
17 25 department of correctional services.

17 26 b. If a case number is not identified, the clerk shall  
17 27 apply the payment to the balance owed in the criminal case  
17 28 with the oldest judgment against the person.

17 29 c. Payments received under this section shall be applied  
17 30 in the following priority order:

17 31 (1) Pecuniary damages as defined in section 910.1,  
17 32 subsection 3.

17 33 (2) Fines or penalties and criminal penalty and law  
17 34 enforcement initiative surcharges.

17 35 (3) Crime victim compensation program reimbursement.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

18 1       (4) Court costs, including correctional fees assessed  
18 2 pursuant to sections 356.7 and 904.108, court-appointed  
18 3 attorney fees, or public defender expenses.  
18 4       d. The court debt is deemed delinquent if it is not paid  
18 5 within thirty days after the date it is assessed. An amount  
18 6 which was ordered by the court to be paid on a date fixed in  
18 7 the future pursuant to section 909.3 is deemed delinquent if  
18 8 it is not received by the clerk within thirty days after the  
18 9 fixed future date set out in the court order. If an amount  
18 10 was ordered to be paid by installments, and an installment is  
18 11 not received within thirty days after the date it is due, the  
18 12 entire amount of the court debt is deemed delinquent.  
18 13       3. COLLECTION BY CENTRALIZED COLLECTION UNIT OF DEPARTMENT  
18 14 OF REVENUE. Thirty days after court debt has been assessed,  
18 15 or if an installment payment is not received within thirty  
18 16 days after the date it is due, the judicial branch may assign  
18 17 a case to the centralized collection unit of the department of  
18 18 revenue or its designee to collect debts owed to the clerk of  
18 19 the district court for a period of sixty days. In addition,  
18 20 court debt which is being collected under an installment  
18 21 agreement pursuant to section 321.210B which is in default  
18 22 that remains delinquent may also be assigned to the  
18 23 centralized collection unit of the department of revenue or  
18 24 its designee.  
18 25       a. The department of revenue may impose a fee established  
18 26 by rule to reflect the cost of processing which shall be added  
18 27 to the debt owed to the clerk of the district court. Any  
18 28 amounts collected by the unit shall first be applied to the  
18 29 processing fee. The remaining amounts shall be remitted to  
18 30 the clerk of the district court for the county in which the  
18 31 debt is owed. The judicial branch may prescribe rules to  
18 32 implement this subsection. These rules may provide for  
18 33 remittance of processing fees to the department of revenue or  
18 34 its designee.  
18 35       b. Satisfaction of the outstanding court debt occurs only



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2698 - Introduced continued

19 1 when all fees or charges and the outstanding court debt is  
19 2 paid in full. Payment of the outstanding court debt only  
19 3 shall not be considered payment in full for satisfaction  
19 4 purposes.  
19 5 c. The department of revenue or its collection designee  
19 6 shall file with the clerk of the district court a notice of  
19 7 the satisfaction of each portion of the court debt to the full  
19 8 extent of the moneys collected in satisfaction of the court  
19 9 debt. The clerk of the district court shall record the notice  
19 10 and enter a satisfaction for the amounts collected.  
19 11 4. COUNTY ATTORNEY COLLECTION. The county attorney or the  
19 12 county attorney's designee may collect court debt sixty days  
19 13 after the court debt is deemed delinquent pursuant to  
19 14 subsection 2. In order to receive a percentage of the amounts  
19 15 collected pursuant to this subsection, the county attorney  
19 16 must file annually with the clerk of the district court on or  
19 17 before July 1 a notice of full commitment to collect  
19 18 delinquent court debt and must file on the first day of each  
19 19 month a list of the cases in which the county attorney or the  
19 20 county attorney's designee is pursuing the collection of  
19 21 delinquent court debt. The list shall include a list of cases  
19 22 where delinquent court debt is being collected under an  
19 23 installment agreement pursuant to section 321.210B, and a list  
19 24 of cases in default which are no longer being collected under  
19 25 an installment agreement but remain delinquent. The annual  
19 26 notice shall contain a list of procedures which will be  
19 27 initiated by the county attorney.  
19 28 a. This subsection does not apply to amounts collected for  
19 29 victim restitution, the victim compensation fund, the criminal  
19 30 penalty surcharge, the law enforcement initiative surcharge,  
19 31 county enforcement surcharge, amounts collected as a result of  
19 32 procedures initiated under subsection 5 or under section  
19 33 8A.504, or fees charged pursuant to section 356.7.  
19 34 b. Amounts collected by the county attorney or the county  
19 35 attorney's designee shall be distributed in accordance with



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

20 1 paragraphs "c" and "d".

20 2     c. (1) Forty percent of the amounts collected by the  
20 3 county attorney or the person procured or designated by the  
20 4 county attorney shall be deposited in the general fund of the  
20 5 county if the county attorney has filed the notice required by  
20 6 this subsection, unless the county attorney has discontinued  
20 7 collection efforts on a particular delinquent amount.

20 8     (2) Of the remainder, the following amounts shall be paid  
20 9 each fiscal year to the clerk of the district court for  
20 10 distribution under section 602.8108:

20 11     (a) For a county with a population equal to or greater  
20 12 than one hundred thousand, an amount up to five hundred  
20 13 thousand dollars.

20 14     (b) For a county with a population less than one hundred  
20 15 thousand, an amount up to two hundred fifty thousand dollars.

20 16     (3) If the threshold amount has been distributed pursuant  
20 17 to subparagraph (2), the remainder shall be distributed to the  
20 18 individual county as provided in paragraph "d".

20 19     d. Any additional moneys collected by an individual county  
20 20 after the threshold amount in paragraph "c" has been  
20 21 distributed shall be distributed by the state court  
20 22 administrator as follows: forty percent of any additional  
20 23 moneys collected by the county attorney or the person procured  
20 24 or designated by the county attorney shall be deposited in the  
20 25 general fund of the county where the moneys were collected;  
20 26 twenty percent of the remainder collected by the county  
20 27 attorney or the person procured or designated by the county  
20 28 attorney shall be deposited with the office of the county  
20 29 attorney that collected the moneys; and the remainder shall be  
20 30 paid to the clerk of the district court for distribution under  
20 31 section 602.8108 or the state court administrator may  
20 32 distribute the remainder under section 602.8108 if the  
20 33 additional moneys have already been received by the state  
20 34 court administrator.

20 35     e. The county attorney shall file with the clerk of the



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

21 1 district court a notice of the satisfaction of each portion of  
21 2 the court debt to the full extent of the moneys collected in  
21 3 satisfaction of the court debt. The clerk of the district  
21 4 court shall record the notice and enter a satisfaction for the  
21 5 amounts collected.

21 6 5. ASSIGNMENT TO PRIVATE COLLECTION DESIGNEE.

21 7 a. The judicial branch may contract with a private  
21 8 collection designee for the collection of court debt sixty  
21 9 days after the court debt in a case is deemed delinquent  
21 10 pursuant to subsection 2 if the county attorney is not  
21 11 collecting the court debt in a case pursuant to subsection 4.

21 12 b. The contract shall provide for a collection fee equal  
21 13 to twenty-five percent of the amount of the court debt in a  
21 14 case deemed delinquent. The collection fee as calculated  
21 15 shall be added to the amount of the court debt deemed  
21 16 delinquent. The amount of the court debt deemed delinquent  
21 17 and the collection fee shall be owed by and collected from the  
21 18 defendant. The collection fee shall be used to compensate the  
21 19 private collection designee. The contract may also assess the  
21 20 private collection designee an initial fee for entering into  
21 21 the contract.

21 22 c. The judicial branch may consult with the department of  
21 23 revenue and the department of administrative services when  
21 24 entering into the contract with the private collection  
21 25 designee.

21 26 d. Subject to the provisions of paragraph "b", the amounts  
21 27 collected pursuant to this subsection shall be distributed as  
21 28 provided in subsection 2. Any initial fee collected by the  
21 29 judicial branch shall be deposited into the general fund of  
21 30 the state.

21 31 e. The judicial branch or the private collection designee  
21 32 shall file with the clerk of the district court a notice of  
21 33 the satisfaction of each portion of the court debt to the full  
21 34 extent of the moneys collected in satisfaction of the court  
21 35 debt. The clerk of the district court shall record the notice



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

22 1 and enter a satisfaction for the amounts collected.  
22 2 6. WRITE OFF OF OLD DEBT. If any portion of the court  
22 3 debt in a case remains uncollected after sixty=five years from  
22 4 the date of imposition, the judicial branch shall write off  
22 5 the debt as uncollectible and close the case file for the  
22 6 purposes of collection pursuant to this section.  
22 7 7. REPORTS. The judicial branch shall prepare a report  
22 8 aging the court debt. The report shall include the amounts  
22 9 collected by the private collection designee, the distribution  
22 10 of these amounts, and the amount of the fee collected by the  
22 11 private collection designee. In addition, the report shall  
22 12 include the amounts written off pursuant to subsection 6. The  
22 13 judicial branch shall provide the report to the  
22 14 co=chairpersons and ranking members of the joint  
22 15 appropriations subcommittee on the justice system, the  
22 16 legislative services agency, and the department of management  
22 17 by December 15 of each year.  
22 18 Sec. 23. NEW SECTION. 901.5C PRONOUNCEMENT OF JUDGMENT  
22 19 AND SENTENCE == SOCIAL SECURITY NUMBER.  
22 20 1. Prior to pronouncement of judgment and sentence  
22 21 pursuant to section 901.5, or prior to pleading guilty for an  
22 22 offense that does not require a court appearance, the  
22 23 defendant shall provide the defendant's social security number  
22 24 to the clerk of the district court or the court.  
22 25 2. The clerk of the district court shall duly note the  
22 26 social security number in the case file.  
22 27 3. The defendant's social security number shall be  
22 28 considered a confidential record exempted from public access  
22 29 under section 22.7, but shall be disclosed by the clerk of the  
22 30 district court for the limited purpose of collecting court  
22 31 debt pursuant to section 602.8107.  
22 32 4. Failure or refusal to provide a social security number  
22 33 pursuant to this section shall not delay the pronouncement of  
22 34 judgment and sentence pursuant to section 901.5.  
22 35 Sec. 24. Section 907.7, Code 2007, is amended to read as



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

23 1 follows:

23 2 907.7 LENGTH OF PROBATION.

23 3 1. The length of the probation shall be for a term as the  
23 4 court shall fix but not to exceed five years if the offense is  
23 5 a felony or not to exceed two years if the offense is a  
23 6 misdemeanor.

23 7 2. The length of the probation shall not be less than one  
23 8 year if the offense is a misdemeanor and shall not be less  
23 9 than two years if the offense is a felony.

23 10 3. ~~However, the~~ The court may subsequently reduce the  
23 11 length of the probation if the court determines that the  
23 12 purposes of probation have been fulfilled and the fees imposed  
23 13 under section 905.14 have been paid to or waived by the  
23 14 judicial district department of correctional services and that  
23 15 court debt collected pursuant to section 602.8107 has been

23 16 paid. The purposes of probation are to provide maximum  
23 17 opportunity for the rehabilitation of the defendant and to  
23 18 protect the community from further offenses by the defendant  
23 19 and others.

23 20 4. In determining the length of the probation, the court  
23 21 shall determine what period is most likely to provide maximum  
23 22 opportunity for the rehabilitation of the defendant, to allow  
23 23 enough time to determine whether or not rehabilitation has  
23 24 been successful, and to protect the community from further  
23 25 offenses by the defendant and others.

23 26 Sec. 25. Section 907.9, subsections 1, 2, and 4, Code  
23 27 2007, are amended to read as follows:

23 28 1. At any time that the court determines that the purposes  
23 29 of probation have been fulfilled and ~~any~~ fees imposed under  
23 30 ~~sections 815.9 and section 905.14~~ and court debt collected  
23 31 pursuant to section 602.8107 have been paid, the court may  
23 32 order the discharge of a person from probation.

23 33 2. At any time that a probation officer determines that  
23 34 the purposes of probation have been fulfilled and ~~any~~ fees  
23 35 imposed under ~~sections 815.9 and section 905.14~~ and court debt



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

24 1 collected pursuant to section 602.8107 have been paid, the  
24 2 officer may order the discharge of a person from probation  
24 3 after approval of the district director and notification of  
24 4 the sentencing court and the county attorney who prosecuted  
24 5 the case.  
24 6 4. At the expiration of the period of probation ~~and~~ if the  
24 7 fees imposed under ~~sections 815.9 and~~ section 905.14 and court  
24 8 debt collected pursuant to section 602.8107 have been ~~paid or~~  
~~24 9 on condition that unpaid supervision fees be paid, the court~~  
~~24 10 shall order the discharge of the person from probation, and~~  
~~24 11 the. If portions of the court debt remain unpaid, the person~~  
24 12 shall establish a payment plan with the clerk of the district  
24 13 court prior to the discharge. The court shall forward to the  
24 14 governor a recommendation for or against restoration of  
24 15 citizenship rights to that person upon discharge. A person  
24 16 who has been discharged from probation shall no longer be held  
24 17 to answer for the person's offense. Upon discharge from  
24 18 probation, if judgment has been deferred under section 907.3,  
24 19 the court's criminal record with reference to the deferred  
24 20 judgment shall be expunged. The record maintained by the  
24 21 state court administrator as required by section 907.4 shall  
24 22 not be expunged. The court's record shall not be expunged in  
24 23 any other circumstances.  
24 24 Sec. 26. Section 909.8, Code 2007, is amended to read as  
24 25 follows:  
24 26 909.8 PAYMENT AND COLLECTION PROVISIONS APPLY TO  
24 27 SURCHARGE.  
24 28 The provisions of this chapter governing the payment and  
24 29 collection of a fine, except section 909.3A, also apply to the  
24 30 payment and collection of surcharges imposed pursuant to  
24 31 chapter 911. ~~However, section 909.10 shall not apply to~~  
~~24 32 surcharges assessed under sections 911.3 and 911.4.~~  
24 33 Sec. 27. Section 909.10, Code 2007, is repealed.  
24 34 Sec. 28. DEPARTMENT OF REVENUE == COLLECTION SYSTEM  
24 35 UPGRADE. The director of the department of revenue shall



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

25 1 enhance the computer assisted collections system of the  
25 2 department to the current web-based technical version and  
25 3 implement related process and procedure improvements that will  
25 4 generate revenue and cost benefits. The director shall  
25 5 procure the enhancements from the current vendor, and such  
25 6 enhancements shall be considered as an upgrade to that  
25 7 vendor's contract with the department.

25 8 Sec. 29. LEGISLATIVE INTENT. It is the intent of the  
25 9 general assembly that the judicial branch enter into a  
25 10 contract with a private collection designee by August 1, 2008,  
25 11 and begin collection efforts pursuant to section 602.8107, as  
25 12 amended by this Act, on August 1, 2008.

25 13 EXPLANATION

25 14 This bill relates to the collection of delinquent debt owed  
25 15 the state and political subdivisions of the state.

25 16 DIVISION I == GAMBLING SETOFF. The division provides that  
25 17 the state racing and gaming commission shall require licensees  
25 18 under Code chapter 99D (pari-mutuel wagering) and Code chapter  
25 19 99F (gambling boats, structures, and racetracks) to establish  
25 20 a process for licensees to have electronic access to names and  
25 21 social security numbers of debtors of claimant agencies  
25 22 through a secured interactive web site maintained by the  
25 23 state.

25 24 The division defines "claimant agency" to mean a "state  
25 25 agency" as defined in Code section 8A.504 or the state court  
25 26 administrator. Thus, a "claimant agency" under the bill means  
25 27 a board, commission, department, including the department of  
25 28 administrative services, or other administrative office or  
25 29 unit of the state of Iowa or any other state entity reported  
25 30 in the Iowa comprehensive annual financial report, or a  
25 31 political subdivision of the state, or an office or unit of a  
25 32 political subdivision. "Claimant agency" does include the  
25 33 clerk of the district court as it relates to the collection of  
25 34 a qualifying debt. "Claimant agency" does not include the  
25 35 general assembly or the governor.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

26 1 Under the division, the licensee is authorized and directed  
26 2 to withhold winnings equal to or greater than \$10,000 per  
26 3 occurrence paid out directly by the licensee, subject to the  
26 4 lien created by the division. The division directs the  
26 5 licensee to pay the funds collected to the collection entity  
26 6 which administers the setoff program pursuant to Code section  
26 7 8A.504.

26 8 The division provides that, notwithstanding any other  
26 9 provision of law to the contrary, the licensee and the  
26 10 claimant agency may exchange necessary information to  
26 11 effectuate the division. The division also provides that  
26 12 information obtained by the claimant agency or the licensee  
26 13 shall not be disclosed for any other purpose but to effectuate  
26 14 the division. If information is improperly disclosed by an  
26 15 employee or former employee of a claimant agency or licensee,  
26 16 the person is subject to penalties specified by law for  
26 17 unauthorized disclosure of confidential information by an  
26 18 agent or employee.

26 19 The division provides that a claimant agency or licensee  
26 20 acting in good faith shall not be liable for actions taken to  
26 21 comply with the division.

26 22 DIVISION II == LICENSING SANCTIONS. For debt placed with  
26 23 the centralized collection unit of the department of revenue,  
26 24 the division requires the centralized collection unit to issue  
26 25 a certificate of noncompliance to a licensing authority if a  
26 26 licensee owes a debt greater than \$1,000 placed with the  
26 27 centralized collection unit.

26 28 The division defines "license" to mean a license,  
26 29 certification, registration, permit, approval, renewal, or  
26 30 other similar authorization issued to a person by a licensing  
26 31 authority which evidences the admission to, or granting of  
26 32 authority to engage in, a profession, occupation, business,  
26 33 industry, or recreation. The term "license" includes a  
26 34 hunting or fishing license, or a license for other  
26 35 recreational activity.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2698 - Introduced continued

27 1 Under the division, if a certificate of noncompliance is  
27 2 issued by the centralized collection unit, the licensing  
27 3 authority shall initiate proceedings to refuse to issue or  
27 4 renew, or to suspend or revoke the license of the person,  
27 5 unless the centralized collection unit provides the licensing  
27 6 authority with a withdrawal of a certificate of noncompliance.

27 7 The licensee may schedule a conference with the centralized  
27 8 collection unit prior to the issuance of a certificate of  
27 9 noncompliance to the licensing authority. The centralized  
27 10 collection unit shall issue a certificate of noncompliance  
27 11 following a conference unless any of the following apply: the  
27 12 unit finds a mistake in the identity of the person; the unit  
27 13 finds a mistake in determining the amount of the liability;  
27 14 the unit determines the amount of the liability is not in  
27 15 excess of \$1,000; the debtor enters into an acceptable payment  
27 16 plan; or the issuance of the certificate of noncompliance is  
27 17 not appropriate under the criteria established in accordance  
27 18 with rules adopted by the department of revenue. The  
27 19 centralized collection unit shall issue a withdrawal of the  
27 20 certificate of noncompliance to the licensing authority for  
27 21 the aforementioned reasons as well.

27 22 The division provides that if, after a conference, the  
27 23 centralized collection unit issues a written decision issuing  
27 24 a certificate of noncompliance the debtor may request a  
27 25 hearing in district court in the county where a majority of  
27 26 the debt was incurred. If the debtor requests a hearing in  
27 27 district court, the scope of review by the court shall be  
27 28 limited to the amount of the liability owed or the identity of  
27 29 the debtor. If the court finds an error, the centralized  
27 30 collection unit shall issue a withdrawal of a certificate of  
27 31 noncompliance.

27 32 DIVISION III == COLLECTION OF DELINQUENT COURT DEBT.

27 33 The division establishes procedures and methods for  
27 34 collecting court debt.

27 35 The division defines "court debt" to mean all fines,



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2698 - Introduced continued

28 1 penalties, court costs, fees, forfeited bail, surcharges under  
28 2 Code chapter 911, victim restitution, restitution for  
28 3 court-appointed attorney fees or expenses of the public  
28 4 defender, or fees charged pursuant to section 356.7 or  
28 5 904.108.

28 6 Under the division, court debt is deemed delinquent if it  
28 7 is not paid within 30 days after the date it is assessed or  
28 8 ordered due, or 30 days after an installment payment is due.  
28 9 Current law provides that court debt is deemed delinquent  
28 10 if not paid within six months after assessment or ordered due,  
28 11 or 30 days after an installment payment is due.

28 12 New Code section 321.11A permits the judicial branch, the  
28 13 department of revenue and the department of administrative  
28 14 services to have access to department of transportation  
28 15 information that identifies a person by the person's social  
28 16 security number for purposes of debt collection.

28 17 New Code section 901.5C requires a criminal defendant to  
28 18 provide the social security number of the defendant to the  
28 19 court prior to pleading guilty or sentencing for purposes of  
28 20 collecting court debt.

28 21 The division amends Code section 907.9 to require a person  
28 22 on probation to establish a payment plan with the clerk of the  
28 23 district court prior to discharge.

28 24 COLLECTION BY CENTRALIZED COLLECTION UNIT OF DEPARTMENT OF  
28 25 REVENUE. If court debt is deemed delinquent, the judicial  
28 26 branch may assign a case containing court debt to the  
28 27 centralized collection unit of the department of revenue for  
28 28 collection for a period of 60 days. Current law does not  
28 29 impose a time period for collection efforts performed by the  
28 30 centralized collection unit. Under the bill and in current  
28 31 law the department of revenue may impose a fee established by  
28 32 rule to reflect the cost of processing which shall be added to  
28 33 the court debt owed. Any amounts collected by the centralized  
28 34 collection unit shall be first applied to the processing fee  
28 35 and the remaining amounts shall be remitted to the clerk of



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

29 1 the district court in the county in which the debt is owed.  
29 2       COLLECTION BY COUNTY ATTORNEY. The division amends Code  
29 3 section 96.11 to permit a county attorney to have access to  
29 4 department of workforce development information at the office  
29 5 of the county attorney, if the county attorney pays for the  
29 6 installation of equipment to provide such access. Current law  
29 7 provides a county attorney with access to department of  
29 8 workforce development information but the access is only  
29 9 provided at local workforce development offices.

29 10       The division amends Code section 321.40 to require the  
29 11 county treasurer to refuse to renew the registration of a  
29 12 vehicle registered to a person who has delinquent court debt  
29 13 being collected by the county attorney. If a person enters  
29 14 into or renews a payment plan that is satisfactory to the  
29 15 county attorney or the county attorney's designee, the  
29 16 division provides for a procedure where the county attorney  
29 17 can temporarily lift a registration hold so the person can  
29 18 register a vehicle.

29 19       The county attorney or the county attorney's designee may  
29 20 collect court debt 60 days after the court debt is deemed  
29 21 delinquent. In order to receive a percentage of the amounts  
29 22 collected pursuant to this division the county attorney must  
29 23 file a list of cases with the clerk of the district court in  
29 24 which the county attorney or the county attorney's designee  
29 25 intends to collect the delinquent court debt.

29 26       The division provides that the county attorney collection  
29 27 does not apply to amounts collected for victim restitution,  
29 28 the victim compensation fund, the criminal penalty surcharge,  
29 29 the law enforcement surcharge, the county enforcement  
29 30 surcharge, amounts collected as a result of procedures  
29 31 initiated by a private collection designee or under Code  
29 32 section 8A.504, or fees charged pursuant to Code section  
29 33 356.7.

29 34       After the amounts not subject to county attorney collection  
29 35 have been paid, the division provides that the amounts



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2698 - Introduced continued

30 1 collected by the county attorney shall be distributed as  
30 2 follows:  
30 3 1. Forty percent of the amounts collected by the county  
30 4 attorney or the county attorney's designee shall be deposited  
30 5 into the general fund of the county where the court debt was  
30 6 assessed.  
30 7 2. Of the remaining 60 percent of the funds collected by  
30 8 the county attorney, the following amounts shall be paid each  
30 9 fiscal year to the clerk of the district court for  
30 10 distribution under Code section 602.8108:  
30 11 a. For a county with a population equal to or greater than  
30 12 100,000, an amount up to \$500,000.  
30 13 b. For a county with a population of less than 100,000, an  
30 14 amount up to \$250,000.  
30 15 3. If the threshold amounts of \$500,000 or \$250,000 have  
30 16 been distributed under Code section 602.8108, any additional  
30 17 moneys collected by an individual county shall be distributed  
30 18 by the state court administrator as follows:  
30 19 a. Forty percent of the amounts collected by the county  
30 20 attorney or the county attorney's designee shall be deposited  
30 21 into the general fund of the county where the court debt was  
30 22 assessed.  
30 23 b. Twenty percent of the remaining 60 percent shall be  
30 24 deposited with the office of the county attorney that  
30 25 collected the moneys.  
30 26 c. The remainder shall be paid to the clerk of the  
30 27 district court for distribution under Code section 602.8108.  
30 28 PRIVATE COLLECTION DESIGNEE. The division provides that  
30 29 the judicial branch may contract with a private collection  
30 30 designee for the collection of court debt 60 days after the  
30 31 court debt in a case is deemed delinquent if the county  
30 32 attorney is not collecting the court debt deemed delinquent in  
30 33 a case.  
30 34 The division provides that the contract shall provide for a  
30 35 collection fee equal to 25 percent of the amount of the court



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2698 - Introduced continued

31 1 debt in a case deemed delinquent. The division provides that  
31 2 the collection fee as calculated shall be added to the amount  
31 3 of the court debt deemed delinquent. The amount of the court  
31 4 debt deemed delinquent and the collection fee shall be owed by  
31 5 and collected from the defendant. The collection fee shall be  
31 6 used to compensate the private collection designee. The  
31 7 division provides that subject to the collection fee used to  
31 8 compensate the private collection designee, the amounts  
31 9 collected shall be distributed as provided in Code section  
31 10 602.8107, subsection 2, as amended by the division.

31 11 The division also provides that the contract may assess the  
31 12 private collection designee an initial fee for entering into  
31 13 the contract.

31 14 WRITE OFF OLD DEBT. The division provides that any portion  
31 15 of court debt that remains uncollected 65 years from the date  
31 16 of imposition shall be written off as uncollectible and the  
31 17 case shall be closed for purposes of collection.

31 18 JURY AND WITNESS FUND. The division repeals Code section  
31 19 909.10, which deposits payments for delinquent fines and  
31 20 surcharges that are more than two years old into the jury and  
31 21 witness fee fund established in Code section 602.1302.

31 22 DEPARTMENT OF REVENUE == COLLECTION SYSTEM. The division  
31 23 requires the director of the department of revenue to enhance  
31 24 the computer=assisted collections system of the department to  
31 25 the current web=based technical version. The division  
31 26 requires the director to procure the enhancements from the  
31 27 current vendor, and such enhancements shall be considered an  
31 28 upgrade to the vendor's contract with the department of  
31 29 revenue.

31 30 LSB 5215HV 82

31 31 jm/nh/8



Iowa General Assembly  
 Daily Bills, Amendments & Study Bills  
 April 23, 2008

**House File 2699 - Introduced**

HOUSE FILE  
 BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 6676YA)

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

**A BILL FOR**

1 An Act relating to and making appropriations to the department of  
 2 cultural affairs, the department of economic development,  
 3 certain board of regents institutions, the department of  
 4 workforce development, and the public employment relations  
 5 board, and related matters and providing effective dates.  
 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
 7 TLBS 6676HV 82  
 8 tw/mg/5



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

PAG LIN

1 1 Section 1. DEPARTMENT OF CULTURAL AFFAIRS. There is  
 1 2 appropriated from the general fund of the state to the  
 1 3 department of cultural affairs for the fiscal year beginning  
 1 4 July 1, 2008, and ending June 30, 2009, the following amounts,  
 1 5 or so much thereof as is necessary, to be used for the  
 1 6 purposes designated:

1 7 1. ADMINISTRATION

1 8 For salaries, support, maintenance, miscellaneous purposes,  
 1 9 and for not more than the following full-time equivalent  
 1 10 positions:

1 11 .....	\$	255,418
1 12 .....	FTEs	2.35

1 13 The department of cultural affairs shall coordinate  
 1 14 activities with the tourism office of the department of  
 1 15 economic development to promote attendance at the state  
 1 16 historical building and at this state's historic sites.

1 17 2. COMMUNITY CULTURAL GRANTS

1 18 For planning and programming for the community cultural  
 1 19 grants program established under section 303.3:

1 20 .....	\$	299,240
------------	----	---------

1 21 3. HISTORICAL DIVISION

1 22 For salaries, support, maintenance, miscellaneous purposes,  
 1 23 and for not more than the following full-time equivalent  
 1 24 positions:

1 25 .....	\$	3,763,782
1 26 .....	FTEs	58.08

1 27 From the moneys appropriated under this subsection, the  
 1 28 department shall use \$50,000 for purposes of planning  
 1 29 commemoration activities for the sesquicentennial anniversary  
 1 30 of the civil war and Iowa's participation in the civil war.  
 1 31 Such activities may include activities in Iowa, activities  
 1 32 through partnerships with other states, and activities on a  
 1 33 national level.

1 34 4. HISTORIC SITES

1 35 For salaries, support, maintenance, miscellaneous purposes,



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

2 1 and for not more than the following full-time equivalent  
 2 2 positions:  
 2 3 ..... \$ 576,395  
 2 4 ..... FTEs 8.25  
 2 5 5. ARTS DIVISION  
 2 6 For salaries, support, maintenance, miscellaneous purposes,  
 2 7 including funds to match federal grants, and for not more than  
 2 8 the following full-time equivalent positions:  
 2 9 ..... \$ 1,246,392  
 2 10 ..... FTEs 11.12  
 2 11 6. GREAT PLACES  
 2 12 For salaries, support, maintenance, miscellaneous purposes,  
 2 13 and for not more than the following full-time equivalent  
 2 14 positions:  
 2 15 ..... \$ 322,231  
 2 16 ..... FTEs 3.00  
 2 17 7. ARCHIVE IOWA GOVERNORS' RECORDS  
 2 18 For archiving the records of Iowa governors and for not  
 2 19 more than the following full-time equivalent positions:  
 2 20 ..... \$ 82,171  
 2 21 ..... FTEs 0.97  
 2 22 8. RECORDS CENTER RENT  
 2 23 For payment of rent for the state records center:  
 2 24 ..... \$ 241,068  
 2 25 9. IOWA CULTURAL CAUCUS  
 2 26 For administration of the Iowa cultural caucus:  
 2 27 ..... \$ 20,000  
 2 28 Sec. 2. GOALS AND ACCOUNTABILITY == ECONOMIC DEVELOPMENT.  
 2 29 1. The goals for the department of economic development  
 2 30 shall be to expand and stimulate the state economy, increase  
 2 31 the wealth of Iowans, and increase the population of the  
 2 32 state.  
 2 33 2. To achieve the goals in subsection 1, the department of  
 2 34 economic development shall do all of the following:  
 2 35 a. Concentrate its efforts on programs and activities that



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

3 1 result in commercially viable products and services.  
 3 2     b. Adopt practices and services consistent with free  
 3 3 market, private sector philosophies.  
 3 4     c. Ensure economic growth and development throughout the  
 3 5 state.  
 3 6     Sec. 3. SUSTAINABLE COMMUNITY DEVELOPMENT ==  
 3 7 APPROPRIATION. There is appropriated from any interest or  
 3 8 earnings on moneys in the grow Iowa values fund to the  
 3 9 department of economic development for the fiscal year  
 3 10 beginning July 1, 2008, and ending June 30, 2009, the  
 3 11 following amount, or so much thereof as is necessary, to be  
 3 12 used for the purposes designated:  
 3 13     For the administration of a sustainable community  
 3 14 development initiative:  
 3 15 ..... \$     500,000  
 3 16     Notwithstanding section 8.33, moneys appropriated in this  
 3 17 section that remain unencumbered or unobligated at the close  
 3 18 of the fiscal year shall not revert but shall remain available  
 3 19 for expenditure for the purposes designated until the close of  
 3 20 the succeeding fiscal year.  
 3 21     Sec. 4. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
 3 22 appropriated from the general fund of the state to the  
 3 23 department of economic development for the fiscal year  
 3 24 beginning July 1, 2008, and ending June 30, 2009, the  
 3 25 following amounts, or so much thereof as is necessary, to be  
 3 26 used for the purposes designated:  
 3 27     1. ADMINISTRATION DIVISION  
 3 28     a. General administration  
 3 29     For salaries, support, maintenance, miscellaneous purposes,  
 3 30 and programs; for transfer to the Iowa state commission grant  
 3 31 program; and for not more than the following full-time  
 3 32 equivalent positions:  
 3 33 ..... \$   2,175,661  
 3 34 ..... FTEs       28.75  
 3 35     From the money appropriated under this subsection, the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

4 1 department shall use \$50,000 for administration of the  
 4 2 generation Iowa commission.  
 4 3     b. The department shall work with businesses and  
 4 4 communities to continually improve the economic development  
 4 5 climate along with the economic well-being and quality of life  
 4 6 for Iowans. The administration division shall coordinate with  
 4 7 other state agencies to ensure that all state departments are  
 4 8 attentive to the needs of an entrepreneurial culture.

4 9     2. BUSINESS DEVELOPMENT DIVISION

4 10     a. Business development operations  
 4 11         For business development operations and programs, the film  
 4 12 office, international trade, export assistance, workforce  
 4 13 recruitment, and the partner state program; for transfer to  
 4 14 the strategic investment fund; for transfer to the value-added  
 4 15 agricultural products and processes financial assistance fund;  
 4 16 for salaries, support, maintenance, miscellaneous purposes;  
 4 17 and for not more than the following full-time equivalent  
 4 18 positions:

4 19 .....	\$ 6,611,963
4 20 .....	FTEs 62.00

4 21         The department shall utilize 1.00 of the full-time  
 4 22 equivalent positions authorized under this subsection for  
 4 23 marketing and compliance activities of the targeted small  
 4 24 business program.

4 25     b. The department shall establish a strong and aggressive  
 4 26 marketing image to showcase Iowa's workforce, existing  
 4 27 industry, and potential. A priority shall be placed on  
 4 28 recruiting new businesses, business expansion, and retaining  
 4 29 existing Iowa businesses. Emphasis shall also be placed on  
 4 30 entrepreneurial development through helping to secure capital  
 4 31 for entrepreneurs, and developing networks and a business  
 4 32 climate conducive to entrepreneurs and small business.

4 33     c. A business creating jobs with economic development  
 4 34 assistance through moneys appropriated in this subsection  
 4 35 shall be subject to contract provisions stating that new and



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

5 1 retained jobs shall be filled by individuals who are citizens  
5 2 of the United States who reside within the United States or  
5 3 any person authorized to work in the United States pursuant to  
5 4 federal law, including legal resident aliens in the United  
5 5 States. Any vendor who receives such public moneys shall  
5 6 adhere to such contract provisions and provide periodic  
5 7 assurances as the state shall require that the jobs are filled  
5 8 solely by citizens of the United States who reside within the  
5 9 United States or any person authorized to work in the United  
5 10 States pursuant to federal law, including legal resident  
5 11 aliens in the United States.

5 12 d. From the moneys appropriated in this subsection, the  
5 13 department may provide financial assistance in the form of a  
5 14 grant to a community economic development entity for  
5 15 conducting a local workforce recruitment effort designed to  
5 16 recruit former citizens of the state and former students at  
5 17 colleges and universities in the state to meet the needs of  
5 18 local employers.

5 19 e. From the moneys appropriated in this subsection, the  
5 20 department may provide financial assistance to early-stage  
5 21 industry companies being established by women entrepreneurs.

5 22 f. From the moneys appropriated in this subsection, the  
5 23 department may provide financial assistance in the form of  
5 24 grants, loans, or forgivable loans for advanced research and  
5 25 commercialization projects involving value-added agriculture,  
5 26 advanced technology, or biotechnology.

5 27 g. Notwithstanding section 8.33, moneys appropriated in  
5 28 this subsection that remain unencumbered or unobligated at the  
5 29 close of the fiscal year shall not revert but shall remain  
5 30 available for expenditure for the purposes designated until  
5 31 the close of the succeeding fiscal year.

5 32 3. COMMUNITY DEVELOPMENT DIVISION

5 33 a. Community development programs

5 34 For salaries, support, maintenance, miscellaneous purposes,  
5 35 community economic development programs, tourism operations,



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

6 1 community assistance, plans for Iowa green corps and summer  
6 2 youth programs, the mainstreet and rural mainstreet programs,  
6 3 the school=to=career program, the community development block  
6 4 grant, and housing and shelter=related programs, and for not  
6 5 more than the following full=time equivalent positions:  
6 6 ..... \$ 6,448,716  
6 7 ..... FTEs 58.26  
6 8     b. The department shall encourage development of  
6 9 communities and quality of life to foster economic growth.  
6 10 The department shall prepare communities for future growth and  
6 11 development through development, expansion, and modernization  
6 12 of infrastructure.  
6 13     c. The department shall develop public=private  
6 14 partnerships with Iowa businesses in the tourism industry,  
6 15 Iowa tour groups, Iowa tourism organizations, and political  
6 16 subdivisions in this state to assist in the development of  
6 17 advertising efforts. The department shall, to the fullest  
6 18 extent possible, develop cooperative efforts for advertising  
6 19 with contributions from other sources.  
6 20     d. Notwithstanding section 8.33, moneys appropriated in  
6 21 this subsection that remain unencumbered or unobligated at the  
6 22 close of the fiscal year shall not revert to any fund but  
6 23 shall remain available for expenditure for the designated  
6 24 purposes during the succeeding fiscal year.  
6 25     4. For allocating moneys for the world food prize:  
6 26 ..... \$ 450,000  
6 27     5. For use as matching funds for the United States  
6 28 department of housing and urban development's main street  
6 29 challenge grants for historic building preservation:  
6 30 ..... \$ 200,000  
6 31     Sec. 5. VISION IOWA PROGRAM == FTE AUTHORIZATION. For  
6 32 purposes of administrative duties associated with the vision  
6 33 Iowa program, the department of economic development is  
6 34 authorized an additional 2.25 full=time equivalent positions  
6 35 above those otherwise authorized in this Act.



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

7 1       Sec. 6. COUNCILS OF GOVERNMENTS.

7 2       1. There is appropriated from loan repayments on loans

7 3 made under the former rural community 2000 program, sections

7 4 15.281 through 15.288, Code 2001, to the department of

7 5 economic development for the fiscal year beginning July 1,

7 6 2008, and ending June 30, 2009, any funds available in the

7 7 rural community 2000 fund.

7 8       2. There is appropriated from any interest or earning on

7 9 moneys in the grow Iowa values fund created in section 15G.108

7 10 to the department of economic development for the fiscal year

7 11 beginning July 1, 2008, and ending June 30, 2009, the sum of:

7 12 ..... \$     160,000

7 13       3. Moneys appropriated under subsections 1 and 2 of this

7 14 section shall be used for providing financial assistance to

7 15 Iowa's councils of governments that provide technical and

7 16 planning assistance to local governments.

7 17       Sec. 7. INSURANCE ECONOMIC DEVELOPMENT. From the moneys

7 18 collected by the division of insurance in excess of the

7 19 anticipated gross revenues under section 505.7, subsection 3,

7 20 during the fiscal year beginning July 1, 2008, \$100,000 shall

7 21 be transferred to the department of economic development for

7 22 insurance economic development and international insurance

7 23 economic development.

7 24       Sec. 8. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding

7 25 section 15E.120, subsection 5, there is appropriated from the

7 26 Iowa community development loan fund all the moneys available

7 27 during the fiscal year beginning July 1, 2008, and ending June

7 28 30, 2009, to the department of economic development for the

7 29 community development program to be used by the department for

7 30 the purposes of the program.

7 31       Sec. 9. WORKFORCE DEVELOPMENT FUND. There is appropriated

7 32 from the workforce development fund account created in section

7 33 15.342A to the workforce development fund created in section

7 34 15.343 for the fiscal year beginning July 1, 2008, and ending

7 35 June 30, 2009, the following amount, for the purposes of the



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

8 1 workforce development fund, and for not more than the  
8 2 following full-time equivalent positions:  
8 3 ..... \$ 4,000,000  
8 4 ..... FTEs 4.00  
8 5 Sec. 10. WORKFORCE DEVELOPMENT ADMINISTRATION. From funds  
8 6 appropriated or transferred to or receipts credited to the  
8 7 workforce development fund created in section 15.343, up to  
8 8 \$400,000 for the fiscal year beginning July 1, 2008, and  
8 9 ending June 30, 2009, may be used for the administration of  
8 10 workforce development activities including salaries, support,  
8 11 maintenance, and miscellaneous purposes, and for not more than  
8 12 4.00 full-time equivalent positions.  
8 13 Sec. 11. JOB TRAINING FUND. Notwithstanding section  
8 14 15.251, all remaining moneys in the job training fund on July  
8 15 1, 2008, and any moneys appropriated or credited to the fund  
8 16 during the fiscal year beginning July 1, 2008, shall be  
8 17 transferred to the workforce development fund established  
8 18 pursuant to section 15.343.  
8 19 Sec. 12. IOWA STATE UNIVERSITY.  
8 20 1. There is appropriated from the general fund of the  
8 21 state to Iowa state university of science and technology for  
8 22 the fiscal year beginning July 1, 2008, and ending June 30,  
8 23 2009, the following amount, or so much thereof as is  
8 24 necessary, to be used for small business development centers,  
8 25 the science and technology research park, and the institute  
8 26 for physical research and technology, and for not more than  
8 27 the following full-time equivalent positions:  
8 28 ..... \$ 2,949,625  
8 29 ..... FTEs 56.63  
8 30 2. Of the moneys appropriated in subsection 1, Iowa state  
8 31 university of science and technology shall allocate at least  
8 32 \$1,060,000 for purposes of funding small business development  
8 33 centers. Iowa state university of science and technology may  
8 34 allocate moneys appropriated in subsection 1 to the various  
8 35 small business development centers in any manner necessary to



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

9 1 achieve the purposes of this subsection.  
9 2 3. Iowa state university of science and technology shall  
9 3 do all of the following:  
9 4 a. Direct expenditures for research toward projects that  
9 5 will provide economic stimulus for Iowa.  
9 6 b. Provide emphasis to providing services to Iowa-based  
9 7 companies.  
9 8 4. It is the intent of the general assembly that the  
9 9 industrial incentive program focus on Iowa industrial sectors  
9 10 and seek contributions and in-kind donations from businesses,  
9 11 industrial foundations, and trade associations, and that  
9 12 moneys for the institute for physical research and technology  
9 13 industrial incentive program shall be allocated only for  
9 14 projects which are matched by private sector moneys for  
9 15 directed contract research or for nondirected research. The  
9 16 match required of small businesses as defined in section  
9 17 15.102, subsection 4, for directed contract research or for  
9 18 nondirected research shall be \$1 for each \$3 of state funds.  
9 19 The match required for other businesses for directed contract  
9 20 research or for nondirected research shall be \$1 for each \$1  
9 21 of state funds. The match required of industrial foundations  
9 22 or trade associations shall be \$1 for each \$1 of state funds.  
9 23 Iowa state university of science and technology shall  
9 24 report annually to the joint appropriations subcommittee on  
9 25 economic development and the legislative services agency the  
9 26 total amount of private contributions, the proportion of  
9 27 contributions from small businesses and other businesses, and  
9 28 the proportion for directed contract research and nondirected  
9 29 research of benefit to Iowa businesses and industrial sectors.  
9 30 Notwithstanding section 8.33, moneys appropriated in this  
9 31 section that remain unencumbered or unobligated at the close  
9 32 of the fiscal year shall not revert but shall remain available  
9 33 for expenditure for the purposes designated until the close of  
9 34 the succeeding fiscal year.  
9 35 Sec. 13. UNIVERSITY OF IOWA.



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

10 1 1. There is appropriated from the general fund of the  
 10 2 state to the state university of Iowa for the fiscal year  
 10 3 beginning July 1, 2008, and ending June 30, 2009, the  
 10 4 following amount, or so much thereof as is necessary, to be  
 10 5 used for the state university of Iowa research park and for  
 10 6 the advanced drug development program at the Oakdale research  
 10 7 park, including salaries, support, maintenance, equipment,  
 10 8 miscellaneous purposes, and for not more than the following  
 10 9 full-time equivalent positions:

10 10 .....	\$	259,206
10 11 .....	FTEs	6.00

10 12 2. The state university of Iowa shall do all of the  
 10 13 following:

10 14 a. Direct expenditures for research toward projects that  
 10 15 will provide economic stimulus for Iowa.

10 16 b. Provide emphasis to providing services to Iowa-based  
 10 17 companies.

10 18 3. Notwithstanding section 8.33, moneys appropriated in  
 10 19 this section that remain unencumbered or unobligated at the  
 10 20 close of the fiscal year shall not revert but shall remain  
 10 21 available for expenditure for the purposes designated until  
 10 22 the close of the succeeding fiscal year.

10 23 Sec. 14. UNIVERSITY OF NORTHERN IOWA.

10 24 1. There is appropriated from the general fund of the  
 10 25 state to the university of northern Iowa for the fiscal year  
 10 26 beginning July 1, 2008, and ending June 30, 2009, the  
 10 27 following amount, or so much thereof as is necessary, to be  
 10 28 used for the metal casting institute, for the MyEntreNet  
 10 29 internet application, and for the institute of decision  
 10 30 making, including salaries, support, maintenance,  
 10 31 miscellaneous purposes, and for not more than the following  
 10 32 full-time equivalent positions:

10 33 .....	\$	578,608
10 34 .....	FTEs	6.75

10 35 2. The university of northern Iowa shall do all of the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

11 1 following:

11 2 a. Direct expenditures for research toward projects that  
11 3 will provide economic stimulus for Iowa.

11 4 b. Provide emphasis to providing services to Iowa-based  
11 5 companies.

11 6 3. Notwithstanding section 8.33, moneys appropriated in  
11 7 this section that remain unencumbered or unobligated at the  
11 8 close of the fiscal year shall not revert but shall remain  
11 9 available for expenditure for the purposes designated until  
11 10 the close of the succeeding fiscal year.

11 11 Sec. 15. BOARD OF REGENTS REPORT. The state board of  
11 12 regents shall submit a report on the progress of regents  
11 13 institutions in meeting the strategic plan for technology  
11 14 transfer and economic development to the secretary of the  
11 15 senate, the chief clerk of the house of representatives, and  
11 16 the legislative services agency by January 15, 2009.

11 17 Sec. 16. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is  
11 18 appropriated from the general fund of the state to the  
11 19 department of workforce development for the fiscal year  
11 20 beginning July 1, 2008, and ending June 30, 2009, the  
11 21 following amounts, or so much thereof as is necessary, for the  
11 22 purposes designated:

11 23 1. DIVISION OF LABOR SERVICES

11 24 For the division of labor services, including salaries,  
11 25 support, maintenance, miscellaneous purposes, and for not more  
11 26 than the following full-time equivalent positions:

11 27 .....	\$ 3,849,581
11 28 .....	FTEs 68.15

11 29 From the contractor registration fees, the division of  
11 30 labor services shall reimburse the department of inspections  
11 31 and appeals for all costs associated with hearings under  
11 32 chapter 91C, relating to contractor registration.

11 33 2. DIVISION OF WORKERS' COMPENSATION

11 34 For salaries, support, maintenance, miscellaneous purposes,  
11 35 and for not more than the following full-time equivalent



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

12 1 positions:  
 12 2 ..... \$ 2,885,774  
 12 3 ..... FTEs 30.00  
 12 4 The division of workers' compensation shall continue  
 12 5 charging a \$65 filing fee for workers' compensation cases.  
 12 6 The filing fee shall be paid by the petitioner of a claim.  
 12 7 However, the fee can be taxed as a cost and paid by the losing  
 12 8 party, except in cases where it would impose an undue hardship  
 12 9 or be unjust under the circumstances. The moneys generated by  
 12 10 the filing fee allowed under this subsection are appropriated  
 12 11 to the department of workforce development to be used for  
 12 12 purposes of administering the division of workers'  
 12 13 compensation.  
 12 14 3. WORKFORCE DEVELOPMENT OPERATIONS  
 12 15 For the operation of field offices, the workforce  
 12 16 development board, and new Iowans centers, and for not more  
 12 17 than the following full-time equivalent positions:  
 12 18 ..... \$ 12,403,106  
 12 19 ..... FTEs 88.04  
 12 20 Of the moneys appropriated in this subsection, the  
 12 21 department shall allocate \$12,225,928 for the operation of  
 12 22 field offices. The department shall not reduce the number of  
 12 23 field offices below the number of field offices being operated  
 12 24 as of January 1, 2008.  
 12 25 The department of workforce development shall maintain new  
 12 26 Iowans centers that offer one-stop services to deal with the  
 12 27 multiple issues related to immigration and employment. The  
 12 28 centers shall be designed to support workers, businesses, and  
 12 29 communities with information, referrals, job placement  
 12 30 assistance, translation, language training, and resettlement,  
 12 31 as well as technical and legal assistance on such issues as  
 12 32 forms and documentation. Through the coordination of local,  
 12 33 state, and federal service providers, and through the  
 12 34 development of partnerships with public, private, and  
 12 35 nonprofit entities with established records of international



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

13 1 service, these centers shall seek to provide a seamless  
13 2 service delivery system for new Iowans.  
13 3 4. NONREVERSION OF MONEYS  
13 4 Notwithstanding section 8.33, moneys appropriated in this  
13 5 section that remain unencumbered or unobligated at the close  
13 6 of the fiscal year shall not revert but shall remain available  
13 7 for expenditure for the purposes designated until the close of  
13 8 the succeeding fiscal year.  
13 9 Sec. 17. ACCOUNTABILITY == AUDIT.  
13 10 1. By January 15, 2009, the department of workforce  
13 11 development shall submit a written report to the chairpersons  
13 12 and ranking members of the joint appropriations subcommittee  
13 13 on economic development which shall include a list of  
13 14 contracts held by the department and accountability measures  
13 15 in effect for each contract.  
13 16 2. The auditor of state shall annually conduct an audit of  
13 17 the department of workforce development and shall report the  
13 18 findings of such annual audit, including the accountability of  
13 19 programs of the department, to the chairpersons and ranking  
13 20 members of the joint appropriations subcommittee on economic  
13 21 development. The department shall pay for the costs  
13 22 associated with the audit.  
13 23 3. The legislative services agency shall conduct an annual  
13 24 review of salaries paid to employees of entities organized  
13 25 under chapter 28E and salaries paid under a contract with the  
13 26 department of workforce development. The legislative services  
13 27 agency shall report its findings to the chairpersons and  
13 28 ranking members of the joint appropriations subcommittee on  
13 29 economic development.  
13 30 4. The department of management shall work with the  
13 31 department of workforce development to accurately reflect the  
13 32 number of employees within the department of workforce  
13 33 development funded by state and federal sources. The  
13 34 department of management shall issue a report to the joint  
13 35 appropriations subcommittee on economic development regarding



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

14 1 such employees and identifying the relative sources of funding  
14 2 by January 15, 2009.

14 3     Sec. 18. EMPLOYMENT SECURITY CONTINGENCY FUND. There is  
14 4 appropriated from the special employment security contingency  
14 5 fund to the department of workforce development for the fiscal  
14 6 year beginning July 1, 2008, and ending June 30, 2009, the  
14 7 following amounts, or so much thereof as is necessary, for the  
14 8 purposes designated:

14 9     For the division of workers' compensation, salaries,  
14 10 support, maintenance, and miscellaneous purposes:

14 11 ..... \$     471,000

14 12     Any remaining additional penalty and interest revenue may  
14 13 be allocated and used to accomplish the mission of the  
14 14 department.

14 15     Sec. 19. UNEMPLOYMENT COMPENSATION RESERVE FUND.  
14 16 Notwithstanding section 96.9, subsection 8, paragraph "e",  
14 17 there is appropriated from interest earned on the unemployment  
14 18 compensation reserve fund to the department of workforce  
14 19 development for the fiscal year beginning July 1, 2008, and  
14 20 ending June 30, 2009, the following amount for the operation  
14 21 of field offices:

14 22 ..... \$   6,500,000

14 23     Sec. 20. PUBLIC EMPLOYMENT RELATIONS BOARD. There is  
14 24 appropriated from the general fund of the state to the public  
14 25 employment relations board for the fiscal year beginning July  
14 26 1, 2008, and ending June 30, 2009, the following amount, or so  
14 27 much thereof as is necessary, for the purposes designated:

14 28     For salaries, support, maintenance, miscellaneous purposes,  
14 29 and for not more than the following full-time equivalent  
14 30 positions:

14 31 ..... \$   1,233,283  
14 32 ..... FTEs     11.00

14 33     Sec. 21. VALUE=ADDED AGRICULTURAL PRODUCTS AND PROCESSES  
14 34 FINANCIAL ASSISTANCE FUND MONEYS. The office of renewable  
14 35 fuels and coproducts may apply to the department of economic



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

15 1 development for moneys in the value-added agricultural  
15 2 products and processes financial assistance fund for deposit  
15 3 in the renewable fuels and coproducts fund created in section  
15 4 159A.7.

15 5     Sec. 22. IOWA FINANCE AUTHORITY AUDIT. The auditor of  
15 6 state is requested to review the audit of the Iowa finance  
15 7 authority performed by the auditor hired by the authority.

15 8     Sec. 23. APPLICATION FOR DEPARTMENT OF ECONOMIC  
15 9 DEVELOPMENT MONEYS. For the fiscal year beginning July 1,  
15 10 2008, any entity that was specifically identified in 2001 Iowa  
15 11 Acts, chapter 188, to receive funding from the department of  
15 12 economic development, excluding any entity identified to  
15 13 receive a direct appropriation beginning July 1, 2008, may  
15 14 apply to the department for assistance through the appropriate  
15 15 program. The department shall provide application criteria  
15 16 necessary to implement this section.

15 17     Sec. 24. SHELTER ASSISTANCE FUND. In providing moneys  
15 18 from the shelter assistance fund to homeless shelter programs  
15 19 in the fiscal year beginning July 1, 2008, and ending June 30,  
15 20 2009, the department of economic development shall explore the  
15 21 potential of allocating moneys to homeless shelter programs  
15 22 based in part on their ability to move their clients toward  
15 23 self-sufficiency.

15 24     Sec. 25. UNEMPLOYMENT COMPENSATION PROGRAM.  
15 25 Notwithstanding section 96.9, subsection 4, paragraph "a",  
15 26 moneys credited to the state by the secretary of the treasury  
15 27 of the United States pursuant to section 903 of the Social  
15 28 Security Act shall be appropriated to the department of  
15 29 workforce development and shall be used by the department for  
15 30 the administration of the unemployment compensation program  
15 31 only. This appropriation shall not apply to any fiscal year  
15 32 beginning after December 31, 2008.

15 33     Sec. 26. 2007 Iowa Acts, chapter 207, section 13,  
15 34 subsection 3, is amended to read as follows:

15 35     3. Notwithstanding section 8.33, moneys appropriated in



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2699 - Introduced continued

16 1 this section that remain unencumbered or unobligated at the  
16 2 close of the fiscal year shall not revert but shall remain  
16 3 available for expenditure for the purposes designated until  
16 4 the close of the ~~succeeding~~ fiscal year beginning July 1,  
16 5 2008.

16 6 Sec. 27. 2007 Iowa Acts, chapter 207, section 14,  
16 7 unnumbered paragraph 3, is amended to read as follows:

16 8 Notwithstanding section 8.33, moneys appropriated in this  
16 9 section that remain unencumbered or unobligated at the close  
16 10 of the fiscal year shall not revert but shall remain available  
16 11 for expenditure for the purposes designated until the close of  
16 12 the ~~succeeding~~ fiscal year beginning July 1, 2008.

16 13 Sec. 28. 2007 Iowa Acts, chapter 207, section 15,  
16 14 subsection 4, is amended to read as follows:

16 15 4. Notwithstanding section 8.33, moneys appropriated in  
16 16 this section that remain unencumbered or unobligated at the  
16 17 close of the fiscal year shall not revert but shall remain  
16 18 available for expenditure for the purposes designated until  
16 19 the close of the ~~succeeding~~ fiscal year beginning July 1,  
16 20 2008.

16 21 Sec. 29. 2007 Iowa Acts, chapter 207, section 16,  
16 22 unnumbered paragraph 4, is amended to read as follows:

16 23 Notwithstanding section 8.33, moneys appropriated in this  
16 24 section that remain unencumbered or unobligated at the close  
16 25 of the fiscal year shall not revert but shall remain available  
16 26 for expenditure for the purposes designated until the close of  
16 27 the ~~succeeding~~ fiscal year beginning July 1, 2008.

16 28 Sec. 30. WORKFORCE INNOVATION PLAN.

16 29 1. The Iowa workforce development board shall develop, in  
16 30 cooperation and consultation with the association of Iowa  
16 31 workforce partners and the employers council of Iowa, a  
16 32 statewide workforce innovation plan by January 1, 2009. The  
16 33 board may consult other state agencies or organizations as  
16 34 necessary. The plan shall be submitted to the general  
16 35 assembly and the governor by January 15, 2009.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House File 2699 - Introduced continued

17 1 2. The statewide workforce innovation plan shall include  
17 2 all of the following:  
17 3 a. Recommendations for coordinating the workforce delivery  
17 4 system in a more efficient, cost-effective manner while  
17 5 improving services for customers.  
17 6 b. Recommendations regarding the collocation and  
17 7 integration of all workforce and job training programs.  
17 8 c. Recommendations for improving the effectiveness of the  
17 9 regional workforce system.  
17 10 3. As part of the plan, the department of workforce  
17 11 development shall set a goal of having at least one certified  
17 12 one-stop center in each of the fifteen workforce regions by  
17 13 the year 2012.  
17 14 Sec. 31. Section 15.109, Code 2007, is amended by adding  
17 15 the following new subsection:  
17 16 NEW SUBSECTION. 4. Establish a sustainable community  
17 17 development initiative. The purpose of the initiative is to  
17 18 improve the sustainability of Iowa communities by ensuring  
17 19 long-term economic growth and fostering environmentally  
17 20 conscious growth and development. In establishing the  
17 21 initiative, the department shall:  
17 22 a. Create a plan to ensure that all of the department's  
17 23 current community growth and development programs, efforts,  
17 24 and initiatives incorporate an environmentally conscious  
17 25 approach and policies that promote sustainability.  
17 26 b. Cooperate with local governments by providing  
17 27 information, technical assistance, and financial incentives to  
17 28 communities pursuing sustainable growth.  
17 29 Sec. 32. EFFECTIVE DATE. The sections of this Act  
17 30 amending 2007 Iowa Acts, chapter 207, sections 13, 14, 15, and  
17 31 16, being deemed of immediate importance, take effect upon  
17 32 enactment.

17 33 **EXPLANATION**  
17 34 This bill makes appropriations and transfers from the  
17 35 general fund of the state to the department of cultural



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

18 1 affairs, the department of economic development, the  
18 2 university of Iowa, the university of northern Iowa, Iowa  
18 3 state university, the department of workforce development, and  
18 4 the public employment relations board for the 2008=2009 fiscal  
18 5 year.

18 6       The bill provides that the goals for the department of  
18 7 economic development shall be to expand and stimulate the  
18 8 state economy, increase the wealth of Iowans, and increase the  
18 9 population of the state.

18 10       The bill appropriates moneys from loan repayments on loans  
18 11 under the former rural community 2000 program and interest and  
18 12 earnings on moneys in the grow Iowa values fund to the  
18 13 department of economic development moneys for providing  
18 14 financial assistance to Iowa's councils of governments that  
18 15 provide technical and planning assistance to local  
18 16 governments.

18 17       The bill transfers moneys collected by the division of  
18 18 insurance in excess of the anticipated gross revenues to the  
18 19 department of economic development for purposes of insurance  
18 20 economic development and international insurance economic  
18 21 development.

18 22       The bill appropriates moneys from the Iowa community  
18 23 development loan fund to the department of economic  
18 24 development for purposes of the community development program.

18 25       The bill appropriates moneys from the workforce development  
18 26 fund account to the workforce development fund.

18 27       The bill provides that moneys appropriated or transferred  
18 28 to or receipts credited to the workforce development fund may  
18 29 be used for administration of workforce development  
18 30 activities.

18 31       The bill provides that all moneys remaining in the job  
18 32 training fund on July 1, 2008, and any moneys appropriated or  
18 33 credited to the fund during the fiscal year beginning July 1,  
18 34 2008, shall be transferred to the workforce development fund.

18 35       The bill requires the state board of regents to submit a



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House File 2699 - Introduced continued

19 1 report on the progress of regents institutions in meeting the  
19 2 strategic plan for technology transfer and economic  
19 3 development.

19 4     The bill requires the auditor of state to annually conduct  
19 5 an audit of the department of workforce development.

19 6     The bill appropriates moneys from the special employment  
19 7 security contingency fund to the department of workforce  
19 8 development for the division of workers' compensation.

19 9     The bill appropriates interest earned on the unemployment  
19 10 compensation reserve fund to the department of workforce  
19 11 development for the operation of field offices.

19 12     The bill allows the office of renewable fuels and  
19 13 coproducts to apply to the department of economic development  
19 14 for moneys in the value-added agricultural products and  
19 15 processes financial assistance fund for deposit in the  
19 16 renewable fuels and coproducts fund.

19 17     The bill requests the auditor of state to review the audit  
19 18 of the Iowa finance authority performed by the auditor hired  
19 19 by the authority.

19 20     The bill provides that, for the fiscal year beginning July  
19 21 1, 2008, any entity that was specifically identified in 2001  
19 22 Iowa Acts, chapter 188, to receive funding from the department  
19 23 of economic development, excluding any entity identified to  
19 24 receive a direct appropriation beginning July 1, 2008, may  
19 25 apply to the department for assistance through the appropriate  
19 26 program.

19 27     The bill provides that, in providing moneys from the  
19 28 shelter assistance fund to homeless shelter programs, the  
19 29 department of economic development shall explore the potential  
19 30 of allocating moneys to programs based in part on their  
19 31 ability to move their clients toward self-sufficiency.

19 32     The bill appropriates moneys from moneys credited to the  
19 33 state by the secretary of the treasury of the United States  
19 34 pursuant to the Social Security Act to the department of  
19 35 workforce development for the administration of the



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

House File 2699 - Introduced continued

20 1 unemployment compensation program only.  
20 2     The bill provides for the nonreversion of unencumbered  
20 3 moneys appropriated in 2007 Iowa Acts, chapter 207, for the  
20 4 targeted small business advocate service providers, the  
20 5 targeted small business financial assistance program,  
20 6 marketing and compliance activities, and process improvement  
20 7 activities until after the 2008=2009 fiscal year. These  
20 8 provisions take effect upon enactment.  
20 9     The bill directs the workforce development board to  
20 10 develop, in consultation with the association of Iowa  
20 11 workforce partners and the employers council of Iowa, a  
20 12 statewide workforce innovation plan by January 1, 2009, and  
20 13 submit the plan to the general assembly by January 15, 2009.  
20 14     The bill directs the department of economic development to  
20 15 establish a sustainable community development initiative. As  
20 16 part of this initiative, the department is required to ensure  
20 17 that all of its current programs promote sustainability and to  
20 18 cooperate with local governments.  
20 19     The bill appropriates \$500,000 from interest on moneys in  
20 20 the grow Iowa values fund to fund the initiative.  
20 21 LSB 6676HV 82  
20 22 tw/mg/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

House Resolution 159 - Introduced

PAG LIN

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

1 1 HOUSE RESOLUTION NO.  
1 2 BY BELL, BAILEY, L. MILLER, and ROBERTS  
1 3 A Resolution requesting the Congress of the United  
1 4 States to give due consideration to the readiness  
1 5 of the Republic of China on Taiwan for membership  
1 6 in the United Nations.  
1 7 WHEREAS, the Republic of China on Taiwan has  
1 8 established a democratic, multiparty political system,  
1 9 its diplomacy aimed at national unification  
1 10 demonstrates its progressive spirit as a government  
1 11 and a people, and its inclusion in the United Nations  
1 12 would only further the universality of this essential  
1 13 global forum; and  
1 14 WHEREAS, already having provided many developing  
1 15 nations with financial assistance, as well as overseas  
1 16 aid, training, and disaster relief, Taiwan has amply  
1 17 illustrated its concern for the welfare of the world;  
1 18 and  
1 19 WHEREAS, the government of Taiwan has accepted the  
1 20 obligations contained in the United Nations Charter  
1 21 and agrees to promote international peace and  
1 22 security; and  
1 23 WHEREAS, the fundamental right of the over 22  
1 24 million citizens of Taiwan to be partners in the  
1 25 community of nations should no longer be denied; NOW  
1 26 THEREFORE,  
1 27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
1 28 That the House of Representatives supports the  
1 29 membership of the Republic of China on Taiwan in the  
1 30 United Nations and urges due consideration by the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

House Resolution 159 - Introduced continued

2 1 Congress of the United States; and  
2 2 BE IT FURTHER RESOLVED, That upon adoption, an  
2 3 official copy of this Resolution be prepared and  
2 4 presented to the President of the United States  
2 5 Senate, the Secretary of the United States Senate, the  
2 6 Speaker of the United States House of Representatives,  
2 7 the Clerk of the United States House of  
2 8 Representatives, the members of Iowa's congressional  
2 9 delegation, and the Secretary General of the United  
2 10 Nations.  
2 11 LSB 6576HH 82  
2 12 jr/rj/5



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

## Senate Amendment 5415

PAG LIN

1 1 Amend House File 2688, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 4, by striking lines 15 through 25 and  
 1 4 inserting the following: <provided in this division.  
 1 5 The public shall have a right to examine and copy the  
 1 6 information as provided in chapter 22, subject to the  
 1 7 exceptions of section 22.7, except that the university  
 1 8 shall maintain the information as confidential which  
 1 9 reveals the identity of a livestock producer  
 1 10 participating in a research project, including the  
 1 11 name or address of a livestock producer or livestock  
 1 12 operation, unless such confidentiality is waived in  
 1 13 writing by the livestock producer.>  
 1 14 #2. Page 5, line 16, by inserting after the word  
 1 15 <university> the following: <, or any individual  
 1 16 researcher employed by or affiliated with the  
 1 17 university,>.  
 1 18 #3. Page 5, by striking lines 24 through 27 and  
 1 19 inserting the following:  
 1 20 <\_\_\_. All information obtained by the university  
 1 21 in connection with a research project shall be  
 1 22 available for public examination and copying as  
 1 23 provided in chapter 22, subject to the exceptions of  
 1 24 section 22.7, so long as the>.  
 1 25 #4. By renumbering as necessary.  
 1 26  
 1 27  
 1 28  
 1 29 HERMAN C. QUIRMBACH  
 1 30  
 1 31  
 1 32 \_\_\_\_\_  
 1 33 ROBERT E. DVORSKY  
 1 34  
 1 35  
 1 36 \_\_\_\_\_  
 1 37 JEFF DANIELSON  
 1 38  
 1 39  
 1 40 \_\_\_\_\_  
 1 41 DARYL BEALL  
 1 42  
 1 43  
 1 44 \_\_\_\_\_  
 1 45 JOE BOLKCOM  
 1 46  
 1 47  
 1 48 \_\_\_\_\_  
 1 49 THOMAS G. COURTNEY  
 1 50 HF 2688.705 82



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5415 continued

2 1 da/ml/12



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

## Senate Amendment 5416

PAG LIN

1 1 Amend Senate File 2412 as follows:  
 1 2 #1. By striking everything after the enacting  
 1 3 clause and inserting the following:  
 1 4 <DIVISION I  
 1 5 RENEWABLE FUEL INFRASTRUCTURE  
 1 6 Section 1. Section 15G.201, subsection 1, Code  
 1 7 2007, is amended to read as follows:  
 1 8 1. "Biodiesel", "biodiesel blended fuel",  
 1 9 "biodiesel fuel", "E=85 gasoline", "ethanol", "ethanol  
 1 10 blended gasoline", "gasoline", "motor fuel", "~~motor~~  
 1 11 ~~fuel pump~~", "retail dealer", and "retail motor fuel  
 1 12 site" mean the same as defined in section 214A.1.  
 1 13 Sec. 2. Section 15G.201, Code 2007, is amended by  
 1 14 adding the following new subsections:  
 1 15 NEW SUBSECTION. 4A. "Motor fuel pump" and "motor  
 1 16 fuel blender pump" or "blender pump" mean the same as  
 1 17 defined in section 214.1.  
 1 18 NEW SUBSECTION. 5A. "Tank vehicle" means the same  
 1 19 as defined in section 321.1.  
 1 20 Sec. 3. Section 15G.201, subsection 6, Code 2007,  
 1 21 is amended by adding the following new paragraph:  
 1 22 NEW PARAGRAPH. c. A biofuel manufacturer that is  
 1 23 in the business of producing ethanol or biodiesel from  
 1 24 biomass as defined in section 469.31.  
 1 25 Sec. 4. NEW SECTION. 15G.201A CLASSIFICATION OF  
 1 26 RENEWABLE FUEL.  
 1 27 For purposes of this division, ethanol blended fuel  
 1 28 and biodiesel fuel shall be classified in the same  
 1 29 manner as provided in section 214A.2.  
 1 30 Sec. 5. Section 15G.203, unnumbered paragraph 1,  
 1 31 Code Supplement 2007, is amended to read as follows:  
 1 32 A renewable fuel infrastructure program for retail  
 1 33 ~~motor fuel sites~~ is established in the department  
 1 34 under the direction of the renewable fuel  
 1 35 infrastructure board created pursuant to section  
 1 36 15G.202.  
 1 37 Sec. 6. Section 15G.203, subsection 1, Code  
 1 38 Supplement 2007, is amended to read as follows:  
 1 39 1. The purpose of the program is to improve retail  
 1 40 motor fuel sites by installing, replacing, or  
 1 41 converting ~~motor fuel storage and dispensing~~  
 1 42 infrastructure. The infrastructure must be to be used  
 1 43 to store, blend, or dispense renewable fuel. The  
 1 44 infrastructure shall be ethanol infrastructure or  
 1 45 biodiesel infrastructure.  
 1 46 a. (1) Ethanol infrastructure shall be designed  
 1 47 and shall be used exclusively to store do any of the  
 1 48 following:  
 1 49 (a) Store and dispense renewable fuel which is  
 1 50 E=85 gasoline.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

2 1 (b) Store, blend, and dispense motor fuel from a  
2 2 motor fuel blender pump, as required in this  
2 3 subparagraph subdivision. The ethanol infrastructure  
2 4 must provide for the storage of ethanol or ethanol  
2 5 blended gasoline, or for blending ethanol with  
2 6 gasoline. The ethanol infrastructure must at least  
2 7 include a motor fuel blender pump which dispenses  
2 8 different classifications of ethanol blended gasoline  
2 9 and allows E=85 gasoline to be dispensed at all times  
2 10 that the blender pump is operating.  
2 11 (2) Biodiesel infrastructure shall be designed and  
2 12 used exclusively to do any of the following:  
2 13 (a) Store and dispense biodiesel, or biodiesel  
2 14 blended fuel on the.  
2 15 (b) Blend or dispense biodiesel fuel from a motor  
2 16 fuel blender pump.  
2 17 b. The infrastructure must be part of the premises  
2 18 of a retail motor fuel sites site operated by a retail  
2 19 dealers dealer. The infrastructure shall not include  
2 20 a tank vehicle.  
2 21 Sec. 7. Section 15G.203, subsection 3, Code  
2 22 Supplement 2007, is amended by striking the  
2 23 subsection.  
2 24 Sec. 8. Section 15G.203, subsection 4, paragraph  
2 25 b, subparagraphs (3) and (4), Code Supplement 2007,  
2 26 are amended to read as follows:  
2 27 (3) A statement describing how the retail motor  
2 28 fuel site is to be improved, the total estimated cost  
2 29 of the planned improvement, and the date when the  
2 30 infrastructure will be first used to store and  
2 31 dispense the renewable fuel.  
2 32 (4) A statement certifying that the infrastructure  
2 33 shall not only be used to store or dispense motor fuel  
2 34 other than E=85 gasoline, biodiesel, or biodiesel  
2 35 blended fuel comply with the provisions of this  
2 36 section and as specified in the cost-share agreement,  
2 37 unless granted a waiver by the infrastructure board  
2 38 pursuant to this section.  
2 39 Sec. 9. Section 15G.203, subsection 6, Code  
2 40 Supplement 2007, is amended by striking the  
2 41 subsection.  
2 42 Sec. 10. Section 15G.203, subsection 7, Code  
2 43 Supplement 2007, is amended to read as follows:  
2 44 7. An award of financial incentives to a  
2 45 participating person shall be on a cost-share basis in  
2 46 the form of a grant. To  
2 47 In order to participate in the program, an eligible  
2 48 person must execute a cost-share agreement with the  
2 49 department as approved by the infrastructure board in  
2 50 which the person contributes a percentage of the total



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

3 1 costs related to improving the retail motor fuel site.  
3 2 A cost=share agreement shall be for a three=year  
3 3 period or a five=year period. A cost=share agreement  
3 4 shall include provisions for standard financial  
3 5 incentives or standard financial incentives and  
3 6 supplemental financial incentives as provided in this  
3 7 subsection. The infrastructure board may approve  
3 8 multiple improvements to the same retail motor fuel  
3 9 site for the full amount available for both ethanol  
3 10 infrastructure and biodiesel infrastructure so long as  
3 11 the improvements for ethanol infrastructure and for  
3 12 biodiesel infrastructure are made under separate  
3 13 cost=share agreements.

3 14 a. (1) Except as provided in paragraph "b", a  
3 15 participating person may be awarded standard financial  
3 16 incentives to make improvements to a retail motor fuel  
3 17 site. The standard financial incentives awarded to  
3 18 ~~the~~ a participating person shall not exceed the  
3 19 following:

3 20 (a) For a three=year cost=share agreement, fifty  
3 21 percent of the actual cost of making the improvement  
3 22 or thirty thousand dollars, whichever is less.

3 23 (b) For a five=year cost=share agreement, seventy  
3 24 percent of the actual cost of making the improvement  
3 25 or fifty thousand dollars, whichever is less.

3 26 (2) The infrastructure board may approve multiple  
3 27 awards of standard financial incentives to make  
3 28 improvements to a retail motor fuel site so long as  
3 29 the total amount of the awards for ethanol  
3 30 infrastructure or biodiesel infrastructure does not  
3 31 exceed the limitations provided in ~~this paragraph~~  
3 32 subparagraph (1).

3 33 b. In addition to any standard financial  
3 34 incentives awarded to a participating person under  
3 35 paragraph "a", the participating person may be awarded  
3 36 supplemental financial incentives to make improvements  
3 37 to a retail motor fuel site to ~~upgrade~~ do any of the  
3 38 following:

3 39 (1) Upgrade or replace a dispenser which is part  
3 40 of gasoline storage and dispensing infrastructure used  
3 41 to store and dispense E=85 gasoline as provided in  
3 42 section 455G.31. The participating person is only  
3 43 eligible to ~~receive~~ be awarded the supplemental  
3 44 financial incentives if the person installed the  
3 45 dispenser not later than sixty days after the date of  
3 46 the publication in the Iowa administrative bulletin of  
3 47 the state fire marshal's order providing that a  
3 48 commercially available dispenser is listed as  
3 49 compatible for use with E=85 gasoline by an  
3 50 independent testing laboratory as provided in section



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

4 1 455G.31. The supplemental financial incentives  
4 2 awarded to the participating person shall not exceed  
4 3 seventy-five percent of the actual cost of making the  
4 4 improvement or thirty thousand dollars, whichever is  
4 5 less.

4 6 (2) To improve additional retail motor fuel sites  
4 7 owned or operated by a participating person within a  
4 8 twelve-month period as provided in the cost-share  
4 9 agreement. The supplemental financial incentives  
4 10 shall be used for the installation of an additional  
4 11 tank and associated infrastructure at each such retail  
4 12 motor fuel site. A participating person may be  
4 13 awarded supplemental financial incentives under this  
4 14 subparagraph and standard financial incentives under  
4 15 paragraph "a" to improve the same motor fuel site.  
4 16 The supplemental financial incentives awarded to the  
4 17 participating person shall not exceed thirty-five  
4 18 thousand dollars. The participating person shall be  
4 19 awarded the supplemental financial incentives on a  
4 20 cumulative basis according to the schedule provided in  
4 21 this subparagraph, which shall not exceed the  
4 22 following:

4 23 (a) For the second retail motor fuel site, five  
4 24 thousand dollars.

4 25 (b) For the third retail motor fuel site, seven  
4 26 thousand five hundred dollars.

4 27 (c) For the fourth retail motor fuel site, ten  
4 28 thousand dollars.

4 29 (d) For the fifth retail motor fuel site, twelve  
4 30 thousand five hundred dollars.

4 31 Sec. 11. Section 15G.204, subsection 2, Code  
4 32 Supplement 2007, is amended by striking the  
4 33 subsection.

4 34 Sec. 12. Section 15G.204, subsection 4, Code  
4 35 Supplement 2007, is amended to read as follows:

4 36 4. a. An award of financial incentives to a  
4 37 participating person shall be in the form of a grant.  
4 38 In order to participate in the program, an eligible  
4 39 person must execute a cost-share agreement with the  
4 40 department as approved by the infrastructure board in  
4 41 which the person contributes a percentage of the total  
4 42 costs related to improving the terminal. The  
4 43 financial incentives awarded to the participating  
4 44 person shall not exceed the following:

4 45 (1) For improvements to store, blend, or dispense  
4 46 biodiesel fuel from B=2 or higher but not as high as  
4 47 B=99, fifty percent of the actual cost of making the  
4 48 improvements or fifty thousand dollars, whichever is  
4 49 less.

4 50 (2) For improvements to store, blend, or dispense



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

5 1 biodiesel fuel from B=99 to B=100, fifty percent of  
5 2 the actual cost of making the improvements or one  
5 3 hundred fifty thousand dollars, whichever is less.  
5 4 b. The infrastructure board may approve multiple  
5 5 awards to make improvements to a terminal so long as  
5 6 the total amount of the awards does not exceed the  
5 7 limitations provided in ~~this subsection~~ paragraph "a".  
5 8 Sec. 13. Section 214.1, Code 2007, is amended to  
5 9 read as follows:  
5 10 214.1 DEFINITIONS.  
5 11 ~~For the purpose of~~ As used in this chapter, unless  
5 12 the context otherwise requires:  
5 13 1. "Biodiesel", "biodiesel fuel", "biofuel",  
5 14 "ethanol", "motor fuel", "retail dealer", "retail  
5 15 motor fuel site", and "wholesale dealer" mean the same  
5 16 as defined in section 214A.1.  
5 17 2. "Commercial weighing and measuring device" or  
5 18 "device" means the same as defined in section 215.26.  
5 19 ~~2- 3.~~ 3. "Motor fuel" ~~means the same as defined in~~  
5 20 ~~section 214A.1~~ fuel blender pump or "blender pump"  
5 21 means a motor fuel pump that dispenses a type of motor  
5 22 fuel that is blended from two or more different types  
5 23 of motor fuels and which may dispense more than one  
5 24 type of blended motor fuel.  
5 25 ~~3- 4.~~ 4. "Motor fuel pump" means a pump, meter, or  
5 26 similar commercial weighing and measuring device used  
5 27 to measure and dispense motor fuel on a retail basis.  
5 28 ~~4.~~ "Retail dealer" ~~means the same as defined in~~  
5 29 ~~section 214A.1.~~  
5 30 5. "Wholesale dealer" ~~means the same as defined in~~  
5 31 ~~section 214A.1~~ "Motor fuel storage tank" or "storage  
5 32 tank" means an aboveground or belowground container  
5 33 that is a fixture used to store an accumulation of  
5 34 motor fuel.  
5 35 Sec. 14. Section 214.9, Code 2007, is amended to  
5 36 read as follows:  
5 37 214.9 SELF=SERVICE MOTOR FUEL PUMPS.  
5 38 ~~Self=service~~ A self=service motor fuel ~~pumps~~ pump  
5 39 located at a retail motor vehicle fuel stations site  
5 40 may be equipped with an automatic latch=open devices  
5 41 device on the fuel dispensing hose nozzle only if the  
5 42 nozzle valve is the automatic closing type.  
5 43 Sec. 15. Section 214A.1, Code 2007, is amended by  
5 44 adding the following new subsection:  
5 45 NEW SUBSECTION. 4A. "Biodiesel fuel" means  
5 46 biodiesel or biodiesel blended fuel.  
5 47 Sec. 16. Section 214A.1, subsections 9, 14, and  
5 48 15, Code 2007, are amended to read as follows:  
5 49 9. "E=85 gasoline" or "E=85" means ethanol blended  
5 50 gasoline formulated with a ~~minimum~~ percentage of



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

6 1 between seventy and eighty-five percent by volume of  
6 2 ethanol, if the formulation meets the standards  
6 3 provided in section 214A.2.

6 4 14. "Motor fuel pump" and "motor fuel blender  
6 5 pump" or "blender pump" means the same as defined in  
6 6 section 214.1.

6 7 15. "Motor fuel storage tank" means ~~an aboveground~~  
~~6 8 or belowground container that is a fixture, used to~~  
~~6 9 keep an accumulation of motor fuel~~ the same as defined  
6 10 in section 214.1.

6 11 Sec. 17. Section 214A.1, Code 2007, is amended by  
6 12 adding the following new subsection:

6 13 NEW SUBSECTION. 21A. "Unleaded gasoline" means  
6 14 gasoline, including ethanol blended gasoline, if all  
6 15 of the following applies:

6 16 a. It has an octane number of not less than  
6 17 eighty-seven as provided in section 214A.2.

6 18 b. Lead or phosphorus compounds have not been  
6 19 intentionally added to it.

6 20 c. It does not contain more than thirteen  
6 21 thousandths grams of lead per liter and not more than  
6 22 thirteen ten-thousandths grams of phosphorus per  
6 23 liter.

6 24 Sec. 18. Section 214A.2, subsection 3, paragraph  
6 25 b, Code 2007, is amended to read as follows:

6 26 b. If the motor fuel is advertised for sale or  
6 27 sold as ethanol blended gasoline, the motor fuel must  
6 28 comply with departmental standards which shall ~~comply~~  
~~6 29 with specifications for ethanol blended gasoline~~  
~~6 30 adopted by A.S.T.M. international. For ethanol~~  
~~6 31 blended gasoline meet~~ all of the following ~~shall apply~~  
6 32 requirements:

6 33 (1) Ethanol must be an agriculturally derived  
6 34 ethyl alcohol that meets A.S.T.M. international  
6 35 specification D4806 for denatured fuel ethanol for  
6 36 blending with gasoline for use as automotive  
6 37 spark-ignition engine fuel, or a successor A.S.T.M.  
6 38 international specification, as established by rules  
6 39 adopted by the department.

6 40 (2) Gasoline blended with ethanol must meet any of  
6 41 the following requirements:

6 42 (a) For the gasoline, A.S.T.M. international  
6 43 specification D4814.

6 44 (b) For the ethanol blended gasoline, A.S.T.M.  
6 45 international specification D4814.

6 46 (c) For the gasoline, A.S.T.M. international  
6 47 specification D4814 except for distillation, if, for  
6 48 E=10 or a classification below E=10, the ethanol  
6 49 blended gasoline meets the requirements of A.S.T.M.  
6 50 international specification D4814.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

7 1 (3) For ethanol blended gasoline ~~other than E=85~~  
7 2 ~~gasoline~~, at least ~~ten~~ nine percent of the gasoline by  
7 3 volume must be fuel grade ethanol. In addition the  
7 4 following applies:

7 5 (a) For the period beginning on September 16 and  
7 6 ending on May 31 of each year, the state grants a  
7 7 waiver of one pound per square inch from the A.S.T.M.  
7 8 international D4814 Reid vapor pressure requirement.

7 9 (b) For the period beginning on June 1 and ending  
7 10 on September 15 of each year the United States  
7 11 environmental protection agency must grant a one pound  
7 12 per square inch waiver for ethanol blended  
7 13 conventional gasoline with at least nine but not more  
7 14 than ten percent by volume of ethanol pursuant to 40  
7 15 C.F.R. } 80.27.

7 16 (4) E=85 gasoline must be an agriculturally  
7 17 derived ethyl alcohol that meets A.S.T.M.  
7 18 international specification D5798, described as a fuel  
7 19 blend for use in ground vehicles with automotive  
7 20 spark-ignition engines, or a successor A.S.T.M.  
7 21 international specification, as established by rules  
7 22 adopted by the department.

7 23 Sec. 19. Section 214A.2, Code 2007, is amended by  
7 24 adding the following new subsection:

7 25 NEW SUBSECTION. 4A. Ethanol blended gasoline  
7 26 shall be designated E=xx where "xx" is the volume  
7 27 percent of ethanol in the ethanol blended gasoline and  
7 28 biodiesel shall be designated B=xx where "xx" is the  
7 29 volume percent of biodiesel.

7 30 Sec. 20. Section 214A.2B, Code Supplement 2007, is  
7 31 amended to read as follows:

7 32 214A.2B LABORATORY FOR MOTOR FUEL AND BIOFUELS.

7 33 A laboratory for motor fuel and biofuels is  
7 34 established at a merged area school which is engaged  
7 35 in biofuels testing on July 1, 2007, and which testing  
7 36 includes but is not limited to ~~B=20~~ B=20 biodiesel fuel  
7 37 testing for motor trucks and the ability of biofuels  
7 38 to meet A.S.T.M. international standards. The  
7 39 laboratory shall conduct testing of motor fuel sold in  
7 40 this state and biofuel which is blended in motor fuel  
7 41 in this state to ensure that the motor fuel or  
7 42 biofuels meet the requirements in section 214A.2.

7 43 Sec. 21. Section 214A.3, subsection 2, paragraph  
7 44 b, Code 2007, is amended to read as follows:

7 45 b. (1) Ethanol blended gasoline sold by a dealer  
7 46 shall be designated ~~E=xx where "xx" is the volume~~  
7 47 ~~percent of ethanol in the ethanol blended gasoline~~  
7 48 according to its classification as provided in section  
7 49 214A.2. However, a person advertising E=9 or E=10  
7 50 gasoline may only designate it as ethanol blended



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

8 1 gasoline. A person advertising ethanol blended  
8 2 gasoline formulated with a percentage of between  
8 3 seventy and eighty-five percent by volume of ethanol  
8 4 shall designate it as E=85. A person shall not  
8 5 knowingly falsely advertise ethanol blended gasoline  
8 6 by using an inaccurate designation in violation of  
8 7 this subparagraph.  
8 8 (2) Biodiesel ~~blended~~ fuel shall be designated  
8 9 ~~E=xx where "xx" is the volume percent of biodiesel in~~  
8 10 ~~the biodiesel blended fuel according to its~~  
8 11 classification as provided in section 214A.2. A  
8 12 person shall not knowingly falsely advertise biodiesel  
8 13 blended fuel by using an inaccurate designation in  
8 14 violation of this subparagraph.  
8 15 Sec. 22. Section 214A.16, Code 2007, is amended to  
8 16 read as follows:  
8 17 214A.16 NOTICE OF BLENDED FUEL == DECAL.  
8 18 1. If motor fuel containing a renewable fuel is  
8 19 sold from a motor fuel pump, the pump shall have  
8 20 affixed a decal identifying the name of the renewable  
8 21 fuel. The decal ~~may~~ shall be different based on the  
8 22 type of renewable fuel ~~used~~ dispensed. If the motor  
8 23 fuel pump dispenses ethanol blended gasoline  
8 24 classified as higher than E=10 pursuant to section  
8 25 214A.2, the decal shall contain the following notice:  
8 26 "FOR FLEXIBLE FUEL VEHICLES ONLY".  
8 27 2. The design and location of the decal shall be  
8 28 prescribed by rules adopted by the department. A  
8 29 decal identifying a renewable fuel shall be consistent  
8 30 with standards adopted pursuant to section 159A.6.  
8 31 The department may approve an application to place a  
8 32 decal in a special location on a pump or container or  
8 33 use a decal with special lettering or colors, if the  
8 34 decal appears clear and conspicuous to the consumer.  
8 35 The application shall be made in writing pursuant to  
8 36 procedures adopted by the department.  
8 37 Sec. 23. Section 455G.31, subsection 1, Code  
8 38 Supplement 2007, is amended to read as follows:  
8 39 1. As used in this section, unless the context  
8 40 otherwise requires:  
8 41 a. "Dispenser" includes a motor fuel pump,  
8 42 including but not limited to a motor fuel blender  
8 43 pump.  
8 44 ~~a.~~ b. "E=85 gasoline", "ethanol blended  
8 45 gasoline", and "retail dealer" mean the same as  
8 46 defined in section 214A.1.  
8 47 ~~b.~~ c. "Gasoline storage and dispensing  
8 48 infrastructure" means any storage tank located below  
8 49 ground or above ground and any associated equipment  
8 50 including but not limited to a pipe, hose, connection,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

9 1 fitting seal, or motor fuel pump, which is used to  
9 2 store, measure, and dispense gasoline by a retail  
9 3 dealer.  
9 4 d. Ethanol blended gasoline shall be designated in  
9 5 the same manner as provided in section 214A.2.  
9 6 e. "Motor fuel pump" means the same as defined in  
9 7 section 214.1.  
9 8 Sec. 24. Section 455G.31, subsection 2, unnumbered  
9 9 paragraph 1, Code Supplement 2007, is amended to read  
9 10 as follows:  
9 11 A retail dealer may use gasoline storage and  
9 12 dispensing infrastructure to store and dispense ~~E=85~~  
9 13 ethanol blended gasoline classified as E=9 or higher  
9 14 if all of the following apply:  
9 15 Sec. 25. Section 455G.31, subsection 2, paragraph  
9 16 a, Code Supplement 2007, is amended to read as  
9 17 follows:  
9 18 a. For gasoline storage and dispensing  
9 19 infrastructure other than the dispenser, the  
9 20 department of natural resources under this chapter or  
9 21 the state fire marshal under chapter 101 must  
9 22 determine that it is compatible with ~~E=85~~ the ethanol  
9 23 blended gasoline being used.  
9 24 Sec. 26. Section 455G.31, subsection 2, paragraph  
9 25 b, subparagraph (1), subparagraph subdivision (a),  
9 26 Code Supplement 2007, is amended to read as follows:  
9 27 (a) The dispenser must be listed by an independent  
9 28 testing laboratory as compatible with ethanol blended  
9 29 gasoline classified as E=9 or higher.  
9 30 Sec. 27. Section 15.401, Code 2007, is repealed.  
9 31 Sec. 28. RENEWABLE FUEL INFRASTRUCTURE == STANDARD  
9 32 FINANCIAL INCENTIVES AWARDED FOR THE ACQUISITION OF  
9 33 TANK VEHICLES.  
9 34 1. Notwithstanding the amendments to section  
9 35 15G.203, subsection 1, paragraph "b", as enacted in  
9 36 this Act, a person may participate in the renewable  
9 37 fuel infrastructure program for retail motor fuel  
9 38 sites as provided in section 15G.203, as amended by  
9 39 this Act, for the acquisition of any of the following:  
9 40 a. One tank vehicle used to store and dispense  
9 41 ~~E=85~~ gasoline, which shall be deemed ethanol  
9 42 infrastructure.  
9 43 b. One tank vehicle used to store and dispense  
9 44 biodiesel or biodiesel blended fuel, which shall be  
9 45 deemed biodiesel infrastructure.  
9 46 2. The renewable fuel infrastructure board may  
9 47 approve an award of financial incentives for the  
9 48 acquisition of a tank vehicle as provided in a  
9 49 ~~cost=share~~ agreement for a three-year period as  
9 50 provided in section 15G.203, as amended by this Act.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

10 1 The standard financial incentives awarded to the  
10 2 participating person shall not exceed fifty percent of  
10 3 the actual cost of the acquisition of the tank vehicle  
10 4 or thirty thousand dollars, whichever is less. The  
10 5 infrastructure board may approve an application for  
10 6 both a tank vehicle used to store and dispense E=85  
10 7 gasoline as ethanol infrastructure and for a tank  
10 8 vehicle used to store and dispense biodiesel or  
10 9 biodiesel blended fuel as biodiesel infrastructure so  
10 10 long as the standard financial incentives awarded to  
10 11 the participating person for the acquisition of the  
10 12 two tank vehicles are made under separate cost=share  
10 13 agreements.

10 14 3. In order to participate in the renewable fuel  
10 15 infrastructure program for retail motor fuel sites as  
10 16 provided in this section, a person must apply to the  
10 17 department of economic development as provided in  
10 18 section 15G.203, as amended by this Act, not later  
10 19 than December 31, 2008.

10 20 Sec. 29. RENEWABLE FUEL INFRASTRUCTURE PROGRAMS ==  
10 21 CONSIDERATION OF APPLICATIONS.

10 22 1. The renewable fuel infrastructure board created  
10 23 in section 15G.202 may award financial incentives to a  
10 24 person participating in the renewable fuel  
10 25 infrastructure program for retail motor fuel sites for  
10 26 an amount provided in section 15G.203, subsection 7,  
10 27 as amended in this Act, if the person applied to the  
10 28 department of economic development on or after  
10 29 February 19, 2008.

10 30 2. The renewable fuel infrastructure board created  
10 31 in section 15G.202 may award financial incentives to a  
10 32 person participating in the renewable fuel  
10 33 infrastructure program for terminal facilities for an  
10 34 amount provided in section 15G.204, subsection 4, as  
10 35 amended in this Act, if the person applied to the  
10 36 department of economic development on or after  
10 37 February 19, 2008.

10 38 Sec. 30. SECRETARY OF AGRICULTURE == APPLICATION  
10 39 TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.  
10 40 The secretary of agriculture shall make application to  
10 41 the United States environmental protection agency to  
10 42 obtain approval for the use of ethanol blended  
10 43 gasoline containing more than ten percent ethanol by  
10 44 volume in this state by gasoline=powered vehicles  
10 45 other than flexible fuel vehicles. The application  
10 46 shall, as necessary, seek a waiver of relevant  
10 47 standards promulgated by the agency under the federal  
10 48 Clean Air Act, including but not limited to 42 U.S.C.  
10 49 } 7545 and 40 C.F.R. pt. 80. Within sixty days after  
10 50 obtaining such approval, the secretary of agriculture



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

11 1 shall publish a notice in the Iowa administrative  
11 2 bulletin certifying the approval.  
11 3 Sec. 31. LEGISLATIVE INTENT == FUTURE REVENUE  
11 4 SOURCES. It is the intent of the general assembly  
11 5 that all options be examined in order to continue the  
11 6 financing of renewable fuel infrastructure as provided  
11 7 in chapter 15G, subchapter II.

11 8 Sec. 32. EFFECTIVE DATES.  
11 9 1. Except as provided in subsection 2, this  
11 10 division of this Act, being deemed of immediate  
11 11 importance, takes effect upon enactment.  
11 12 2. The amendments to section 15G.204, subsection  
11 13 4, as amended by this division of this Act, take  
11 14 effect January 1, 2009.

11 15 DIVISION II  
11 16 BIODIESEL BLENDED FUEL INCOME TAX CREDIT  
11 17 Sec. 33. Section 422.11P, subsection 3, Code  
11 18 Supplement 2007, is amended to read as follows:  
11 19 3. a. The tax credit shall be calculated  
11 20 separately for each retail motor fuel site operated by  
11 21 the taxpayer.

11 22 b. The amount of the tax credit is three cents  
11 23 multiplied by the total number of gallons of biodiesel  
11 24 blended fuel sold and dispensed by the retail dealer  
11 25 through all motor fuel pumps operated by the retail  
11 26 dealer during the retail dealer's tax year.

11 27 Sec. 34. Section 422.33, subsection 11C, paragraph  
11 28 c, Code Supplement 2007, is amended to read as  
11 29 follows:

11 30 c. The tax credit shall be calculated separately  
11 31 for each retail motor fuel site operated by the  
11 32 taxpayer.

11 33 d. This subsection is repealed on January 1, 2012.

11 34 Sec. 35. RETROACTIVE APPLICABILITY DATE. Section  
11 35 422.11P, as amended by this Act, and section 422.33,  
11 36 subsection 11C, as applied due to the enactment of  
11 37 this Act, shall apply retroactively to tax years  
11 38 beginning on or after January 1, 2008.

11 39 Sec. 36. EFFECTIVE DATE. This division of this  
11 40 Act, being deemed of immediate importance, takes  
11 41 effect upon enactment.

11 42 DIVISION III  
11 43 BIOFUEL REPORTING

11 44 Sec. 37. Section 452A.2, Code 2007, is amended by  
11 45 adding the following new subsection:

11 46 NEW SUBSECTION. 4A. "Biofuel producer" means a  
11 47 person required to be licensed pursuant to this  
11 48 division who produces biofuel from a production  
11 49 facility located in this state.

11 50 Sec. 38. NEW SECTION. 452A.30 DEFINITIONS. The



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate Amendment 5416 continued

12 1 words and phrases used in this division shall have the  
12 2 same meaning as defined in section 452A.2.  
12 3     Sec. 39. Section 452A.33, Code 2007, is amended by  
12 4 adding the following new subsection:  
12 5     NEW SUBSECTION. 1A. a. Each biofuel producer  
12 6 shall report the total number of gallons of biofuel  
12 7 produced by the biofuel producer for a determination  
12 8 period. The report shall include all of the  
12 9 following:  
12 10       (1) The total number of gallons of ethanol  
12 11 produced at each production facility located in this  
12 12 state, the total number of gallons of ethanol produced  
12 13 at all production facilities located in this state,  
12 14 and the total number of gallons of ethanol delivered  
12 15 by the biofuel producer to destinations outside of  
12 16 this state.  
12 17       (2) The total number of gallons of biodiesel  
12 18 produced at each production facility located in this  
12 19 state, the total number of gallons of biodiesel  
12 20 produced at all production facilities located in this  
12 21 state, and the total number of gallons of biodiesel  
12 22 delivered to destinations outside of this state.  
12 23     b. The biofuel producer shall prepare and submit  
12 24 the report in a manner and according to procedures  
12 25 required by the department. The department may  
12 26 require that a biofuel producer report to the  
12 27 department on an annual, quarterly, or monthly basis.  
12 28     c. The information included in a report submitted  
12 29 by a biofuel producer that identifies the location of  
12 30 a production facility is deemed to be a trade secret,  
12 31 protected as a confidential record pursuant to section  
12 32 22.7.  
12 33     Sec. 40. Section 452A.33, Code 2007, is amended by  
12 34 adding the following new subsection:  
12 35     NEW SUBSECTION. 2A. On or before April 1 of each  
12 36 year the department shall deliver a report to the  
12 37 governor and the legislative services agency. The  
12 38 report shall compile information reported by biofuel  
12 39 producers.  
12 40     a. The report shall include all of the following:  
12 41       (1) The total number of gallons of ethanol  
12 42 produced in this state and the total number of gallons  
12 43 of ethanol delivered to destinations outside of this  
12 44 state.  
12 45       (2) The total number of gallons of biodiesel  
12 46 produced in this state and the total number of gallons  
12 47 of biodiesel delivered to destinations outside of this  
12 48 state.  
12 49     b. The report shall not provide information  
12 50 classified as a trade secret protected as a



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

13 1 confidential record pursuant to this section.  
13 2 Sec. 41. CODE EDITOR. The Code editor shall  
13 3 codify section 452A.30, as enacted in this division of  
13 4 this Act, as part of chapter 452A, division II.

13 5 DIVISION IV  
13 6 GOVERNMENT FLEET PURCHASES  
13 7 OF RENEWABLE FUELS

13 8 Sec. 42. Section 8A.362, subsection 3, paragraph  
13 9 b, Code Supplement 2007, is amended to read as  
13 10 follows:

13 11 b. A gasoline-powered motor vehicle operated under  
13 12 this subsection shall not operate on gasoline other  
13 13 than ethanol blended gasoline as defined in section  
13 14 214A.1, unless under emergency circumstances. A  
13 15 diesel-powered motor vehicle operated under this  
13 16 subsection shall not operate on diesel fuel other than  
13 17 biodiesel fuel as defined in section 214A.1, if  
13 18 commercially available. A state-issued credit card  
13 19 used to purchase gasoline shall not be valid to  
13 20 purchase gasoline other than ethanol blended gasoline,  
13 21 if commercially available, or to purchase diesel fuel  
13 22 other than biodiesel fuel, if commercially available.

13 23 The motor vehicle shall also be affixed with a  
13 24 brightly visible sticker which notifies the traveling  
13 25 public that the motor vehicle is being operated on  
13 26 ethanol blended gasoline or biodiesel fuel, as  
13 27 applicable. However, the sticker is not required to  
13 28 be affixed to an unmarked vehicle used for purposes of  
13 29 providing law enforcement or security.

13 30 Sec. 43. Section 216B.3, subsection 16, paragraph  
13 31 a, Code Supplement 2007, is amended to read as  
13 32 follows:

13 33 a. A gasoline-powered motor vehicle purchased by  
13 34 the commission shall not operate on gasoline other  
13 35 than ethanol blended gasoline as defined in section  
13 36 214A.1. A diesel-powered motor vehicle purchased by  
13 37 the commission shall not operate on diesel fuel other  
13 38 than biodiesel fuel as defined in section 214A.1, if  
13 39 commercially available. A state issued credit card  
13 40 used to purchase gasoline shall not be valid to  
13 41 purchase gasoline other than ethanol blended gasoline  
13 42 or to purchase diesel fuel other than biodiesel fuel,  
13 43 if commercially available. The motor vehicle shall  
13 44 also be affixed with a brightly visible sticker which  
13 45 notifies the traveling public that the motor vehicle  
13 46 is being operated on ethanol blended gasoline or  
13 47 biodiesel fuel, as applicable. However, the sticker  
13 48 is not required to be affixed to an unmarked vehicle  
13 49 used for purposes of providing law enforcement or  
13 50 security.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

14 1 Sec. 44. Section 262.25A, subsection 2, Code  
14 2 Supplement 2007, is amended to read as follows:  
14 3 2. A gasoline-powered motor vehicle purchased by  
14 4 the institutions shall not operate on gasoline other  
14 5 than ethanol blended gasoline as defined in section  
14 6 214A.1, unless under emergency circumstances or if to  
14 7 do so would result in the use of a percentage of  
14 8 ethanol blended gasoline higher than recommended by  
14 9 the vehicle manufacturer or would result in a  
14 10 violation of the vehicle's manufacturer warranty. A  
14 11 diesel-powered motor vehicle purchased by the  
14 12 institutions shall not operate on diesel fuel other  
14 13 than biodiesel fuel as defined in section 214A.1, if  
14 14 commercially available, unless to do so would result  
14 15 in the use of a percentage of biodiesel not  
14 16 recommended by the vehicle manufacturer or would  
14 17 result in violation of the vehicle's manufacturer  
14 18 warranty, or under emergency circumstances. A  
14 19 state-issued credit card ~~used to purchase gasoline~~  
14 20 shall not be ~~valid~~ used to purchase gasoline other  
14 21 than ethanol blended gasoline if commercially  
14 22 available or to purchase diesel fuel other than  
14 23 biodiesel fuel if commercially available. The motor  
14 24 vehicle shall also be affixed with a brightly visible  
14 25 sticker which notifies the traveling public that the  
14 26 motor vehicle is being operated on ethanol blended  
14 27 gasoline or biodiesel fuel, as applicable. However,  
14 28 the sticker is not required to be affixed to an  
14 29 unmarked vehicle used for purposes of providing law  
14 30 enforcement or security.  
14 31 Sec. 45. Section 307.21, subsection 4, paragraph  
14 32 d, Code Supplement 2007, is amended to read as  
14 33 follows:  
14 34 d. A ~~motor~~ gasoline-powered vehicle purchased by  
14 35 the administrator shall not operate on gasoline other  
14 36 than ethanol blended gasoline as defined in section  
14 37 214A.1. A diesel-powered motor vehicle purchased by  
14 38 the administrator shall not operate on diesel fuel  
14 39 other than biodiesel fuel as defined in section  
14 40 214A.1, if commercially available. A state-issued  
14 41 credit card ~~used to purchase gasoline~~ shall not be  
14 42 valid to purchase gasoline other than ethanol blended  
14 43 gasoline or to purchase diesel fuel other than  
14 44 biodiesel fuel, if commercially available. The motor  
14 45 vehicle shall also be affixed with a brightly visible  
14 46 sticker which notifies the traveling public that the  
14 47 motor vehicle is being operated on ethanol blended  
14 48 gasoline or biodiesel fuel, as applicable. However,  
14 49 the sticker is not required to be affixed to an  
14 50 unmarked vehicle used for purposes of providing law



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

15 1 enforcement or security.  
15 2 Sec. 46. Section 904.312A, subsection 1, Code  
15 3 Supplement 2007, is amended to read as follows:  
15 4 1. A gasoline-powered motor vehicle purchased by  
15 5 the department shall not operate on gasoline other  
15 6 than ethanol blended gasoline as defined in section  
15 7 214A.1. A diesel-powered motor vehicle purchased by  
15 8 the department shall not operate on diesel fuel other  
15 9 than biodiesel fuel as defined in section 214A.1, if  
15 10 commercially available. A state-issued credit card  
15 11 ~~used to purchase gasoline~~ shall not be valid to  
15 12 purchase gasoline other than ethanol blended gasoline,  
15 13 or to purchase diesel fuel other than biodiesel fuel,  
15 14 if commercially available. The motor vehicle shall  
15 15 also be affixed with a brightly visible sticker which  
15 16 notifies the traveling public that the motor vehicle  
15 17 is being operated on ethanol blended gasoline or  
15 18 biodiesel fuel, as applicable. However, the sticker  
15 19 is not required to be affixed to an unmarked vehicle  
15 20 used for purposes of providing law enforcement or  
15 21 security.  
15 22 Sec. 47. USE OF BIODIESEL FUEL BY LOCAL ENTITIES.  
15 23 It is the policy of the state to encourage the use of  
15 24 biodiesel fuel to the extent practical in all  
15 25 diesel-powered motor vehicles purchased or used by  
15 26 cities, counties, school corporations, and merged area  
15 27 schools.  
15 28 Sec. 48. EFFECTIVE DATE. This division of this  
15 29 Act, being deemed of immediate importance, takes  
15 30 effect upon enactment.  
15 31 DIVISION V  
15 32 RENEWABLE FUELS MARKETING EFFORTS  
15 33 Sec. 49. DEFINITIONS. As used in this division of  
15 34 this Act, unless the context otherwise requires:  
15 35 1. "Biodiesel blended fuel", "biofuel", "E=85",  
15 36 and "retail dealer" mean the same as defined in  
15 37 section 214A.1.  
15 38 2. "Renewable fuel" means biodiesel blended fuel  
15 39 or ethanol blended gasoline.  
15 40 Sec. 50. RENEWABLE FUELS MARKETING PLAN. The  
15 41 office of energy independence shall develop a  
15 42 renewable fuels marketing plan to promote the biofuel  
15 43 industry in this state.  
15 44 1. The renewable fuels marketing plan shall  
15 45 provide for research to determine what barriers hinder  
15 46 the increased use of renewable fuels, including  
15 47 renewable fuels containing higher blends of biofuels  
15 48 in this state. The research shall include but is not  
15 49 limited to determining all of the following:  
15 50 a. Barriers that may prevent retail dealers from



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5416 continued

16 1 selling more renewable fuels, which shall at least  
16 2 include issues involving infrastructure, product  
16 3 quality, and cost efficiencies.  
16 4     b. Barriers that may prevent consumers from  
16 5 purchasing more renewable fuels, which shall at least  
16 6 include issues involving fuel efficiency and consumer  
16 7 awareness of renewable fuels and flexible fuel  
16 8 vehicles.  
16 9     2. The office shall prepare and submit the  
16 10 renewable fuels marketing plan to the governor and the  
16 11 general assembly by January 30, 2009.  
16 12     Sec. 51. DIRECT MARKETING CAMPAIGN == FLEXIBLE  
16 13 FUEL VEHICLES AND DIESEL POWERED VEHICLES. The office  
16 14 of energy independence shall conduct a direct  
16 15 marketing campaign specifically targeted to owners of  
16 16 flexible fuel vehicles and diesel powered vehicles.  
16 17     1. The direct marketing campaign shall include but  
16 18 is not limited to education to increase owner  
16 19 awareness and knowledge regarding all of the  
16 20 following:  
16 21     a. Flexible fuel vehicles and E=85 as an  
16 22 alternative fuel choice. The office shall provide  
16 23 owners with maps indicating where retail motor fuel  
16 24 sites offering E=85 are located.  
16 25     b. Diesel powered vehicles and biodiesel blended  
16 26 fuel as an alternative fuel choice. The office shall  
16 27 provide owners with information on but not limited to  
16 28 successful cold weather handling and use of biodiesel  
16 29 blended fuel, engine manufacturer warranties covering  
16 30 the use of biodiesel blended fuel, and maps indicating  
16 31 where retail motor fuel sites offering biodiesel  
16 32 blended fuel and terminals storing biodiesel are  
16 33 located.  
16 34     2. The department of transportation shall provide  
16 35 the office with a list of the names and addresses of  
16 36 owners of flexible fuel vehicles, including vehicles  
16 37 registered under sections 321.109, 321.121, and  
16 38 321.122.  
16 39     3. The office shall complete the direct marketing  
16 40 campaign by October 1, 2008.  
16 41     Sec. 52. COLLABORATION. The office of energy  
16 42 independence may collaborate with public or private  
16 43 organizations to carry out the provisions of this  
16 44 division of this Act.  
16 45     Sec. 53. FUNDING. The office of energy  
16 46 independence shall carry out the provisions of this  
16 47 division of this Act using moneys received by the  
16 48 office from all sources, including but not limited to  
16 49 moneys appropriated to the office as provided in  
16 50 section 469.10.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5416 continued

17 1 Sec. 54. EFFECTIVE DATE. This division of this  
17 2 Act, being deemed of immediate importance, takes  
17 3 effect upon enactment.>  
17 4 #2. Title page, by striking lines 1 through 5 and  
17 5 inserting the following: <An Act relating to  
17 6 renewable fuel, including by providing for  
17 7 infrastructure associated with storing, blending, and  
17 8 dispensing renewable fuel, providing for tax credits,  
17 9 providing for the reporting of biofuels, providing for  
17 10 the purchase of renewable fuels by governmental  
17 11 entities, providing for renewable fuel marketing  
17 12 efforts, and providing for effective dates and  
17 13 applicability; including retroactive applicability.>  
17 14  
17 15  
17 16  
17 17 AMANDA RAGAN  
17 18 SF 2412.201 82  
17 19 da/ml/12





**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5417 continued

2 1 is amended to read as follows:  
 2 2 2. The board of directors shall hold a public  
 2 3 hearing on any ~~proposal~~ request made pursuant to  
 2 4 subsection 3 prior to submitting it to the department  
 2 5 of education for approval.  
 2 6 Sec. \_\_\_\_\_. Section 279.10, subsection 4, Code 2007,  
 2 7 is amended by striking the subsection.  
 2 8 Sec. \_\_\_\_\_. EFFECTIVE DATES. The section of this  
 2 9 division of this Act that amends section 279.10,  
 2 10 subsection 2, takes effect upon enactment and the  
 2 11 sections of this division of this Act that amend  
 2 12 section 257.17 and section 279.10, subsections 1 and  
 2 13 4, take effect July 1, 2009, and are applicable for  
 2 14 school years beginning on or after that date.>  
 2 15 #2. By renumbering as necessary.  
 2 16  
 2 17  
 2 18  
 2 19 JOHN PUTNEY  
 2 20  
 2 21  
 2 22 \_\_\_\_\_  
 2 23 E. THURMAN GASKILL  
 2 24  
 2 25  
 2 26 \_\_\_\_\_  
 2 27 JERRY BEHN  
 2 28  
 2 29  
 2 30 \_\_\_\_\_  
 2 31 RON WIECK  
 2 32  
 2 33  
 2 34 \_\_\_\_\_  
 2 35 NANCY J. BOETTGER  
 2 36  
 2 37  
 2 38 \_\_\_\_\_  
 2 39 DAVID L. HARTSUCH  
 2 40  
 2 41  
 2 42 \_\_\_\_\_  
 2 43 PAT WARD  
 2 44  
 2 45  
 2 46 \_\_\_\_\_  
 2 47 DAVE MULDER  
 2 48  
 2 49  
 2 50 \_\_\_\_\_



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5417 continued

3 1 PAUL McKINLEY  
3 2  
3 3  
3 4 \_\_\_\_\_  
3 5 STEVE KETTERING  
3 6  
3 7  
3 8 \_\_\_\_\_  
3 9 JAMES F. HAHN  
3 10 HF 2679.705 82  
3 11 kh/ml/12



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

## Senate Amendment 5418

PAG LIN

1 1 Amend House File 901, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. Section 123.32, subsection 4, Code  
1 6 2007, is amended to read as follows:  
1 7 4. SECURITY EMPLOYEE TRAINING. A local authority,  
1 8 as a condition of obtaining and holding a license or  
1 9 permit for on-premises consumption, may require a  
1 10 designated security employee as defined in section  
1 11 123.3 to be trained and certified in security methods.  
1 12 The training shall include but is not limited to  
1 13 ~~mediation~~ de-escalation techniques, anger management  
1 14 techniques, civil rights or unfair practices awareness  
1 15 as provided in section 216.7, recognition of fake or  
1 16 altered identification, information on laws applicable  
1 17 to the serving of alcohol at a licensed premises, use  
1 18 of force and techniques for safely removing patrons,  
1 19 ~~and providing~~ instruction on the proper physical  
1 20 restraint methods used against a person who has become  
1 21 combative.  
1 22 Sec. 2. PILOT PROJECT == ALCOHOLIC BEVERAGE  
1 23 CONTROL == SECURITY EMPLOYEE TRAINING == FEES ==  
1 24 REPORT.  
1 25 1. On and after January 1, 2009, and  
1 26 notwithstanding any other provision of law to the  
1 27 contrary, a local authority located in a county with a  
1 28 population as of the most recent decennial census in  
1 29 excess of three hundred thousand persons, shall  
1 30 require a licensee or permittee, as provided in  
1 31 chapter 123, of a premises with an occupancy of at  
1 32 least two hundred persons to have at least one  
1 33 designated security employee, as defined in section  
1 34 123.3, who shall be designated as the supervising  
1 35 security person, who is trained and certified in  
1 36 security methods as provided in this section, on the  
1 37 premises during an event for which an admission or a  
1 38 cover charge of at least five dollars is charged or  
1 39 collected to enter the premises or attend a  
1 40 performance or program on the premises while alcoholic  
1 41 beverages are served or made available to patrons.  
1 42 However, a designated security employee who is a  
1 43 certified peace officer shall be exempt from the  
1 44 requirement to be trained and certified through a  
1 45 program conducted by the division of labor services as  
1 46 provided in this section.  
1 47 2. a. The labor commissioner of the division of  
1 48 labor services of the department of workforce  
1 49 development shall establish and conduct an eight-hour  
1 50 security and safety certification training program for



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5418 continued

2 1 designated security employees. The commissioner shall  
2 2 assess a fee of not more than fifty dollars to a  
2 3 person participating in the training and issue a  
2 4 certificate to the designated security employee upon  
2 5 successful completion of the training program.

2 6 b. The training program shall include but is not  
2 7 limited to the following:

2 8 (1) De-escalation techniques.

2 9 (2) Anger management techniques.

2 10 (3) Use of force and techniques for safely  
2 11 removing patrons.

2 12 (4) Recognition of fake or altered identification.

2 13 (5) Information on laws applicable to the serving  
2 14 of alcohol at a licensed premises.

2 15 (6) Disaster preparedness.

2 16 (7) Communications skills and report writing.

2 17 (8) Civil rights or unfair practices awareness as  
2 18 provided in section 216.7.

2 19 (9) Instruction on the proper physical restraint  
2 20 methods used against a person who has become  
2 21 combative.

2 22 3. Fees assessed pursuant to this section of this  
2 23 Act shall be retained by the commissioner and shall be  
2 24 considered repayment receipts as defined in section  
2 25 8.2, and shall be used to offset the cost of  
2 26 conducting the training. Notwithstanding section  
2 27 8.33, repayment receipts collected by the commissioner  
2 28 for security employee training that remain  
2 29 unencumbered or unobligated at the close of the fiscal  
2 30 year shall not revert but shall remain available for  
2 31 expenditure for the purpose designated until the close  
2 32 of the succeeding fiscal year.

2 33 4. The labor commissioner of the division of labor  
2 34 services of the department of workforce development  
2 35 and the administrator of the alcoholic beverages  
2 36 division of the department of commerce shall jointly  
2 37 submit a written report to the general assembly by  
2 38 January 1, 2011, concerning the effectiveness of the  
2 39 pilot project and any recommendations for legislative  
2 40 action to expand or modify the pilot project.

2 41 5. This section of this Act is repealed June 30,  
2 42 2011.>

2 43 #2. Title page, line 3, by inserting after the  
2 44 word <permit> the following: <and providing for  
2 45 fees>.

2 46 #3. By renumbering as necessary.

2 47

2 48

2 49

2 50 WILLIAM DOTZLER



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5418 continued

3 1 HF 901.502 82  
3 2 ec/ml/12



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

**Senate Amendment 5419**

PAG LIN

1 1 Amend the House amendment, S=5410, to Senate File  
 1 2 2406, as passed by the Senate, as follows:  
 1 3 #1. Page 1, by inserting after line 20 the  
 1 4 following:  
 1 5 <#\_\_\_\_. Page 13, by inserting after line 24 the  
 1 6 following:  
 1 7 <Sec. \_\_\_\_ . NEW SECTION. 69.16C MINORITY  
 1 8 REPRESENTATION.  
 1 9 All appointive boards, commissions, committees, and  
 1 10 councils of the state established by the Code if not  
 1 11 otherwise provided by law should provide, to the  
 1 12 extent practicable, for minority representation. All  
 1 13 appointing authorities of boards, commissions,  
 1 14 committees, and councils subject to this section  
 1 15 should consider qualified minority persons for  
 1 16 appointment to boards, commissions, committees, and  
 1 17 councils. For purposes of this section, "minority"  
 1 18 means a minority person as defined in section  
 1 19 15.102.>>  
 1 20 #2. By renumbering as necessary.  
 1 21  
 1 22  
 1 23  
 1 24 MICHAEL E. GRONSTAL  
 1 25 SF 2406.301 82  
 1 26 jp/rj/11773  
 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 23, 2008

Senate Amendment 5420

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 27, by inserting before line 24 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 256.51, subsection 1, Code  
1 6 2007, is amended by adding the following new  
1 7 paragraph:  
1 8 NEW PARAGRAPH. k. Require a public library that  
1 9 receives state funds to adopt a policy to restrict the  
1 10 content of video materials a child under seventeen  
1 11 years of age may borrow from the library to those  
1 12 video cassettes or digital video discs (DVDs) that  
1 13 receive a G, PG, or PG=13 rating under the motion  
1 14 picture association of America's rating system.>  
1 15 #2. By renumbering as necessary.  
1 16  
1 17  
1 18  
1 19 BRAD ZAUN  
1 20  
1 21  
1 22 \_\_\_\_\_  
1 23 DAVE MULDER  
1 24 HF 2679.214 82  
1 25 kh/ml/12  
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 23, 2008

**Senate Amendment 5421**

PAG LIN

1 1 Amend Senate File 2430 as follows:  
1 2 #1. Page 5, by inserting after line 28 the  
1 3 following:  
1 4 <0A. For purposes of this section, "lake" means a  
1 5 lake of which the state or a political subdivision  
1 6 owns the lake bed up to the ordinary high water line  
1 7 and which is open to the use of the general public.>  
1 8 #2. By renumbering as necessary.  
1 9  
1 10  
1 11  
1 12 WILLIAM DOTZLER  
1 13 SF 2430.701 82  
1 14 tw/rj/12354  
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 23, 2008**

## Senate Amendment 5422

PAG LIN

1 1 Amend the amendment, S=5413, to the House  
 1 2 Amendment, S=5330, to Senate File 2400, as amended,  
 1 3 passed, and reprinted by the Senate, as follows:  
 1 4 #1. Page 1, by inserting after line 44 the  
 1 5 following:  
 1 6 <7B. DEVELOPMENT ASSESSMENT AND RESOLUTION PROGRAM  
 1 7 For support, maintenance, and miscellaneous  
 1 8 purposes:  
 1 9 ..... \$ 10,000>  
 1 10 #2. Page 3, by striking lines 25 through 27 and  
 1 11 inserting the following: <justice of the supreme  
 1 12 court may appoint a member to the customer council,  
 1 13 and the legislative council may appoint a member from  
 1 14 the Senate and a member from the House of  
 1 15 Representatives to the customer council, in their  
 1 16 discretion.>  
 1 17 #3. Page 7, line 3, by striking the word <each>.  
 1 18 #4. Page 7, by striking lines 4 through 8 and  
 1 19 inserting the following: <tribal governments.>  
 1 20 #5. Page 12, by inserting after line 20 the  
 1 21 following:  
 1 22 <Sec. \_\_\_\_\_. Section 422.16, subsection 1, paragraph  
 1 23 a, Code Supplement 2007, is amended to read as  
 1 24 follows:  
 1 25 a. Every withholding agent and every employer as  
 1 26 defined in this chapter and further defined in the  
 1 27 Internal Revenue Code, with respect to income tax  
 1 28 collected at source, making payment of wages to a  
 1 29 nonresident employee working in Iowa, or to a resident  
 1 30 employee, shall deduct and withhold from the wages an  
 1 31 amount which will approximate the employee's annual  
 1 32 tax liability on a calendar year basis, calculated on  
 1 33 the basis of tables to be prepared by the department  
 1 34 and schedules or percentage rates, based on the wages,  
 1 35 to be prescribed by the department. Every employee or  
 1 36 other person shall declare to the employer or  
 1 37 withholding agent the number of the employee's or  
 1 38 other person's personal ~~exemptions and dependency~~  
 1 39 ~~exemptions or credits allowances~~ to be used in  
 1 40 applying the tables and schedules or percentage rates.  
 1 41 However, no greater number of ~~personal or dependency~~  
 1 42 ~~exemptions or credits allowances~~ may be declared by  
 1 43 the employee or other person than the number to which  
 1 44 the employee or other person is entitled except as  
 1 45 allowed under sections 3402(m)(1) and 3402(m)(3) of  
 1 46 the Internal Revenue Code and as allowed for the child  
 1 47 and dependent care credit provided in section 422.12C.  
 1 48 The claiming of ~~exemptions or credits allowances~~ in  
 1 49 excess of entitlement is a serious misdemeanor.  
 1 50 Sec. \_\_\_\_\_. Section 423.3, subsection 8, paragraph



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5422 continued

2 1 c, unnumbered paragraph 1, Code Supplement 2007, is  
2 2 amended to read as follows:

2 3 The replacement part is ~~essential to used in~~ any  
2 4 repair or reconstruction necessary to the farm  
2 5 machinery's or equipment's exempt use in the  
2 6 production of agricultural products.

2 7 Sec. \_\_\_\_\_. Section 423.3, subsection 11, paragraph  
2 8 c, Code Supplement 2007, is amended to read as  
2 9 follows:

2 10 c. The replacement part is ~~essential to used in~~  
2 11 any repair or reconstruction necessary to the farm  
2 12 machinery's or equipment's exempt use in livestock or  
2 13 dairy production, aquaculture production, or the  
2 14 production of flowering, ornamental, or vegetable  
2 15 plants.

2 16 Sec. \_\_\_\_\_. Section 423.36, subsection 2, Code 2007,  
2 17 is amended to read as follows:

2 18 2. To collect sales or use tax, the applicant must  
2 19 have a permit for each place of business in the state  
2 20 of Iowa. The department may deny a permit to an  
2 21 applicant who is substantially delinquent in paying a  
2 22 tax due, or the interest or penalty on the tax,  
2 23 administered by the department at the time of  
2 24 application or if the applicant had a previous  
2 25 delinquent liability with the department. If the

2 26 applicant is a partnership, a permit may be denied if  
2 27 a partner is substantially delinquent in paying any  
2 28 delinquent tax, penalty, or interest or if a partner  
2 29 had a previous delinquent liability with the

2 30 department. If the applicant is a corporation, a  
2 31 permit may be denied if any officer having a  
2 32 substantial legal or equitable interest in the  
2 33 ownership of the corporation owes any delinquent tax,  
2 34 penalty, or interest or if any officer having a  
2 35 substantial legal or equitable interest in the  
2 36 ownership of the corporation had a previous delinquent  
2 37 liability with the department.

2 38 Sec. \_\_\_\_\_. Section 423A.5, subsection 1, Code 2007,  
2 39 is amended by adding the following new paragraph:

2 40 NEW PARAGRAPH. c. The sales price from  
2 41 transactions exempt from state sales tax under section  
2 42 423.3.

2 43 Sec. \_\_\_\_\_. Section 423A.5, subsection 2, Code 2007,  
2 44 is amended by adding the following new paragraph:

2 45 NEW PARAGRAPH. c. The sales price from  
2 46 transactions exempt from state sales tax under section  
2 47 423.3.

2 48 Sec. \_\_\_\_\_. Section 423D.3, Code 2007, is amended to  
2 49 read as follows:

2 50 423D.3 EXEMPTION.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5422 continued

3 1 The sales price on the lease or rental of equipment  
3 2 to contractors for direct and primary use in  
3 3 construction is exempt from the tax imposed by this  
3 4 chapter. The sales price from transactions exempt  
3 5 from state sales tax under section 423.3 is also  
3 6 exempt from the tax imposed by this chapter.

3 7 Sec. \_\_\_\_\_. Section 427.1, subsection 7, Code  
3 8 Supplement 2007, is amended to read as follows:  
3 9 7. LIBRARIES AND ART GALLERIES. All grounds and  
3 10 buildings used for public libraries, public art  
3 11 galleries, and libraries and art galleries owned and  
3 12 kept by private individuals, associations, or  
3 13 corporations, for public use and not for private  
3 14 profit. Claims for exemption for libraries and art  
3 15 galleries owned and kept by private individuals,  
3 16 associations, or corporations for public use and not  
3 17 for private profit must be filed with the local  
3 18 assessor by February 1 of the first year the exemption  
3 19 is requested. Once the exemption is granted, the  
3 20 exemption shall continue to be granted for subsequent  
3 21 assessment years without further filing of claims as  
3 22 long as the property continues to be used as a library  
3 23 or art gallery for public use and not for private  
3 24 profit.

3 25 Sec. \_\_\_\_\_. Section 452A.2, subsection 35, Code  
3 26 2007, is amended to read as follows:  
3 27 35. "Supplier" means a person who acquires motor  
3 28 fuel or special fuel by pipeline or marine vessel from  
3 29 a state, territory, or possession of the United  
3 30 States, or from a foreign country for storage at and  
3 31 distribution from a terminal and who is registered  
3 32 under 26 U.S.C. } 4101 for tax-free transactions in  
3 33 gasoline, a person who produces in this state or  
3 34 acquires by truck, railcar, or barge for storage at  
3 35 and distribution from a terminal, biofuel, biodiesel,  
3 36 alcohol, or alcohol derivative substances, or a person  
3 37 who produces, manufactures, or refines motor fuel or  
3 38 special fuel in this state. "Supplier" includes a  
3 39 person who does not meet the jurisdictional connection  
3 40 to this state but voluntarily agrees to act as a  
3 41 supplier for purposes of collecting and reporting the  
3 42 motor fuel or special fuel tax. "Supplier" does not  
3 43 include a retail dealer or wholesaler who merely  
3 44 blends alcohol with gasoline or biofuel with diesel  
3 45 before the sale or distribution of the product or a  
3 46 terminal operator who merely handles, in a terminal,  
3 47 motor fuel or special fuel consigned to the terminal  
3 48 operator.

3 49 Sec. \_\_\_\_\_. Section 452A.33, subsection 2,  
3 50 unnumbered paragraph 1, Code 2007, is amended to read



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5422 continued

4 1 as follows:

4 2 On or before ~~February~~ April 1 the department shall  
4 3 deliver a report to the governor and the legislative  
4 4 services agency. The report shall compile information  
4 5 reported by retail dealers to the department as  
4 6 provided in this section and shall at least include  
4 7 all of the following:

4 8 Sec. \_\_\_\_\_. Section 452A.59, Code 2007, is amended  
4 9 to read as follows:

4 10 452A.59 ADMINISTRATIVE RULES.

4 11 The department of revenue and the state department  
4 12 of transportation are authorized and empowered to  
4 13 adopt rules under chapter 17A, relating to the  
4 14 administration and enforcement of this chapter as  
4 15 deemed necessary by the departments. However, when in  
4 16 the opinion of the director it is necessary for the  
4 17 efficient administration of this chapter, the director  
4 18 may regard persons in possession of motor fuel,  
4 19 special fuel, biofuel, alcohol, or alcohol derivative  
4 20 substances as blenders, dealers, eligible purchasers,  
4 21 exporters, importers, restrictive suppliers,  
4 22 suppliers, terminal operators, or nonterminal storage  
4 23 facility operators.

4 24 Sec. \_\_\_\_\_. Section 453A.46, subsection 7, Code  
4 25 Supplement 2007, is amended to read as follows:

4 26 7. The director may require by rule that ~~reports~~  
4 27 returns be filed by electronic transmission.>

4 28 #6. By renumbering as necessary.

4 29

4 30

4 31

4 32 JEFF DANIELSON

4 33 SF 2400.307 82

4 34 ec/mg/21353



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

**Senate Amendment 5423**

PAG LIN

1 1 Amend Senate File 2415, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 16, by inserting after the word  
1 4 <district.> the following: <A member of the  
1 5 commission shall not appoint a designee to serve on  
1 6 the commission in the member's capacity.>  
1 7 #2. Page 4, line 32, by inserting after the word  
1 8 <district.> the following: <A proposed property tax  
1 9 levy rate shall not be approved by the commission  
1 10 unless two-thirds of the commission's members are  
1 11 present when the proposed property tax levy rate is  
1 12 approved.>  
1 13 #3. Page 5, line 11, by inserting after the word  
1 14 <needed.> the following: <The commission shall have  
1 15 exclusive tax=levying authority for the district.>  
1 16 SF 2415.H  
1 17 md/jg/25  
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 23, 2008

**Senate Amendment 5424**

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 13, by striking lines 17 through 23.  
1 4 #2. By renumbering as necessary.  
1 5  
1 6  
1 7  
1 8 PAUL McKINLEY  
1 9 HF 2679.511 82  
1 10 kh/mg/12149  
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 23, 2008

Senate Amendment 5425

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 38, by inserting after line 5 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 279.67 REMEDIAL SERVICES  
1 6 == REIMBURSEMENT.  
1 7 1. If a school district is unable or unwilling to  
1 8 provide remedial services to a student who is  
1 9 achieving below grade level in any area required under  
1 10 the educational program pursuant to section 256.11,  
1 11 and the student's parent or guardian secures remedial  
1 12 services for the student from a qualified provider,  
1 13 the school district shall reimburse the parent or  
1 14 guardian for reasonable fees for the provision of the  
1 15 services if, by the end of the school year, the  
1 16 student is achieving at grade level in the area for  
1 17 which the student received remedial services in  
1 18 accordance with this section.  
1 19 2. For each school district in the state, the  
1 20 department of education shall develop and maintain a  
1 21 list of qualified providers of remedial services for  
1 22 the areas required under the educational program  
1 23 pursuant to section 256.11. The list may include  
1 24 public and private sector entities.>  
1 25 #2. By renumbering as necessary.  
1 26  
1 27  
1 28  
1 29 BRAD ZAUN  
1 30  
1 31  
1 32 \_\_\_\_\_  
1 33 PAUL McKINLEY  
1 34 HF 2679.509 82  
1 35 kh/ml/12  
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 23, 2008**

## Senate Amendment 5426

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 38, by inserting after line 5 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 301.1, subsection 3, Code 2007,  
 1 6 is amended to read as follows:  
 1 7 3. As used in subsection 2, "textbooks" means  
 1 8 ~~books~~ any of the following:  
 1 9 a. Books and loose-leaf or bound manuals, systems  
 1 10 of reusable instructional materials or combinations of  
 1 11 books and supplementary instructional materials which  
 1 12 convey information to the student or otherwise  
 1 13 contribute to the learning process, ~~or electronic.~~  
 1 14 b. Electronic textbooks, including but not limited  
 1 15 to computer software, applications using  
 1 16 computer-assisted instruction, interactive videodisc,  
 1 17 and other computer courseware and magnetic media.  
 1 18 c. Computer hardware, including but not limited to  
 1 19 personal computing devices.>

---

1 20 #2. By renumbering as necessary.

1 21

1 22

1 23

1 24 BRAD ZAUN

1 25 HF 2679.510 82

1 26 kh/mg/12146

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 23, 2008**

**Senate Amendment 5427**

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 38, by inserting after line 10 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 422.11S, subsection 7,  
 1 6 paragraph a, subparagraph (2), Code Supplement 2007,  
 1 7 is amended to read as follows:  
 1 8 (2) "Total approved tax credits" means for the tax  
 1 9 year beginning in the 2006 calendar year, two million  
 1 10 five hundred thousand dollars, for the tax year  
 1 11 beginning in the 2007 calendar year, five million  
 1 12 dollars, ~~and for tax years beginning on or after~~  
 1 13 ~~January 1, 2008~~ for the tax year beginning in the 2008  
 1 14 calendar year, seven million five hundred thousand  
 1 15 dollars, and for tax years beginning on or after  
 1 16 January 1, 2009, ten million dollars.>  
 1 17 #2. By renumbering as necessary.  
 1 18  
 1 19  
 1 20  
 1 21 BRAD ZAUN  
 1 22 HF 2679.706 82  
 1 23 kh/mg/12148  
 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 23, 2008

Senate Amendment 5428

PAG LIN

1 1 Amend Senate File 2413, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 10 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 257.14, subsection 2, Code  
1 6 2007, is amended to read as follows:  
1 7 2. For the budget years commencing July 1, 2002,  
1 8 and July 1, 2003, if the department of management  
1 9 determines that the regular program district cost of a  
1 10 school district for a budget year is less than the  
1 11 total of the regular program district cost plus any  
1 12 adjustment added under this section for the base year  
1 13 for that school district, the school district shall be  
1 14 eligible to receive a budget adjustment for that  
1 15 district for that budget year up to an amount equal to  
1 16 the difference. The board of directors of a school  
1 17 district that wishes to receive a budget adjustment  
1 18 pursuant to this subsection shall adopt a resolution  
1 19 to receive the budget adjustment by ~~April~~ May 15,  
1 20 annually, and shall notify the department of  
1 21 management of the adoption of the resolution and the  
1 22 amount of the budget adjustment to be received.  
1 23 Sec. \_\_\_\_\_. Section 257.14, subsection 3, unnumbered  
1 24 paragraph 2, Code 2007, is amended to read as follows:  
1 25 The board of directors of a school district that  
1 26 wishes to receive a budget adjustment pursuant to this  
1 27 subsection shall adopt a resolution to receive the  
1 28 budget adjustment by ~~April~~ May 15, annually, and shall  
1 29 notify the department of management of the adoption of  
1 30 the resolution and the amount of the budget adjustment  
1 31 to be received.>  
1 32 #2. Page 3, by inserting after line 19, the  
1 33 following:  
1 34 <Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed  
1 35 of immediate importance, takes effect upon enactment.>  
1 36 #3. Title page, line 1, by inserting before the  
1 37 word <requests> the following: <school budgets,  
1 38 including by providing for>.  
1 39 #4. Title page, line 2, by inserting after the  
1 40 word <committee> the following: <and documents  
1 41 submitted to other state agencies>.  
1 42 #5. Title page, line 3, by inserting after the  
1 43 word <finances> the following: <, and providing an  
1 44 effective date>.  
1 45 #6. By renumbering as necessary.  
1 46 SF 2413.H  
1 47 da/jg/25  
1 48  
1 49  
1 50



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

**Senate Amendment 5429**

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 28, by inserting after line 13 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_ . NEW SECTION. 256F.3A CHARTER SCHOOL  
 1 6 PILOT.  
 1 7 1. Notwithstanding section 256.11, subsection 12,  
 1 8 and section 256F.3, the state board shall approve the  
 1 9 establishment of a charter school by a school district  
 1 10 which lost its accreditation after a phase II on-site  
 1 11 visit to conduct a fiscal review recommended in  
 1 12 accordance with section 257.31, subsection 18. The  
 1 13 state board shall permit the school district to  
 1 14 operate as a charter school for the fiscal period  
 1 15 beginning July 1, 2008, and ending June 30, 2010. The  
 1 16 school district shall comply with the applicable  
 1 17 provisions of the chapter and shall work with the  
 1 18 department to meet the requirements of the chapter.  
 1 19 2. For each fiscal year in which the school  
 1 20 district, approved pursuant to subsection 1, operates  
 1 21 as a charter school, the department shall offer each  
 1 22 student enrolled in the charter school, as determined  
 1 23 utilizing the basic educational data survey, a  
 1 24 scholarship in the amount of not more than eight  
 1 25 thousand five hundred dollars to pay for the costs of  
 1 26 attending the charter school.  
 1 27 3. The department shall monitor the progress of  
 1 28 students attending the charter school approved under  
 1 29 this section using valid, reliable assessments, which  
 1 30 may include but are not limited to the Iowa test of  
 1 31 basic skills and the Iowa test of educational  
 1 32 development. The state board shall submit a report to  
 1 33 the general assembly detailing the assessment results  
 1 34 by July 1, 2010.  
 1 35 4. There is appropriated from the general fund of  
 1 36 the state for each fiscal year of the fiscal period  
 1 37 beginning July 1, 2008, and ending June 30, 2010, an  
 1 38 amount necessary to pay the scholarships provided for  
 1 39 students in accordance with subsection 2.  
 1 40 5. This section is repealed July 1, 2011.>  
 1 41 #2. By renumbering as necessary.  
 1 42  
 1 43  
 1 44  
 1 45 PAUL McKINLEY  
 1 46 HF 2679.215 82  
 1 47 kh/mg/12157

1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

## Senate Amendment 5430

PAG LIN

1 1 Amend Senate File 2216, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 19 through 28 and  
1 4 inserting the following: <through grade twelve in  
1 5 those areas. The department shall further define the  
1 6 twenty-first century learning skills components by  
1 7 rule.>  
1 8 #2. Page 2, by striking lines 5 through 7 and  
1 9 inserting the following: <Neither the state board nor  
1 10 the department shall require school districts or  
1 11 accredited nonpublic schools to adopt a specific  
1 12 textbook, textbook series, or specific instructional  
1 13 methodology, or acquire specific textbooks, curriculum  
1 14 materials, or educational products from a specific  
1 15 vendor in order to meet the core curriculum  
1 16 requirements of>.  
1 17 #3. Page 2, by striking lines 10 through 27 and  
1 18 inserting the following:  
1 19 <28. a. Adopt ~~a set of~~ minimum core content  
1 20 standards applicable to all students in kindergarten  
1 21 through grade twelve in every school district and  
1 22 accredited nonpublic school. For purposes of this  
1 23 subsection, ~~the~~ "minimum content standards" includes  
1 24 reading, mathematics, and science. The minimum core  
1 25 content standards shall be identical to the core  
1 26 content standards included in Iowa's approved 2006  
1 27 standards and assessment system under Title I of the  
1 28 federal Elementary and Secondary Education Act of  
1 29 1965, 20 U.S.C. } 6301 et seq., as amended by the  
1 30 federal No Child Left Behind Act of 2001, Pub. L. No.  
1 31 107-110. ~~School districts and accredited nonpublic~~  
1 32 ~~schools shall include, at a minimum, the core content~~  
1 33 ~~standards adopted pursuant to this subsection in any~~  
1 34 ~~set of locally developed content standards.~~ School  
1 35 districts and accredited nonpublic schools are  
1 36 strongly encouraged to ~~include the voluntary model~~  
1 37 ~~core curriculum~~ or set higher expectations in local  
1 38 standards. As changes in federal law or regulation  
1 39 occur, the state board is authorized to amend the  
1 40 minimum core content standards as appropriate.  
1 41 b. School districts and accredited nonpublic  
1 42 schools shall include, at a minimum, the core content  
1 43 standards adopted in accordance with paragraph "a" in  
1 44 any set of locally developed content standards until  
1 45 June 30, 2014. School districts and accredited  
1 46 nonpublic schools shall include, at a minimum, the  
1 47 rigorous core content standards adopted in accordance  
1 48 with paragraph "c" in any set of locally developed  
1 49 content standards by July 1, 2014.  
1 50 c. (1) By July 1, 2010, adopt by rule, for



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5430 continued

2 1 implementation by July 1, 2014, by school districts  
2 2 and accredited nonpublic schools, rigorous core  
2 3 content standards applicable to all students in  
2 4 prekindergarten through grade twelve in every school  
2 5 district and accredited nonpublic school. School  
2 6 districts and accredited nonpublic schools are  
2 7 encouraged to implement the rigorous core content  
2 8 standards between July 1, 2012, and June 30, 2014.  
2 9 The board shall consider the recommendations of the  
2 10 task force convened by the director in accordance with  
2 11 subparagraph (2). The board shall establish criteria  
2 12 to ensure that the standards adopted are rigorous and  
2 13 support best practices. However, the standards  
2 14 adopted shall not exceed in scope or depth the  
2 15 curriculum that can be reasonably taught in the  
2 16 instructional time available. Prior to adoption, the  
2 17 board shall submit the proposed standards to an  
2 18 external nonprofit educational organization for an  
2 19 independent review. The results of the review shall  
2 20 be posted on the department's internet web site.  
2 21 (2) Recommended rigorous core content standards  
2 22 shall be developed by a task force convened by the  
2 23 director of the department. The task force shall be  
2 24 comprised of teachers, school administrators, higher  
2 25 education faculty who teach in the subjects for which  
2 26 the standards are being adopted, private sector  
2 27 employers, members of the boards of directors of  
2 28 school districts, and authorities in charge of  
2 29 accredited nonpublic schools. The task force shall  
2 30 review the national assessment of educational progress  
2 31 standards, standards adopted by other states, and  
2 32 standards identified as best practices in the field of  
2 33 study by the national councils of teachers of English  
2 34 and mathematics, the national council for the social  
2 35 studies, the national science teachers association,  
2 36 and other recognized experts. The director shall  
2 37 provide at least one staff person who is qualified by  
2 38 education and experience in developing rigorous  
2 39 content standards to assist the task force. Members  
2 40 of the task force shall be allowed their actual and  
2 41 necessary expenses incurred in the performance of  
2 42 their duties. All expenses shall be paid from  
2 43 appropriations to the department. The task force  
2 44 shall submit its recommendations to the state board of  
2 45 education by January 2, 2009. The task force may be  
2 46 reconvened whenever the director determines there is a  
2 47 need to review or amend the rigorous core content  
2 48 standards.  
2 49 d. The rigorous core content standards for  
2 50 prekindergarten through grade six shall include



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5430 continued

3 1 reading and writing, mathematics, science, social  
3 2 studies, and art. The core content standards for  
3 3 grades seven through twelve shall include English and  
3 4 language arts, mathematics, science, history, social  
3 5 studies, and art. The core content standards shall be  
3 6 more rigorous than the minimum core content standards  
3 7 adopted pursuant to paragraph "a". School districts  
3 8 and accredited nonpublic schools shall include, at a  
3 9 minimum, the rigorous core content standards adopted  
3 10 pursuant to this subsection in any set of locally  
3 11 developed content standards.

3 12 e. The task force convened in accordance with  
3 13 paragraph "c", subparagraph (2), shall develop  
3 14 rigorous performance standards which shall be  
3 15 grade-level expectations aligned to the rigorous core  
3 16 content standards adopted pursuant to paragraph "c",  
3 17 subparagraph (1), and the task force shall specify  
3 18 expectations for students' knowledge and performance  
3 19 at the end of a given grade level. The rigorous  
3 20 performance standards for kindergarten through grade  
3 21 six shall include reading and writing, mathematics,  
3 22 science, social studies, and art; and for grades seven  
3 23 through twelve shall include English and language  
3 24 arts, mathematics, science, history and social  
3 25 studies, and art. The director shall provide at least  
3 26 one staff person who is qualified by education and  
3 27 experience on developing rigorous performance  
3 28 standards to assist the task force. The task force  
3 29 shall submit its recommendations to the state board  
3 30 and the general assembly by January 2, 2012.

3 31 f. The board shall require each school district to  
3 32 align the local curriculum, instructional materials,  
3 33 and classroom instruction to the standards adopted and  
3 34 to submit evidence of such alignment satisfactory to  
3 35 the department.

3 36 g. A student shall not be denied curriculum or  
3 37 instruction consistent with the rigorous core content  
3 38 standards adopted pursuant to this subsection.>

3 39 #4. Page 2, line 30, by inserting after the figure  
3 40 <57.> the following: <a.>

3 41 #5. Page 2, by striking lines 33 and 34 and  
3 42 inserting the following: <that school districts and  
3 43 accredited nonpublic schools shall utilize, including  
3 44 but not limited to the development and>.

3 45 #6. Page 2, line 35, by inserting before the word  
3 46 <assessments> the following: <model>.

3 47 #7. Page 3, line 1, by striking the word <can> and  
3 48 inserting the following: <may>.

3 49 #8. Page 3, by striking lines 3 and 4 and  
3 50 inserting the following: <The department shall, in



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5430 continued

4 1 collaboration with the advisory group convened in  
4 2 accordance with paragraph "b" and educational  
4 3 assessment providers, identify and make available to  
4 4 school districts end=of=course and additional model>.  
4 5 #9. Page 3, line 6, by inserting after the word  
4 6 <curriculum.> the following: <The model assessments  
4 7 shall be suitable to meet the multiple assessment  
4 8 measures requirement specified in section 256.7,  
4 9 subsection 21, paragraph "c".  
4 10 b. Convene an advisory group comprised of  
4 11 education stakeholders including but not limited to  
4 12 school district and accredited nonpublic school  
4 13 teachers, school administrators, higher education  
4 14 faculty who teach in the subjects for which the  
4 15 curriculum is being adopted, private sector employers,  
4 16 members of the boards of directors of school  
4 17 districts, and individuals representing the  
4 18 educational assessment providers. The task force  
4 19 shall review the national assessment of educational  
4 20 progress standards and assessments used by other  
4 21 states, and shall consider standards identified as  
4 22 best practices in the field of study by the national  
4 23 councils of teachers of English and mathematics, the  
4 24 national council for the social studies, the national  
4 25 science teachers association, and other recognized  
4 26 experts.>  
4 27 #10. Page 3, by inserting after line 13 the  
4 28 following:  
4 29 <Sec. \_\_\_\_\_. Section 257.11, Code Supplement 2007,  
4 30 is amended by adding the following new subsection:  
4 31 NEW SUBSECTION. 8A. A school district shall  
4 32 ensure that any course made available to a student  
4 33 through any sharing agreement between the school  
4 34 district and a community college or any other entity  
4 35 providing course programming pursuant to this section  
4 36 to students enrolled in the school district meets the  
4 37 expectations contained in the core curriculum adopted  
4 38 pursuant to section 256.7, subsection 26. The school  
4 39 district shall ensure that any course that has the  
4 40 capacity to generate college credit shall be  
4 41 equivalent to college-level work.>  
4 42 #11. Page 4, by inserting after line 12 the  
4 43 following:  
4 44 <Sec. \_\_\_\_\_. Section 280.2, Code 2007, is amended to  
4 45 read as follows:  
4 46 280.2 DEFINITIONS.  
4 47 The term "public school" means any school directly  
4 48 supported in whole or in part by taxation. The term  
4 49 "nonpublic school" means any other school which is  
4 50 accredited ~~or which uses licensed practitioners as~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

~~Senate Amendment 5430 continued~~

~~5 1 instructors pursuant to section 256.11.>~~  
5 2 #12. Page 4, line 15, by striking the words  
5 3 ~~<DUTIES OF BOARD>~~ and inserting the following:  
5 4 ~~<DUTIES OF BOARD ==>~~.  
5 5 #13. Page 6, line 20, by inserting after the word  
5 6 <The> the following: <study shall include an  
5 7 examination of the possible future expansion of the  
5 8 core curriculum to include content areas not currently  
5 9 included under section 256.7, subsection 26, including  
5 10 but not limited to fine arts, applied arts,  
5 11 humanities, and world languages. The>.  
5 12 #14. By renumbering, relettering, or redesignating  
5 13 and correcting internal references as necessary.  
5 14 SF 2216.H  
5 15 jg/25



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

**Senate Amendment 5431**

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 2, by striking line 29 and inserting the  
 1 4 following:  
 1 5 <..... \$ 4,000,000>  
 1 6 #2. Page 3, by inserting after line 32 the  
 1 7 following:  
 1 8 <\_\_. WASHINGTON, D.C., INTERNSHIP SCHOLARSHIP  
 1 9 For purposes of awarding Washington, D.C.,  
 1 10 internship scholarships to support resident Iowa  
 1 11 postsecondary students who meet the eligibility  
 1 12 requirements of this subsection:  
 1 13 ..... \$ 100,000  
 1 14 A student shall be eligible for an award pursuant  
 1 15 to this subsection if the student is enrolled in an  
 1 16 Iowa accredited higher education institution, as  
 1 17 defined in section 261.92, subsection 1, and is  
 1 18 participating in a one=semester internship opportunity  
 1 19 in Washington, D.C., for a state of Iowa government  
 1 20 agency or office, a United States government agency,  
 1 21 or a member of the United States Congress. The  
 1 22 commission shall award 83 scholarships in the amount  
 1 23 of \$1,200 each.>  
 1 24 #3. Page 4, line 3, by striking the figure  
 1 25 <698,923> and inserting the following: <995,000>.  
 1 26 #4. Page 4, line 4, by striking the figure  
 1 27 <338,958> and inserting the following: <484,972>.  
 1 28 #5. Page 7, by inserting after line 13 the  
 1 29 following:  
 1 30 <\_\_. For a grant to a center for independent  
 1 31 living established in accordance with the federal  
 1 32 Rehabilitation Act of 1973, that is designed and  
 1 33 operated within a local community by individuals with  
 1 34 disabilities and provides an array of independent  
 1 35 living services, and which adheres to the state plan  
 1 36 for independent living required in order to receive  
 1 37 federal Part B dollars for independent living services  
 1 38 for Iowans with disabilities:  
 1 39 ..... \$ 250,000  
 1 40 By October 1, 2009, the grant recipient shall  
 1 41 submit a written report to the division and the state  
 1 42 board of education regarding the expenditure of moneys  
 1 43 received from the state under this lettered  
 1 44 paragraph.>  
 1 45 #6. Page 12, by inserting after line 9 the  
 1 46 following:  
 1 47 <g. Grant amount award reductions for the  
 1 48 2008=2009 fiscal year resulting from the Iowa  
 1 49 empowerment board's restriction on carryforward of  
 1 50 grant funding may be applied to categorical funding



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5431 continued

2 1 requirements at the discretion of each community  
 2 2 empowerment area, regardless of the categorical  
 2 3 sources of the area's fiscal year 2006=2007 ending  
 2 4 balance.  
 2 5 h. The Iowa empowerment board shall develop and  
 2 6 implement a plan to strengthen the fiscal  
 2 7 accountability of local areas. The plan shall not  
 2 8 include hiring additional staff. The plan shall  
 2 9 address fiscal accountability for community  
 2 10 empowerment area boards, including but not limited to  
 2 11 training for board members and coordinators, and shall  
 2 12 address contractual arrangements with and fiscal  
 2 13 oversight of program providers. The plan shall  
 2 14 provide for assistance to the community empowerment  
 2 15 office and the community empowerment assistance team  
 2 16 to improve state fiscal oversight of local boards and  
 2 17 ongoing training for community empowerment area boards  
 2 18 and coordinators. The Iowa empowerment board and the  
 2 19 community empowerment office shall submit a report to  
 2 20 the general assembly and the legislative services  
 2 21 agency by January 1, 2009.>

2 22 #7. Page 13, by inserting before line 24 the  
 2 23 following:

2 24 <\_\_\_ . IOWA SENIOR YEAR PLUS PROGRAM  
 2 25 For purposes of implementing the senior year plus  
 2 26 program established pursuant to section 261E.1, if  
 2 27 enacted by this Act:  
 2 28 ..... \$ 1,900,000>

2 29 #8. By striking page 13, line 27, through page 14,  
 2 30 line 10, and inserting the following:

2 31 <..... \$183,062,414  
 2 32 Notwithstanding the allocation formula in section  
 2 33 260C.18C, the funds appropriated in this subsection  
 2 34 shall be allocated as follows:

2 35	a. Merged Area I .....	\$ 9,074,424
2 36	b. Merged Area II .....	\$ 9,840,581
2 37	c. Merged Area III .....	\$ 9,045,521
2 38	d. Merged Area IV .....	\$ 4,449,263
2 39	e. Merged Area V .....	\$ 9,992,314
2 40	f. Merged Area VI .....	\$ 8,656,370
2 41	g. Merged Area VII .....	\$ 12,826,359
2 42	h. Merged Area IX .....	\$ 15,963,828
2 43	i. Merged Area X .....	\$ 27,662,970
2 44	j. Merged Area XI .....	\$ 27,602,009
2 45	k. Merged Area XII .....	\$ 10,522,547
2 46	l. Merged Area XIII .....	\$ 10,685,790
2 47	m. Merged Area XIV .....	\$ 4,505,374
2 48	n. Merged Area XV .....	\$ 14,147,609
2 49	o. Merged Area XVI .....	\$ 8,087,455>

2 50 #9. Page 14, by striking line 18 and inserting the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5431 continued

3 1 following:  
3 2 <..... \$ 1,500,000>  
3 3 #10. Page 14, by striking lines 26 through 33.  
3 4 #11. Page 16, by striking lines 18 through 23.  
3 5 #12. Page 17, by inserting after line 21 the  
3 6 following:  
3 7 <f. For funds to be distributed to Iowa public  
3 8 radio for public radio operations:  
3 9 ..... \$ 500,000>  
3 10 #13. Page 22, by inserting after line 7 the  
3 11 following:  
3 12 <c. Science, technology, engineering, and  
3 13 mathematics (STEM) collaborative initiative  
3 14 For purposes of establishing a science, technology,  
3 15 engineering, and mathematics (STEM) collaborative  
3 16 initiative:  
3 17 ..... \$ 4,000,000  
3 18 From the funds appropriated in this lettered  
3 19 paragraph, \$200,000 shall be allocated to the Grant  
3 20 Wood Area Education Agency X for purposes of  
3 21 continuing current science, technology, engineering,  
3 22 and mathematics programming.>  
3 23 #14. Page 22, by striking line 12 and inserting  
3 24 the following:  
3 25 <..... \$ 10,077,191>  
3 26 #15. Page 22, by striking line 18 and inserting  
3 27 the following:  
3 28 <..... \$ 5,674,351>  
3 29 #16. Page 22, line 28, by striking the word  
3 30 <UNIVERSITY> and inserting the following:  
3 31 <MATHEMATICS AND SCIENCE COLLABORATIVE>.  
3 32 #17. Page 22, line 29, by striking the words <AND  
3 33 COLLEGES>.  
3 34 #18. Page 22, lines 30 and 31, by striking the  
3 35 words <require the universities it governs> and  
3 36 inserting the following: <conduct a mathematics and  
3 37 science collaborative study. The purpose of the study  
3 38 shall be>.  
3 39 #19. Page 22, line 32, by inserting before the  
3 40 word <proportion> the following: <number and>.  
3 41 #20. Page 22, lines 33 and 34, by striking the  
3 42 words <and colleges>.  
3 43 #21. Page 22, line 35, by inserting after the word  
3 44 <way.> the following: <The study shall develop and  
3 45 submit to the board recommendations for science,  
3 46 technology, engineering, and technology-related  
3 47 programming measures for improving the number and  
3 48 proportion of women and minorities in science,  
3 49 technology, engineering, and mathematics university  
3 50 programs.>



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

4 1 #22. Page 23, line 5, by inserting after the word  
4 2 <the> the following: <number and>.  
4 3 #23. Page 24, by striking lines 10 through 23.  
4 4 #24. Page 25, by inserting after line 28 the  
4 5 following:  
4 6 <Sec. \_\_\_\_\_. Section 28.8, Code 2007, is amended by  
4 7 adding the following new subsection:  
4 8 NEW SUBSECTION. 7. It is the intent of the  
4 9 general assembly that community empowerment areas  
4 10 consider whether support services to prevent the  
4 11 spread of infectious diseases, prevent child injuries,  
4 12 develop health emergency protocols, help with  
4 13 medication, and care for children with special health  
4 14 needs are being provided to child care facilities  
4 15 registered or licensed under chapter 237A.>  
4 16 #25. By striking page 26, line 20, through page  
4 17 27, line 23.  
4 18 #26. By striking page 30, line 33, through page  
4 19 31, line 14.  
4 20 #27. Page 37, by striking lines 10 through 16.  
4 21 #28. Page 40, by striking lines 10 and 11.  
4 22 #29. Page 40, line 14, by striking the word  
4 23 <DATES.> and inserting the following: <DATE. The>.  
4 24 #30. Page 40, line 15, by striking the figure and  
4 25 words <1. The section> and inserting the following:  
4 26 <section>.  
4 27 #31. Page 40, by striking lines 19 through 21.  
4 28 #32. Page 48, line 1, by striking the word <of>  
4 29 and inserting the following: <established by>.  
4 30 #33. Page 49, line 2, by inserting after the word  
4 31 <collaborate> the following: <, as appropriate,>.  
4 32 #34. Page 49, line 4, by striking the words  
4 33 <teacher or instructor> and inserting the following:  
4 34 <district, in collaboration with the teacher or  
4 35 instructor,>.  
4 36 #35. Page 50, line 10, by striking the word <and,>  
4 37 and inserting the following: <or>.  
4 38 #36. Page 50, line 31, by striking the words <an  
4 39 annual> and inserting the following: <a regular>.  
4 40 #37. Page 52, lines 13 and 14, by striking the  
4 41 words <hold a master's degree from an accredited  
4 42 college or university,>.  
4 43 #38. Page 52, line 16, by striking the figure  
4 44 <272,> and inserting the following: <272>.  
4 45 #39. Page 52, by inserting after line 24 the  
4 46 following:  
4 47 <Sec. \_\_\_\_\_. NEW SECTION. 261E.4A ADVANCED  
4 48 PLACEMENT COURSES == ACCESS == EXAMINATION FEE  
4 49 PAYMENT.  
4 50 1. A student enrolled in a school district or



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

5 1 accredited nonpublic school shall be provided access  
5 2 to advanced placement examinations at a rate of  
5 3 one-half of the cost of the regular examination fee  
5 4 the student or the student's parents or guardians  
5 5 would normally pay for the examination.  
5 6 2. The board of directors of a school district and  
5 7 the authorities in charge of an accredited nonpublic  
5 8 school shall ensure that any student enrolled who is  
5 9 interested in taking an advanced placement examination  
5 10 is properly registered for the examination. An  
5 11 accredited nonpublic school shall provide a list of  
5 12 students registered for advanced placement  
5 13 examinations to the school district in which the  
5 14 accredited nonpublic school is located. The school  
5 15 district and the accredited nonpublic school shall  
5 16 also ensure that any student enrolled in the school  
5 17 district or school, as applicable, who is interested  
5 18 in taking an advanced placement examination and  
5 19 qualifies for a reduced fee for the examination is  
5 20 properly registered for the fee reduction. The school  
5 21 district shall provide the college board with a list  
5 22 of all students enrolled in the school district and  
5 23 the accredited nonpublic schools located in the school  
5 24 district who are properly registered for advanced  
5 25 placement examinations administered by the college  
5 26 board.  
5 27 3. From the funds allocated pursuant to section  
5 28 261E.12, subsection 1, paragraph "d", the department  
5 29 shall remit amounts to the college board for advanced  
5 30 placement examinations administered by the college  
5 31 board for students enrolled in school districts and  
5 32 accredited nonpublic schools pursuant to subsection 2  
5 33 and shall distribute an amount per student to a school  
5 34 district submitting a list of students properly  
5 35 registered for the advanced placement examinations  
5 36 pursuant to subsection 2. The remittance rates to the  
5 37 college board and distribution amounts to the school  
5 38 districts in accordance with this subsection for the  
5 39 fiscal year beginning July 1, 2008, are as follows:  
5 40 thirty-eight dollars for each school district or  
5 41 accredited nonpublic school student who does not  
5 42 qualify for fee reduction; twenty-seven dollars for  
5 43 each school district or accredited nonpublic school  
5 44 student who qualifies for fee reduction; and eight  
5 45 dollars to the school district for each school  
5 46 district or accredited nonpublic school student who  
5 47 was listed by the school district and who takes an  
5 48 advanced placement examination in accordance with this  
5 49 section.>  
5 50 #40. Page 58, by inserting after line 26 the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

6 1 following:  
6 2 <d. Degree, certifications, and other  
6 3 qualifications to meet the minimum hiring standards.  
6 4 e. Salary information including regular contracted  
6 5 salary and total salary.  
6 6 f. Credit hours and laboratory contact hours and  
6 7 other data on instructional time.  
6 8 g. Other information comparable to the data  
6 9 regarding teachers collected in the basic education  
6 10 data survey.>  
6 11 #41. Page 61, by inserting after line 10 the  
6 12 following:  
6 13 <d. For the fiscal year beginning July 1, 2008,  
6 14 and succeeding fiscal years, an amount up to five  
6 15 hundred thousand dollars to the department to provide  
6 16 advanced placement course examination fee remittance  
6 17 pursuant to section 261E.4A. If the funds  
6 18 appropriated for purposes of section 261E.5 are  
6 19 insufficient to distribute the amounts set out in  
6 20 section 261E.5, subsection 3, to school districts, the  
6 21 department shall prorate the amount distributed to  
6 22 school districts based on the amount appropriated.>  
6 23 #42. Page 62, by inserting after line 19 the  
6 24 following:  
6 25 <DIVISION III  
6 26 STATEWIDE PRESCHOOL PROGRAM  
6 27 Sec. \_\_\_\_\_. Section 256C.3, subsection 1, Code  
6 28 Supplement 2007, is amended to read as follows:  
6 29 1. ELIGIBLE CHILDREN. A child who is a resident  
6 30 of Iowa and is four years of age ~~by~~ on or before  
6 31 September 15 of a school year shall be eligible to  
6 32 enroll in the preschool program under this chapter.  
6 33 If space and funding are available, a school district  
6 34 approved to participate in the preschool program may  
6 35 enroll a younger or older child in the preschool  
6 36 program; however, the child shall not be counted for  
6 37 state funding purposes.  
6 38 Sec. \_\_\_\_\_. Section 256C.4, subsection 1, Code  
6 39 Supplement 2007, is amended by adding the following  
6 40 new paragraph:  
6 41 NEW PARAGRAPH. f. The receipt of funding by a  
6 42 school district for the purposes of this chapter, the  
6 43 need for additional funding for the purposes of this  
6 44 chapter, or the enrollment count of eligible students  
6 45 under this chapter, shall not be considered to be  
6 46 unusual circumstances, create an unusual need for  
6 47 additional funds, or qualify under any other  
6 48 circumstances that may be used by the school budget  
6 49 review committee to grant supplemental aid to or  
6 50 establish modified allowable growth for a school



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

7 1 district under section 257.31.

7 2 Sec. \_\_\_\_\_. Section 256C.5, subsection 2, paragraph  
7 3 b, Code Supplement 2007, is amended to read as  
7 4 follows:

7 5 b. For budget years subsequent to the initial  
7 6 school year for which a school district approved to  
7 7 participate in the preschool program receives that  
7 8 initial approval and implements the preschool program,  
7 9 the funding for the preschool foundation aid payable  
7 10 to that school district shall be paid from the  
7 11 appropriation made in section 257.16. Continuation of  
7 12 a school district's participation in the preschool  
7 13 program for a second or subsequent budget year is  
7 14 subject to the approval of the department based upon  
7 15 the school district's compliance with accountability  
7 16 provisions and the department's on-site review of the  
7 17 school district's implementation of the preschool  
7 18 program.

7 19 Sec. \_\_\_\_\_. Section 256C.6, subsection 1, Code  
7 20 Supplement 2007, is amended to read as follows:

7 21 1. PHASE=IN. For the initial fiscal year in which  
7 22 a school district participates in the preschool  
7 23 program pursuant to an appropriation provided in  
7 24 subsection 2, the department shall apply a modified  
7 25 set of the requirements of the provisions of this  
7 26 chapter relating to preschool program implementation,  
7 27 preschool enrollment reporting, and distribution of  
7 28 funding as necessary to begin the distribution in that  
7 29 fiscal year and additional program implementation in  
7 30 the next fiscal year. ~~For each month after September~~  
~~7 31 1, in the initial fiscal year that a school district~~  
~~7 32 approved to participate in the preschool program~~  
~~7 33 begins programming, the department shall reduce the~~  
~~7 34 preschool foundation aid payable to the school~~  
~~7 35 district by one-tenth of the amount that would~~  
~~7 36 otherwise have been payable to the school district for~~  
~~7 37 the full school year.~~

7 38 Sec. \_\_\_\_\_. Section 256C.6, subsection 2, Code  
7 39 Supplement 2007, is amended by adding the following  
7 40 new unnumbered paragraph:

7 41 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
7 42 8.33, moneys appropriated in this subsection that  
7 43 remain unencumbered or unobligated at the close of the  
7 44 fiscal year shall not revert but shall remain  
7 45 available for expenditure for the purposes designated  
7 46 until the close of the succeeding fiscal year.

7 47 Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 214, section 6,  
7 48 subsection 13, is amended by adding the following new  
7 49 unnumbered paragraph:

7 50 NEW UNNUMBERED PARAGRAPH. Notwithstanding section



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

8 1 8.33, moneys appropriated in this subsection that  
8 2 remain unencumbered or unobligated at the close of the  
8 3 fiscal year shall not revert but shall remain  
8 4 available for expenditure for the purposes designated  
8 5 until the close of the succeeding fiscal year.

8 6 Sec. \_\_\_\_\_. STATEWIDE EARLY CHILDHOOD PROFESSIONAL  
8 7 DEVELOPMENT SYSTEM. It is the intent of the general  
8 8 assembly that if funding is designated or is otherwise  
8 9 made available for purposes of implementing a  
8 10 statewide early childhood professional development  
8 11 system during the fiscal year beginning July 1, 2007,  
8 12 or the succeeding fiscal year, that the system shall  
8 13 be implemented by the department of education through  
8 14 the area education agencies and shall be designed to  
8 15 support the statewide preschool program for  
8 16 four-year-old children offered in accordance with  
8 17 chapter 256C. The department of education shall  
8 18 collaborate with early childhood Iowa and its public  
8 19 and private member agencies to ensure that the system  
8 20 complements existing programs and resources committed  
8 21 by the agencies to professional development. To the  
8 22 extent possible, the system shall support  
8 23 professionals engaged in other early childhood  
8 24 programs.

8 25 Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
8 26 Act, being deemed of immediate importance, takes  
8 27 effect upon enactment.

8 28 DIVISION IV  
8 29 STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM  
8 30 Sec. \_\_\_\_\_. Section 282.10, subsection 4, Code 2007,  
8 31 is amended to read as follows:  
8 32 4. A whole grade sharing agreement shall be signed  
8 33 by the boards of the districts involved in the  
8 34 agreement not later than February 1 of the school year  
8 35 preceding the school year for which the agreement is  
8 36 to take effect. The boards of the districts shall  
8 37 negotiate as part of the new or existing agreement the  
8 38 disposition of teacher quality funding provided under  
8 39 chapter 284.

8 40 Sec. \_\_\_\_\_. Section 284.2, subsection 11, Code  
8 41 Supplement 2007, is amended to read as follows:  
8 42 11. "Teacher" means an individual who holds a  
8 43 practitioner's license issued under chapter 272, or a  
8 44 statement of professional recognition issued under  
8 45 chapter 272 who is employed in a nonadministrative  
8 46 position by a school district or area education agency  
8 47 pursuant to a contract issued by a board of directors  
8 48 under section 279.13. A teacher may be employed in  
8 49 both an administrative and a nonadministrative  
8 50 position by a board of directors and shall be



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

9 1 considered a part-time teacher for the portion of time  
9 2 that the teacher is employed in a nonadministrative  
9 3 position. ~~"Teacher" includes a licensed individual  
9 4 employed on a less than full-time basis by a school  
9 5 district through a contract between the school  
9 6 district and an institution of higher education with a  
9 7 practitioner preparation program in which the licensed  
9 8 teacher is enrolled.~~

9 9 Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
9 10 a, subparagraph (2), Code Supplement 2007, is amended  
9 11 to read as follows:

9 12 (2) Beginning July 1, ~~2007~~ 2008, the minimum  
9 13 salary for a beginning teacher shall be ~~twenty-six~~  
9 14 twenty-eight thousand ~~five hundred~~ dollars.

9 15 Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
9 16 b, subparagraph (2), Code Supplement 2007, is amended  
9 17 to read as follows:

9 18 (2) Beginning July 1, ~~2007~~ 2008, the minimum  
9 19 salary for a first-year career teacher shall be  
9 20 ~~twenty-seven~~ thirty thousand ~~five hundred~~ dollars and  
9 21 ~~the minimum salary for all other career teachers shall~~  
9 22 ~~be twenty-eight thousand five hundred dollars.~~

9 23 Sec. \_\_\_\_\_. Section 284.7, subsection 5, paragraph  
9 24 b, Code Supplement 2007, is amended to read as  
9 25 follows:

9 26 b. If, once the minimum salary requirements of  
9 27 this section have been met by the school district or  
9 28 area education agency, and the school district or area  
9 29 education agency receiving funds pursuant to section  
9 30 284.13, subsection 1, paragraph "h" or "i", for  
9 31 purposes of this section, and the certified bargaining  
9 32 representative for the licensed employees have not  
9 33 reached an agreement for distribution of the funds  
9 34 remaining, in accordance with paragraph "a", the board  
9 35 of directors shall divide the funds remaining among  
9 36 full-time teachers employed by the district or area  
9 37 education agency whose regular compensation is equal  
9 38 to or greater than the minimum salary specified in  
9 39 this section. The payment amount for teachers  
9 40 employed on less than a full-time basis shall be  
9 41 prorated. For purposes of this paragraph, regular  
9 42 compensation means base salary plus any salary  
9 43 provided under chapter 294A.

9 44 Sec. \_\_\_\_\_. Section 284.7, subsection 5, Code  
9 45 Supplement 2007, is amended by adding the following  
9 46 new paragraph:

9 47 NEW PARAGRAPH. e. A school district or area  
9 48 education agency receiving funds pursuant to section  
9 49 284.13, subsection 1, paragraph "h" or "i", shall  
9 50 determine the amount to be paid to teachers in



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

10 1 accordance with this subsection and the amount  
10 2 determined to be paid to an individual teacher shall  
10 3 be divided evenly and paid in each pay period of the  
10 4 fiscal year beginning with the October payroll.

10 5 Sec. \_\_\_\_\_. Section 284.8, subsection 1, Code  
10 6 Supplement 2007, is amended to read as follows:

10 7 1. A school district shall review a teacher's  
10 8 performance at least once every three years for  
10 9 purposes of assisting teachers in making continuous  
10 10 improvement, documenting continued competence in the  
10 11 Iowa teaching standards, identifying teachers in need  
10 12 of improvement, or to determine whether the teacher's  
10 13 practice meets school district expectations for career  
10 14 advancement in accordance with section 284.7. The  
10 15 review shall include, at minimum, classroom  
10 16 observation of the teacher, the teacher's progress,  
10 17 and implementation of the teacher's individual  
10 18 professional development plan, subject to the level of  
10 19 ~~funding~~ resources provided to implement the plan; and  
10 20 shall include supporting documentation from parents,  
10 21 students, and other ~~evaluators, teachers, parents, and~~  
10 22 students.

10 23 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
10 24 a, Code Supplement 2007, is amended to read as  
10 25 follows:

10 26 a. For ~~each~~ the fiscal year ~~of the fiscal period~~  
10 27 beginning July 1, ~~2007~~ 2008, and ending June 30, 2009,  
10 28 to the department of education, the amount of one  
10 29 million ~~eighty-seven~~ seven hundred seven thousand five  
10 30 hundred dollars for the issuance of national board  
10 31 certification awards in accordance with section  
10 32 256.44.

10 33 ~~(1)~~ Of the amount allocated under this paragraph  
10 34 ~~"a"~~, not less than eighty=~~seven~~ five thousand dollars shall  
10 35 be used to administer the ambassador to education  
10 36 position in accordance with section 256.45.

10 37 ~~(2)~~ ~~Of the amount allocated under this paragraph~~  
10 38 ~~"a"~~, for the fiscal year beginning July 1, 2007, and  
10 39 ending June 30, 2008, not less than one million  
10 40 dollars shall be used to supplement the allocation of  
10 41 funds for market factor teacher incentives made  
10 42 pursuant to paragraph "f", subparagraph (1).

10 43 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraphs  
10 44 d and e, Code Supplement 2007, are amended to read as  
10 45 follows:

10 46 d. (1) For the fiscal year beginning July 1, ~~2007~~  
10 47 2008, and ending June 30, ~~2008~~ 2009, up to ~~twenty~~  
10 48 twenty-eight million five hundred thousand dollars to  
10 49 the department for use by school districts for  
10 50 professional development as provided in section 284.6.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

11 1 Of the amount allocated under this paragraph, up to  
11 2 eight million five hundred thousand dollars shall be  
11 3 provided to school districts for professional  
11 4 development related to the infusion and implementation  
11 5 of the model core curriculum prescribed in section  
11 6 256.7, subsection 26. The department shall distribute  
11 7 funds allocated for the purpose of this paragraph  
11 8 based on the average per diem contract salary for each  
11 9 district as reported to the department for the school  
11 10 year beginning July 1, ~~2006~~ 2007, multiplied by the  
11 11 total number of full-time equivalent teachers in the  
11 12 base year. The department shall adjust each  
11 13 district's average per diem salary by the allowable  
11 14 growth rate established under section 257.8 for the  
11 15 fiscal year beginning July 1, ~~2007~~ 2008. The contract  
11 16 salary amount shall be the amount paid for their  
11 17 regular responsibilities but shall not include pay for  
11 18 extracurricular activities. These funds shall not  
11 19 supplant existing funding for professional development  
11 20 activities. Notwithstanding any provision to the  
11 21 contrary, moneys received by a school district under  
11 22 this paragraph shall not revert but shall remain  
11 23 available for the same purpose in the succeeding  
11 24 fiscal year. A school district shall submit a report  
11 25 to the department in a manner determined by the  
11 26 department describing its use of the funds received  
11 27 under this paragraph. The department shall submit a  
11 28 report on school district use of the moneys  
11 29 distributed pursuant to this paragraph to the general  
11 30 assembly and the legislative services agency not later  
11 31 than January 15 of the fiscal year for which moneys  
11 32 are allocated for purposes of this paragraph.  
11 33 (2) From moneys available under subparagraph (1)  
11 34 for the fiscal year beginning July 1, ~~2007~~ 2008, and  
11 35 ending June 30, ~~2008~~ 2009, the department shall  
11 36 allocate to area education agencies an amount per  
11 37 teacher employed by an area education agency that is  
11 38 approximately equivalent to the average per teacher  
11 39 amount allocated to the districts. The average per  
11 40 teacher amount shall be calculated by dividing the  
11 41 total number of teachers employed by school districts  
11 42 and the teachers employed by area education agencies  
11 43 into the total amount of moneys available under  
11 44 subparagraph (1).  
11 45 (3) For the fiscal year beginning July 1, 2008,  
11 46 and ending June 30, 2009, up to nine hundred fifteen  
11 47 thousand dollars to the department for implementation  
11 48 of a statewide early childhood professional  
11 49 development system through the area education agencies  
11 50 that is designed to support the statewide preschool



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

12 1 program for four-year-old children under chapter 256C  
12 2 and to the extent possible, other early childhood  
12 3 programs.

12 4 e. ~~For the each fiscal year beginning July 1,~~  
12 5 ~~2007, and ending June 30, 2008 in which funds are~~  
12 6 ~~appropriated for purposes of this chapter,~~ an amount  
12 7 up to one million eight hundred forty-five thousand  
12 8 dollars to the department for the establishment of  
12 9 teacher development academies in accordance with  
12 10 section 284.6, subsection 10. A portion of the funds  
12 11 allocated to the department for purposes of this  
12 12 paragraph may be used for administrative purposes.

12 13 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
12 14 f, Code Supplement 2007, is amended by striking the  
12 15 paragraph and inserting in lieu thereof the following:

12 16 f. For the fiscal year beginning July 1, 2008, and  
12 17 ending June 30, 2009, to the department of education,  
12 18 the amount of two hundred fifty thousand dollars for  
12 19 distribution to the institute for tomorrow's workforce  
12 20 created pursuant to section 7K.1.

12 21 Sec. \_\_\_\_\_. Section 284.13, subsection 1, paragraph  
12 22 g, subparagraph (3), Code Supplement 2007, is amended  
12 23 to read as follows:

12 24 (3) For the fiscal year beginning July 1, 2008,  
12 25 and ending June 30, 2009, the sum of ~~two million five~~  
12 26 three hundred thirty-five thousand dollars. From the  
12 27 amount allocated for the fiscal year under this  
12 28 subparagraph, an amount up to ten thousand dollars  
12 29 shall be used for purposes of the pay-for-performance  
12 30 commission's expenses, an amount up to one hundred  
12 31 thousand dollars shall be used by the department for  
12 32 oversight and administration of the implementation  
12 33 pilots as provided in sections 284.14 and 284.14A, and  
12 34 an amount up to two hundred thousand dollars shall be  
12 35 used for the employment of an external evaluator.

12 36 Sec. \_\_\_\_\_. Section 284.11, Code Supplement 2007, is  
12 37 repealed.

12 38

DIVISION V

12 39

STATE SCHOOL AID FORMULA CHANGES

12 40 Sec. \_\_\_\_\_. Section 256D.2, Code 2007, is amended to  
12 41 read as follows:

12 42 256D.2 PROGRAM EXPENDITURES.

12 43 1. A school district shall expend funds received  
12 44 pursuant to section 256D.4 at the kindergarten through  
12 45 grade three levels to reduce class sizes to the state  
12 46 goal of seventeen students for every one teacher and  
12 47 to achieve a higher level of student success in the  
12 48 basic skills, especially reading. In order to support  
12 49 these efforts, school districts may expend funds  
12 50 received pursuant to section 256D.4 at the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

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



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

14 1 the department of education shall notify the  
14 2 department of administrative services of the amount of  
14 3 the allocation to be paid to each school district as  
14 4 provided in subsections 1 and 2. The allocation to  
14 5 each school district shall be made in one payment on  
14 6 or about October 15 of the fiscal year for which the  
14 7 appropriation is made, taking into consideration the  
14 8 relative budget and cash position of the state  
14 9 resources. Moneys received under this section shall  
14 10 not be commingled with state aid payments made under  
14 11 section 257.16 to a school district and shall be  
14 12 accounted for by the local school district separately  
14 13 from state aid payments. Payments made to school  
14 14 districts under this section are miscellaneous income  
14 15 for purposes of chapter 257. ~~A school district shall~~  
~~14 16 maintain a separate listing within its budget for~~  
~~14 17 payments received and expenditures made pursuant to~~  
~~14 18 this section. A school district shall certify to the~~  
~~14 19 department of education that moneys received under~~  
~~14 20 this section were used to supplement, not supplant,~~  
~~14 21 moneys otherwise received and used by the school~~  
~~14 22 district.~~

14 23 Sec. \_\_\_\_\_. Section 256D.4, subsection 4, Code 2007,  
14 24 is amended by striking the subsection and inserting in  
14 25 lieu thereof the following:

14 26 4. This section is repealed June 30, 2009.

14 27 Sec. \_\_\_\_\_. NEW SECTION. 256D.4A PROGRAM  
14 28 REQUIREMENTS.

14 29 A school district shall maintain a separate listing  
14 30 within its budget for payments received and  
14 31 expenditures made pursuant to this section. A school  
14 32 district shall certify to the department of education  
14 33 that moneys received under this section were used to  
14 34 supplement, not supplant, moneys otherwise received  
14 35 and used by the school district.

14 36 Sec. \_\_\_\_\_. Section 256D.5, subsection 4, Code  
14 37 Supplement 2007, is amended to read as follows:

14 38 4. For each fiscal year of the fiscal period  
14 39 beginning July 1, 2004, and ending June 30, ~~2012~~ 2009,  
14 40 the sum of twenty-nine million two hundred fifty  
14 41 thousand dollars.

14 42 Sec. \_\_\_\_\_. Section 257.1, subsection 2, unnumbered  
14 43 paragraph 2, Code 2007, is amended to read as follows:

14 44 For the budget year commencing July 1, 1999, and  
14 45 for each succeeding budget year the regular program  
14 46 foundation base per pupil is eighty-seven and  
14 47 five-tenths percent of the regular program state cost  
14 48 per pupil. For the budget year commencing July 1,  
14 49 1991, and for each succeeding budget year the special  
14 50 education support services foundation base is



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

15 1 seventy-nine percent of the special education support  
15 2 services state cost per pupil. The combined  
15 3 foundation base is the sum of the regular program  
15 4 foundation base, ~~and~~ the special education support  
15 5 services foundation base, the total teacher salary  
15 6 supplement district cost, the total professional  
15 7 development supplement district cost, the total early  
15 8 intervention supplement district cost, the total area  
15 9 education agency teacher salary supplement district  
15 10 cost, and the total area education agency professional  
15 11 development supplement district cost.

15 12 Sec. \_\_\_\_\_. Section 257.1, subsection 3, Code 2007,  
15 13 is amended to read as follows:

15 14 3. COMPUTATIONS ROUNDED. In making computations  
15 15 and payments under this chapter, except in the case of  
15 16 computations relating to funding of special education  
15 17 support services, media services, and educational  
15 18 services provided through the area education agencies,  
15 19 and the teacher salary supplement, the professional  
15 20 development supplement, and the early intervention  
15 21 supplement, the department of management shall round  
15 22 amounts to the nearest whole dollar.

15 23 Sec. \_\_\_\_\_. Section 257.4, subsection 1, paragraph  
15 24 a, Code 2007, is amended to read as follows:

15 25 a. A school district shall cause an additional  
15 26 property tax to be levied each year. The rate of the  
15 27 additional property tax levy in a school district  
15 28 shall be determined by the department of management  
15 29 and shall be calculated to raise the difference  
15 30 between the combined district cost for the budget year  
15 31 and the sum of ~~the products~~ the following:

15 32 (1) The product of the regular program foundation  
15 33 base per pupil times the weighted enrollment in the  
15 34 district. ~~and the~~

15 35 (2) The product of special education support  
15 36 services foundation base per pupil times the special  
15 37 education support services weighted enrollment in the  
15 38 district.

15 39 (3) The total teacher salary supplement district  
15 40 cost.

15 41 (4) The total professional development supplement  
15 42 district cost.

15 43 (5) The total early intervention supplement  
15 44 district cost.

15 45 (6) The total area education agency teacher salary  
15 46 supplement district cost.

15 47 (7) The total area education agency professional  
15 48 development supplement district cost.

15 49 Sec. \_\_\_\_\_. Section 257.8, Code Supplement 2007, is  
15 50 amended by adding the following new subsection:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

16 1     NEW SUBSECTION. 1A. CATEGORICAL STATE PERCENT OF  
16 2 GROWTH. The categorical state percent of growth for  
16 3 each budget year shall be established by statute which  
16 4 shall be enacted within thirty days of the submission  
16 5 in the year preceding the base year of the governor's  
16 6 budget under section 8.21. The establishment of the  
16 7 categorical state percent of growth for a budget year  
16 8 shall be the only subject matter of the bill which  
16 9 enacts the categorical state percent of growth for a  
16 10 budget year. The categorical state percent of growth  
16 11 may include state percents of growth for the teacher  
16 12 salary supplement, the professional development  
16 13 supplement, and the early intervention supplement.  
16 14     Sec. \_\_\_\_\_. Section 257.9, Code 2007, is amended by  
16 15 adding the following new subsections:  
16 16     NEW SUBSECTION. 6. TEACHER SALARY SUPPLEMENT  
16 17 STATE COST PER PUPIL. For the budget year beginning  
16 18 July 1, 2009, for the teacher salary supplement state  
16 19 cost per pupil, the department of management shall add  
16 20 together the teacher compensation allocation made to  
16 21 each district for the fiscal year beginning July 1,  
16 22 2008, pursuant to section 284.13, subsection 1,  
16 23 paragraph "h", and the phase II allocation made to  
16 24 each district for the fiscal year beginning July 1,  
16 25 2008, pursuant to section 294A.9, and divide that sum  
16 26 by the statewide total budget enrollment for the  
16 27 fiscal year beginning July 1, 2009. The teacher  
16 28 salary supplement state cost per pupil for the budget  
16 29 year beginning July 1, 2010, and succeeding budget  
16 30 years, shall be the amount calculated by the  
16 31 department of management under this subsection for the  
16 32 base year plus an allowable growth amount that is  
16 33 equal to the teacher salary supplement categorical  
16 34 state percent of growth, pursuant to section 257.8,  
16 35 subsection 1A, for the budget year, multiplied by the  
16 36 amount calculated by the department of management  
16 37 under this subsection for the base year.  
16 38     NEW SUBSECTION. 7. PROFESSIONAL DEVELOPMENT  
16 39 SUPPLEMENT STATE COST PER PUPIL. For the budget year  
16 40 beginning July 1, 2009, for the professional  
16 41 development supplement state cost per pupil, the  
16 42 department of management shall add together the  
16 43 professional development allocation made to each  
16 44 district for the fiscal year beginning July 1, 2008,  
16 45 pursuant to section 284.13, subsection 1, paragraph  
16 46 "d", and divide that sum by the statewide total budget  
16 47 enrollment for the fiscal year beginning July 1, 2009.  
16 48 The professional development supplement state cost per  
16 49 pupil for the budget year beginning July 1, 2010, and  
16 50 succeeding budget years, shall be the amount



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

17 1 calculated by the department of management under this  
17 2 subsection for the base year plus an allowable growth  
17 3 amount that is equal to the professional development  
17 4 supplement categorical state percent of growth,  
17 5 pursuant to section 257.8, subsection 1A, for the  
17 6 budget year, multiplied by the amount calculated by  
17 7 the department of management under this subsection for  
17 8 the base year.

17 9 NEW SUBSECTION. 8. EARLY INTERVENTION SUPPLEMENT  
17 10 STATE COST PER PUPIL. For the budget year beginning  
17 11 July 1, 2009, for the early intervention supplement  
17 12 state cost per pupil, the department of management  
17 13 shall add together the early intervention allocation  
17 14 made to each district for the fiscal year beginning  
17 15 July 1, 2008, pursuant to section 256D.4, and divide  
17 16 that sum by the statewide total budget enrollment for  
17 17 the fiscal year beginning July 1, 2009. The early  
17 18 intervention supplement state cost per pupil for the  
17 19 budget year beginning July 1, 2010, and succeeding  
17 20 budget years, shall be the amount calculated by the  
17 21 department of management under this subsection for the  
17 22 base year plus an allowable growth amount that is  
17 23 equal to the early intervention supplement categorical  
17 24 state percent of growth, pursuant to section 257.8,  
17 25 subsection 1A, for the budget year, multiplied by the  
17 26 amount calculated by the department of management  
17 27 under this subsection for the base year.

17 28 NEW SUBSECTION. 9. AREA EDUCATION AGENCY TEACHER  
17 29 SALARY SUPPLEMENT STATE COST PER PUPIL. For the  
17 30 budget year beginning July 1, 2009, for the area  
17 31 education agency teacher salary supplement state cost  
17 32 per pupil, the department of management shall add  
17 33 together the teacher compensation allocation made to  
17 34 each area education agency for the fiscal year  
17 35 beginning July 1, 2008, pursuant to section 284.13,  
17 36 subsection 1, paragraph "i", and the phase II  
17 37 allocation made to each area education agency for the  
17 38 fiscal year beginning July 1, 2008, pursuant to  
17 39 section 294A.9, and divide that sum by the statewide  
17 40 special education support services weighted enrollment  
17 41 for the fiscal year beginning July 1, 2009. The area  
17 42 education agency teacher salary supplement state cost  
17 43 per pupil for the budget year beginning July 1, 2010,  
17 44 and succeeding budget years, shall be the amount  
17 45 calculated by the department of management under this  
17 46 subsection for the base year plus an allowable growth  
17 47 amount that is equal to the teacher salary supplement  
17 48 categorical state percent of growth, pursuant to  
17 49 section 257.8, subsection 1A, for the budget year,  
17 50 multiplied by the amount calculated by the department



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

18 1 of management under this subsection for the base year.  
18 2 NEW SUBSECTION. 10. AREA EDUCATION AGENCY  
18 3 PROFESSIONAL DEVELOPMENT SUPPLEMENT STATE COST PER  
18 4 PUPIL. For the budget year beginning July 1, 2009,  
18 5 for the area education agency professional development  
18 6 supplement state cost per pupil, the department of  
18 7 management shall add together the professional  
18 8 development allocation made to each area education  
18 9 agency for the fiscal year beginning July 1, 2008,  
18 10 pursuant to section 284.13, subsection 1, paragraph  
18 11 "d", and divide that sum by the statewide special  
18 12 education support services weighted enrollment for the  
18 13 fiscal year beginning July 1, 2009. The area  
18 14 education agency professional development supplement  
18 15 state cost per pupil for the budget year beginning  
18 16 July 1, 2010, and succeeding budget years, shall be  
18 17 the amount calculated by the department of management  
18 18 under this subsection for the base year plus an  
18 19 allowable growth amount that is equal to the  
18 20 professional development supplement categorical state  
18 21 percent of growth, pursuant to section 257.8,  
18 22 subsection 1A, for the budget year, multiplied by the  
18 23 amount calculated by the department of management  
18 24 under this subsection for the base year.

18 25 Sec. \_\_\_\_\_. Section 257.10, subsection 8, unnumbered  
18 26 paragraph 1, Code 2007, is amended to read as follows:

18 27 Combined district cost is the sum of the regular  
18 28 program district cost per pupil multiplied by the  
18 29 weighted enrollment, ~~and~~ the special education support  
18 30 services district cost, the total teacher salary  
18 31 supplement district cost, the total professional  
18 32 development supplement district cost, and the total  
18 33 early intervention supplement district cost, plus the  
18 34 sum of the additional district cost allocated to the  
18 35 district to fund media services and educational  
18 36 services provided through the area education agency,  
18 37 the area education agency total teacher salary  
18 38 supplement district cost and the area education agency  
18 39 total professional development supplement district  
18 40 cost.

18 41 Sec. \_\_\_\_\_. Section 257.10, Code 2007, is amended by  
18 42 adding the following new subsections:

18 43 NEW SUBSECTION. 9. TEACHER SALARY SUPPLEMENT COST  
18 44 PER PUPIL AND DISTRICT COST.

18 45 a. For the budget year beginning July 1, 2009, the  
18 46 department of management shall add together the  
18 47 teacher compensation allocation made to each district  
18 48 for the fiscal year beginning July 1, 2008, pursuant  
18 49 to section 284.13, subsection 1, paragraph "h", and  
18 50 the phase II allocation made to each district for the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

19 1 fiscal year beginning July 1, 2008, pursuant to  
19 2 section 294A.9, and divide that sum by the district's  
19 3 budget enrollment in the fiscal year beginning July 1,  
19 4 2009, to determine the teacher salary supplement  
19 5 district cost per pupil. For the budget year  
19 6 beginning July 1, 2010, and succeeding budget years,  
19 7 the teacher salary supplement district cost per pupil  
19 8 for each school district for a budget year is the  
19 9 teacher salary supplement program district cost per  
19 10 pupil for the base year plus the teacher salary  
19 11 supplement state allowable growth amount for the  
19 12 budget year.

19 13 b. For the budget year beginning July 1, 2010, and  
19 14 succeeding budget years, if the department of  
19 15 management determines that the unadjusted teacher  
19 16 salary supplement district cost of a school district  
19 17 for a budget year is less than one hundred percent of  
19 18 the unadjusted teacher salary supplement district cost  
19 19 for the base year for the school district, the school  
19 20 district shall receive a budget adjustment for that  
19 21 budget year equal to the difference.

19 22 c. (1) The unadjusted teacher salary supplement  
19 23 district cost is the teacher salary supplement  
19 24 district cost per pupil for each school district for a  
19 25 budget year multiplied by the budget enrollment for  
19 26 that school district.

19 27 (2) The total teacher salary supplement district  
19 28 cost is the sum of the unadjusted teacher salary  
19 29 supplement district cost plus the budget adjustment  
19 30 for that budget year.

19 31 d. The use of the funds calculated under this  
19 32 subsection shall comply with the requirements of  
19 33 chapters 284 and 294A and shall be distributed to  
19 34 teachers pursuant to section 284.7.

19 35 NEW SUBSECTION. 10. PROFESSIONAL DEVELOPMENT  
19 36 SUPPLEMENT COST PER PUPIL AND DISTRICT COST.

19 37 a. For the budget year beginning July 1, 2009, the  
19 38 department of management shall divide the professional  
19 39 development allocation made to each district for the  
19 40 fiscal year beginning July 1, 2008, pursuant to  
19 41 section 284.13, by the district's budget enrollment in  
19 42 the fiscal year beginning July 1, 2009, to determine  
19 43 the professional development supplement cost per  
19 44 pupil. For the budget year beginning July 1, 2010,  
19 45 and succeeding budget years, the professional  
19 46 development supplement district cost per pupil for  
19 47 each school district for a budget year is the  
19 48 professional development supplement district cost per  
19 49 pupil for the base year plus the professional  
19 50 development supplement state allowable growth amount



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

20 1 for the budget year.  
20 2 b. For the budget year beginning July 1, 2010, and  
20 3 succeeding budget years, if the department of  
20 4 management determines that the unadjusted professional  
20 5 development supplement district cost of a school  
20 6 district for a budget year is less than one hundred  
20 7 percent of the unadjusted professional development  
20 8 supplement district cost for the base year for the  
20 9 school district, the school district shall receive a  
20 10 budget adjustment for that budget year equal to the  
20 11 difference.  
20 12 c. (1) The unadjusted professional development  
20 13 supplement district cost is the professional  
20 14 development supplement district cost per pupil for  
20 15 each school district for a budget year multiplied by  
20 16 the budget enrollment for that school district.  
20 17 (2) The total professional development supplement  
20 18 district cost is the sum of the unadjusted  
20 19 professional development supplement district cost plus  
20 20 the budget adjustment for that budget year.  
20 21 d. The use of the funds calculated under this  
20 22 subsection shall comply with the requirements of  
20 23 chapter 284.  
20 24 NEW SUBSECTION. 11. EARLY INTERVENTION SUPPLEMENT  
20 25 COST PER PUPIL AND DISTRICT COST.  
20 26 a. For the budget year beginning July 1, 2009, the  
20 27 department of management shall divide the early  
20 28 intervention allocation made to each district for the  
20 29 fiscal year beginning July 1, 2008, pursuant to  
20 30 section 256D.4, by the district's budget enrollment in  
20 31 the fiscal year beginning July 1, 2009, to determine  
20 32 the early intervention supplement cost per pupil. For  
20 33 the budget year beginning July 1, 2010, and succeeding  
20 34 budget years, the early intervention supplement  
20 35 district cost per pupil for each school district for a  
20 36 budget year is the early intervention supplement  
20 37 district cost per pupil for the base year plus the  
20 38 early development supplement state allowable growth  
20 39 amount for the budget year.  
20 40 b. For the budget year beginning July 1, 2010, and  
20 41 succeeding budget years, if the department of  
20 42 management determines that the unadjusted early  
20 43 intervention supplement district cost of a school  
20 44 district for a budget year is less than one hundred  
20 45 percent of the unadjusted early intervention  
20 46 supplement district cost for the base year for the  
20 47 school district, the school district shall receive a  
20 48 budget adjustment for that budget year equal to the  
20 49 difference.  
20 50 c. (1) The unadjusted early intervention



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

21 1 supplement district cost is the early intervention  
21 2 supplement district cost per pupil for each school  
21 3 district for a budget year multiplied by the budget  
21 4 enrollment for that school district.  
21 5 (2) The total early intervention supplement  
21 6 district cost is the sum of the unadjusted early  
21 7 intervention supplement district cost plus the budget  
21 8 adjustment for that budget year.  
21 9 d. The use of the funds calculated under this  
21 10 subsection shall comply with the requirements of  
21 11 chapter 256D.  
21 12 Sec. \_\_\_\_\_. Section 257.35, subsection 1, Code  
21 13 Supplement 2007, is amended to read as follows:  
21 14 1. The department of management shall deduct the  
21 15 amounts calculated for special education support  
21 16 services, media services, area education agency  
21 17 teacher salary supplement district cost, area  
21 18 education agency professional development supplement  
21 19 district cost, and educational services for each  
21 20 school district from the state aid due to the district  
21 21 pursuant to this chapter and shall pay the amounts to  
21 22 the respective area education agencies on a monthly  
21 23 basis from September 15 through June 15 during each  
21 24 school year. The department of management shall  
21 25 notify each school district of the amount of state aid  
21 26 deducted for these purposes and the balance of state  
21 27 aid shall be paid to the district. If a district does  
21 28 not qualify for state aid under this chapter in an  
21 29 amount sufficient to cover its amount due to the area  
21 30 education agency as calculated by the department of  
21 31 management, the school district shall pay the  
21 32 deficiency to the area education agency from other  
21 33 moneys received by the district, on a quarterly basis  
21 34 during each school year.  
21 35 Sec. \_\_\_\_\_. NEW SECTION. 257.37A AREA EDUCATION  
21 36 AGENCY SALARY SUPPLEMENT FUNDING.  
21 37 1. AREA EDUCATION AGENCY TEACHER SALARY SUPPLEMENT  
21 38 COST PER PUPIL AND DISTRICT COST.  
21 39 a. For the budget year beginning July 1, 2009, the  
21 40 department of management shall add together the  
21 41 teacher compensation allocation made to each area  
21 42 education agency for the fiscal year beginning July 1,  
21 43 2008, pursuant to section 284.13, subsection 1,  
21 44 paragraph "i", and the phase II allocation made to  
21 45 each area education agency for the fiscal year  
21 46 beginning July 1, 2008, pursuant to section 294A.9,  
21 47 and divide that sum by the special education support  
21 48 services weighted enrollment in the fiscal year  
21 49 beginning July 1, 2009, to determine the area  
21 50 education agency teacher salary supplement cost per



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

22 1 pupil. For the budget year beginning July 1, 2010,  
22 2 and succeeding budget years, the area education agency  
22 3 teacher salary supplement district cost per pupil for  
22 4 each area education agency for a budget year is the  
22 5 area education agency teacher salary supplement  
22 6 district cost per pupil for the base year plus the  
22 7 area education agency teacher salary supplement state  
22 8 allowable growth amount for the budget year.  
22 9 b. For the budget year beginning July 1, 2010, and  
22 10 succeeding budget years, if the department of  
22 11 management determines that the unadjusted area  
22 12 education agency teacher salary supplement district  
22 13 cost of an area education agency for a budget year is  
22 14 less than one hundred percent of the unadjusted area  
22 15 education agency teacher salary supplement district  
22 16 cost for the base year for the area education agency,  
22 17 the area education agency shall receive a budget  
22 18 adjustment for that budget year equal to the  
22 19 difference.  
22 20 c. (1) The unadjusted area education agency  
22 21 teacher salary supplement district cost is the area  
22 22 education agency teacher salary supplement district  
22 23 cost per pupil for each area education agency for a  
22 24 budget year multiplied by the special education  
22 25 support services weighted enrollment for that area  
22 26 education agency.  
22 27 (2) The total area education agency teacher salary  
22 28 supplement district cost is the sum of the unadjusted  
22 29 area education agency teacher salary supplement  
22 30 district cost plus the budget adjustment for that  
22 31 budget year.  
22 32 d. The use of the funds calculated under this  
22 33 subsection shall comply with requirements of chapters  
22 34 284 and 294A and shall be distributed to teachers  
22 35 pursuant to section 284.7.  
22 36 2. AREA EDUCATION AGENCY PROFESSIONAL DEVELOPMENT  
22 37 SUPPLEMENT COST PER PUPIL AND DISTRICT COST.  
22 38 a. For the budget year beginning July 1, 2009, the  
22 39 department of management shall divide the area  
22 40 education agency professional development supplement  
22 41 made to each area education agency for the fiscal year  
22 42 beginning July 1, 2008, pursuant to section 284.13, by  
22 43 the special education support services weighted  
22 44 enrollment in the fiscal year beginning July 1, 2009,  
22 45 to determine the professional development supplement  
22 46 cost per pupil. For the budget year beginning July 1,  
22 47 2010, and succeeding budget years, the area education  
22 48 agency professional development supplement district  
22 49 cost per pupil for each area education agency for a  
22 50 budget year is the area education agency professional



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

23 1 development supplement district cost per pupil for the  
23 2 base year plus the area education agency professional  
23 3 development supplement state allowable growth amount  
23 4 for the budget year.  
23 5 b. For the budget year beginning July 1, 2010, and  
23 6 succeeding budget years, if the department of  
23 7 management determines that the unadjusted area  
23 8 education agency professional development supplement  
23 9 district cost of an area education agency for a budget  
23 10 year is less than one hundred percent of the  
23 11 unadjusted area education agency professional  
23 12 development supplement district cost for the base year  
23 13 for the area education agency, the area education  
23 14 agency shall receive a budget adjustment for that  
23 15 budget year equal to the difference.  
23 16 c. (1) The unadjusted area education agency  
23 17 professional development supplement district cost is  
23 18 the area education agency professional development  
23 19 supplement district cost per pupil for each area  
23 20 education agency for a budget year multiplied by the  
23 21 special education support services weighted enrollment  
23 22 for that area education agency.  
23 23 (2) The total area education agency professional  
23 24 development supplement district cost is the sum of the  
23 25 unadjusted area education agency professional  
23 26 development supplement district cost plus the budget  
23 27 adjustment for that budget year.  
23 28 d. The use of the funds calculated under this  
23 29 subsection shall comply with requirements of chapter  
23 30 284.  
23 31 Sec. \_\_\_\_\_. NEW SECTION. 257.51 CATEGORICAL STATE  
23 32 APPROPRIATIONS.  
23 33 For the budget year beginning July 1, 2009, and  
23 34 succeeding budget years, if the general assembly makes  
23 35 an appropriation pursuant to section 284.13,  
23 36 subsection 1, paragraph "h" or "i", or for the phase  
23 37 II allocation pursuant to section 294A.9, or for  
23 38 professional development pursuant to section 284.13,  
23 39 subsection 1, paragraph "d", or for early intervention  
23 40 pursuant to section 256D.4, the department of  
23 41 management shall recalculate the formulas in section  
23 42 257.9, subsections 6 through 10; section 257.10,  
23 43 subsections 9, 10, and 11; and section 257.37A.  
23 44 Sec. \_\_\_\_\_. Section 294A.9, Code 2007, is amended to  
23 45 read as follows:  
23 46 294A.9 PHASE II PROGRAM.  
23 47 1. Phase II is established to improve the salaries  
23 48 of teachers.  
23 49 2. For each fiscal year beginning on or after July  
23 50 1, 1992, the per pupil amount upon which the phase II



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate Amendment 5431 continued

24 1 moneys are based is equal to the per pupil allocation  
24 2 plus supplemental allocations for the immediately  
24 3 preceding fiscal year.  
24 4 3. The department of education shall certify the  
24 5 amounts of the allocations for each school district  
24 6 and area education agency to the department of  
24 7 administrative services and the department of  
24 8 administrative services shall make the payments to  
24 9 school districts and area education agencies.  
24 10 4. If a school district has discontinued grades  
24 11 under section 282.7, subsection 1, or students attend  
24 12 school in another school district, under an agreement  
24 13 with the board of the other school district, the board  
24 14 of directors of the district of residence either shall  
24 15 transmit the phase II moneys allocated to the district  
24 16 for those students based upon the full-time equivalent  
24 17 attendance of those students to the board of the  
24 18 school district of attendance of the students or shall  
24 19 transmit to the board of the school district of  
24 20 attendance of the students a portion of the phase II  
24 21 moneys allocated to the district of residence based  
24 22 upon an agreement between the board of the resident  
24 23 district and the board of the district of attendance.  
24 24 5. If a school district uses teachers under a  
24 25 contract between the district and the area education  
24 26 agency in which the district is located, the school  
24 27 district shall transmit to the employing area  
24 28 education agency a portion of its phase II allocation  
24 29 based upon the portion that the salaries of teachers  
24 30 employed by the area education agency and assigned to  
24 31 the school district for a school year bears to the  
24 32 total teacher salaries paid in the district for that  
24 33 school year, including the salaries of the teachers  
24 34 employed by the area education agency.  
24 35 6. If the school district or area education agency  
24 36 is organized under chapter 20 for collective  
24 37 bargaining purposes, the board of directors and  
24 38 certified bargaining representative for the licensed  
24 39 employees shall mutually agree upon a formula for  
24 40 distributing the phase II allocation among the  
24 41 teachers.  
24 42 7. For the school year beginning July 1, 1987,  
24 43 only, the parties shall follow the procedures  
24 44 specified in chapter 20 except that if the parties  
24 45 reach an impasse, neither impasse procedures agreed to  
24 46 by the parties nor sections 20.20 through 20.22 shall  
24 47 apply and the phase II allocation shall be divided as  
24 48 provided in section 294A.10. Negotiations under this  
24 49 section are subject to the scope of negotiations  
24 50 specified in section 20.9. If a board of directors



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

25 1 and certified bargaining representative for licensed  
25 2 employees have not reached mutual agreement by July  
25 3 15, 1987, for the distribution of the phase II  
25 4 payment, section 294A.10 will apply.  
25 5 8. If the school district or area education agency  
25 6 is not organized for collective bargaining purposes,  
25 7 the board of directors shall determine the method of  
25 8 distribution.  
25 9 9. Subsections 2, 3, 4, and 7 are repealed June  
25 10 30, 2009.

---

25 11 Sec. \_\_\_\_\_. Section 294A.10, Code 2007, is amended  
25 12 by adding the following new subsection:  
25 13 NEW SUBSECTION. 5. This section is repealed June  
25 14 30, 2009.  
25 15 Sec. \_\_\_\_\_. Section 294A.22, Code 2007, is amended  
25 16 to read as follows:  
25 17 294A.22 PAYMENTS.  
25 18 1. Payments for each phase of the educational  
25 19 excellence program shall be made by the department of  
25 20 administrative services on a monthly basis commencing  
25 21 on October 15 and ending on June 15 of each fiscal  
25 22 year, taking into consideration the relative budget  
25 23 and cash position of the state resources. The  
25 24 payments shall be separate from state aid payments  
25 25 made pursuant to sections 257.16 and 257.35. The  
25 26 payments made under this section to a school district  
25 27 or area education agency may be combined and a  
25 28 separate accounting of the amount paid for each  
25 29 program shall be included.  
25 30 2. Any payments made to school districts or area  
25 31 education agencies under this chapter are  
25 32 miscellaneous income for purposes of chapter 257.  
25 33 3. Payments made to a teacher by a school district  
25 34 or area education agency under this chapter are wages  
25 35 for the purposes of chapter 91A.  
25 36 4. If funds appropriated are insufficient to pay  
25 37 phase II allocations in full, the department of  
25 38 administrative services shall prorate payments to  
25 39 school districts and area education agencies.  
25 40 This subsection is repealed June 30, 2009.  
25 41 Sec. \_\_\_\_\_. Section 294A.25, subsection 1, Code  
25 42 2007, is amended to read as follows:  
25 43 1. For the fiscal ~~year~~ period beginning July 1,  
25 44 2003, and ~~for each succeeding year~~ ending June 30,  
25 45 2009, there is appropriated each fiscal year from the  
25 46 general fund of the state to the department of  
25 47 education the amount of fifty=six million eight  
25 48 hundred ninety=one thousand three hundred thirty=six  
25 49 dollars to be used to improve teacher salaries. The  
25 50 moneys shall be distributed as provided in this



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5431 continued

26 1 section.  
26 2 Sec. \_\_\_\_\_. Section 294A.25, Code 2007, is amended  
26 3 by adding the following new subsection:  
26 4 NEW SUBSECTION. 1A. For the fiscal year beginning  
26 5 July 1, 2009, and for each succeeding year, there is  
26 6 appropriated from the general fund of the state to the  
26 7 department of education an amount not to exceed  
26 8 fifteen million six hundred thirty=three thousand two  
26 9 hundred forty=five dollars. The moneys shall be  
26 10 distributed as provided in this section.  
26 11 Sec. \_\_\_\_\_. Section 294A.25, subsection 6, Code  
26 12 2007, is amended to read as follows:  
26 13 6. Except as otherwise provided in this section,  
26 14 for the fiscal ~~year~~ period beginning July 1, 2003, and  
26 15 ~~succeeding fiscal years~~ ending June 30, 2009, the  
26 16 remainder of moneys appropriated in subsection 1 to  
26 17 the department of education shall be deposited each  
26 18 fiscal year in the educational excellence fund to be  
26 19 allocated in an amount to meet the requirements of  
26 20 this chapter for phase I and phase II.  
26 21 Sec. \_\_\_\_\_. Section 294A.25, Code 2007, is amended  
26 22 by adding the following new subsection:  
26 23 NEW SUBSECTION. 6A. Except as otherwise provided  
26 24 in this section, for the fiscal year beginning July 1,  
26 25 2009, and succeeding fiscal years, the remainder of  
26 26 moneys appropriated in subsection 1 to the department  
26 27 of education shall be deposited in the educational  
26 28 excellence fund to be allocated in an amount to meet  
26 29 the requirements of this chapter for phase I.>  
26 30 #43. By renumbering, redesignating, and correcting  
26 31 internal references as necessary.  
26 32  
26 33  
26 34  
26 35 FRANK B. WOOD  
26 36 HF 2679.707 82  
26 37 kh/mg/12156



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

**Senate Amendment 5432**

PAG LIN

1 1 Amend House File 2679, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 62, by inserting after line 19 the  
1 4 following:

1 5 <DIVISION

1 6 STATE UNIVERSITY TUITION RATES

1 7 Sec. \_\_\_\_ . Section 262.9, subsection 23, Code  
1 8 Supplement 2007, is amended to read as follows:

1 9 23. ~~Develop a policy and adopt rules relating to~~  
~~1 10 the establishment of tuition rates which provide a~~  
~~1 11 predictable basis for assessing and anticipating~~  
~~1 12 changes in providing that any person who does not meet~~  
~~1 13 the residency requirements established by the board~~  
~~1 14 for tuition and fee purposes, but whose parents both~~  
~~1 15 graduated from an institution of higher education~~  
~~1 16 governed by the board, shall be considered a resident~~  
~~1 17 of the state for tuition rates and fee purposes.~~

1 18 Sec. \_\_\_\_ . NEW SECTION. 262.34C COLLEGE COSTS  
1 19 PREDICTABILITY PROGRAM.

1 20 1. A college costs predictability program is  
1 21 created to be administered by the state board of  
1 22 regents for purposes of providing predictability in  
1 23 college tuition and fee costs throughout a resident  
1 24 freshman's full-time pursuit of an undergraduate  
1 25 degree at an institution of higher learning under the  
1 26 control of the board.

1 27 2. By December 1 annually, the board shall  
1 28 establish for each institution of higher learning  
1 29 under its control, a fixed rate tuition and fee plan  
1 30 for the following school year for resident first-time  
1 31 freshmen who enroll full-time in an undergraduate  
1 32 degree program. If a student continues to meet grade  
1 33 expectations established by rule by the board, the  
1 34 plan shall be in effect for the student until the  
1 35 student graduates with an undergraduate degree. While  
1 36 the plan is in effect for a student, the institution  
1 37 shall charge not more than the tuition and fee rate  
1 38 established in the tuition and fee plan at the time  
1 39 the student enrolled as a freshman. The average  
1 40 annual rate of growth of the tuition and fees  
1 41 established by the board for the fixed rate tuition  
1 42 plan shall not exceed the percentage increase in the  
1 43 most recently published higher education price index.

1 44 3. If the tuition and fees established by the  
1 45 board for the fixed rate tuition and fee plan for the  
1 46 next academic year are less than the tuition and fees  
1 47 charged under the current or a prior academic year's  
1 48 fixed rate tuition and fee plan, the board shall lower  
1 49 the tuition and fees charged under the current or  
1 50 prior fixed rate tuition plans which are in effect to



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5432 continued

2 1 the same rates established under the fixed rate  
2 2 tuition and fee plan for the next academic year.  
2 3 4. If a full-time resident student transfers from  
2 4 one institution of higher learning under the control  
2 5 of the board to another such institution, the  
2 6 institution to which the student transfers shall  
2 7 charge the student an amount for tuition and fees that  
2 8 does not exceed the amount the student was charged  
2 9 when the student enrolled as a first-time freshman at  
2 10 the previous institution.  
2 11 5. The plan shall continue in effect for a student  
2 12 who, as a result of a hardship or other good cause  
2 13 shown, is unable to meet grade expectations as a  
2 14 full-time student in accordance with subsection 2,  
2 15 even if the student must suspend enrollment or attend  
2 16 part-time. For purposes of this subsection, hardship  
2 17 or other good cause includes a showing of at least one  
2 18 of the following:  
2 19 a. A severe illness or other debilitating  
2 20 condition that affects the student's ability to  
2 21 satisfy the academic and attendance requirements of  
2 22 the institution at which the student enrolled.  
2 23 b. The student's responsibility for the care of a  
2 24 sick, injured, or needy person if the provision of  
2 25 care affects the student's ability to satisfy the  
2 26 academic and attendance requirements of the  
2 27 institution at which the student enrolled.  
2 28 c. The student is unable to complete a degree  
2 29 program as a full-time student because a course is  
2 30 unavailable due to a lack of available classes or  
2 31 class space.  
2 32 d. The student, with the approval of the  
2 33 institution, changes the student's major or degree  
2 34 program and needs additional time to complete an  
2 35 undergraduate degree in the new major or degree  
2 36 program.  
2 37 Sec. \_\_\_\_\_. TRANSITIONAL PROVISION. A resident  
2 38 full-time student enrolled in an institution of higher  
2 39 learning under the control of the state board of  
2 40 regents during the 2008=2009 academic year shall be  
2 41 allowed to participate in the fixed rate tuition and  
2 42 fee plan established by the board in accordance with  
2 43 section 262.34C for resident first-time freshmen who  
2 44 enroll full-time in an undergraduate degree program  
2 45 during the 2009=2010 academic year and shall be  
2 46 considered a first-time freshman for purposes of the  
2 47 plan.>  
2 48 #2. By renumbering as necessary.  
2 49  
2 50



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Amendment 5432 continued

- 3 1
- 3 2 JEFF ANGELO
- 3 3 HF 2679.213 82
- 3 4 kh/mg/12150



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate Amendment 5433

PAG LIN

1 1 Amend the amendment, S=5415, to House File 2688, as  
1 2 amended, passed, and reprinted by the House, as  
1 3 follows:  
1 4 #1. Page 1, line 4, by inserting after the word  
1 5 <division> the following: <, and all information  
1 6 submitted by or gathered from or deduced from a  
1 7 livestock producer or livestock operation pursuant to  
1 8 a livestock odor mitigation evaluation under section  
1 9 266.48 or section 459.303, subsection 3>.  
1 10 #2. Page 1, by striking lines 7 through 13 and  
1 11 inserting the following: <exceptions of section 22.7.  
1 12 In addition, the university or an agent or employee of  
1 13 the university shall not release the name or location,  
1 14 or any other information sufficient to identify the  
1 15 name or location of any livestock producer or  
1 16 livestock operation participating in a research  
1 17 project or participating in a livestock odor  
1 18 mitigation evaluation pursuant to section 266.48 or  
1 19 section 459.303, subsection 3, and such information  
1 20 shall not be subject to release pursuant to subpoena  
1 21 or discovery in any civil proceeding, unless such  
1 22 confidentiality is waived in writing by the livestock  
1 23 producer. In addition, the university or an employee  
1 24 or agent of the university shall release no other  
1 25 information submitted by or gathered from or deduced  
1 26 from a livestock producer or livestock operation  
1 27 pursuant to a livestock odor mitigation evaluation  
1 28 under section 266.48 or section 459.303, subsection 3,  
1 29 unless such information is used in a research project,  
1 30 which in turn shall not occur without the written  
1 31 consent of the livestock producer. Any information  
1 32 provided by, gathered from, or deduced from a  
1 33 livestock producer or livestock operation in  
1 34 connection with a research project or odor mitigation  
1 35 evaluation that is in the possession of the livestock  
1 36 producer or livestock operation shall not be subject  
1 37 to subpoena or discovery in any civil action against  
1 38 the producer.>>  
1 39 #3. By renumbering as necessary.  
1 40  
1 41  
1 42  
1 43 HERMAN C. QUIRMBACH  
1 44 HF 2688.512 82  
1 45 da/nh/12573  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

# Senate Amendment 5434

PAG LIN

1 1 Amend the amendment, S=5431, to House File 2679, as  
1 2 amended, passed, and reprinted by the House, as  
1 3 follows:  
1 4 #1. Page 4, by striking line 20.  
1 5 #2. By renumbering as necessary.  
1 6  
1 7  
1 8  
1 9 JERRY BEHN  
1 10 HF 2679.512 82  
1 11 kh/mg/12151  
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 23, 2008**

## Senate Amendment 5435

PAG LIN

```

1 1 Amend the amendment, S=5431, to House File 2679, as
1 2 amended, passed, and reprinted by the House, as
1 3 follows:
1 4 #1. Page 2, by striking line 31 and inserting the
1 5 following:
1 6 <<..... $186,866,657>
1 7 #2. By striking page 2, line 35, through page 2,
1 8 line 49, and inserting the following:
1 9 <a. Merged Area I ..... $ 9,259,703
1 10 b. Merged Area II ..... $ 9,960,237
1 11 c. Merged Area III ..... $ 9,148,978
1 12 d. Merged Area IV ..... $ 4,501,838
1 13 e. Merged Area V ..... $ 10,226,997
1 14 f. Merged Area VI ..... $ 8,765,112
1 15 g. Merged Area VII ..... $ 13,017,736
1 16 h. Merged Area IX ..... $ 16,231,050
1 17 i. Merged Area X ..... $ 28,650,902
1 18 j. Merged Area XI ..... $ 28,443,981
1 19 k. Merged Area XII ..... $ 10,686,061
1 20 l. Merged Area XIII ..... $ 10,902,678
1 21 m. Merged Area XIV ..... $ 4,558,682
1 22 n. Merged Area XV ..... $ 14,310,258
1 23 o. Merged Area XVI ..... $ 8,202,444>
1 24 Notwithstanding unnumbered paragraph 1 of this
1 25 subsection and notwithstanding section 469.9, of the
1 26 moneys appropriated in this subsection, the sum of
1 27 $6,404,243 is allocated from the moneys appropriated
1 28 to the office of energy independence for deposit in
1 29 the Iowa power fund for the fiscal year beginning July
1 30 1, 2008, and ending June 30, 2009.>
1 31
1 32
1 33
1 34 MARK ZIEMAN
1 35 HF 2679.216 82
1 36 kh/mg/12147
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 23, 2008

**Senate Amendment 5436**

PAG LIN

1 1 Amend the amendment, S=5431, to House File 2679, as  
1 2 amended, passed, and reprinted by the House, as  
1 3 follows:  
1 4 #1. Page 3, by striking lines 18 through 22.  
1 5 #2. By renumbering as necessary.  
1 6  
1 7  
1 8  
1 9 ROBERT E. DVORSKY  
1 10 HF 2679.217 82  
1 11 kh/mg/12159  
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 23, 2008

# Senate Amendment 5437

PAG LIN

1 1 Amend the amendment, S=5431, to House File 2679, as  
1 2 amended, passed, and reprinted by the House, as  
1 3 follows:  
1 4 #1. Page 10, line 47, by striking the word  
1 5 <twenty> and inserting the following: <twenty>.  
1 6 #2. Page 10, by striking line 48 and inserting the  
1 7 following: <million dollars to>.  
1 8 #3. Page 11, by striking lines 1 through 6 and  
1 9 inserting the following: <The department shall  
1 10 distribute>.  
1 11 #4. By renumbering as necessary.  
1 12  
1 13  
1 14  
1 15 PAUL McKINLEY  
1 16 HF 2679.303 82  
1 17 kh/mg/12160  
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 23, 2008**

**Senate Amendment 5438**

PAG LIN

1 1 Amend the amendment, S=5431, to House File 2679, as  
 1 2 amended, passed, and reprinted by the House, as  
 1 3 follows:  
 1 4 #1. Page 1, by striking lines 8 through 23 and  
 1 5 inserting the following:  
 1 6 <<\_\_\_\_. WASHINGTON, D.C., INTERNSHIP GRANT  
 1 7 For a grant to a national nonprofit organization  
 1 8 with over 30 years experience of assisting college  
 1 9 students to serve internships in Washington, D.C.,  
 1 10 helping place during the 2006=2007 academic year over  
 1 11 1,400 students from across the world in internships,  
 1 12 including over 40 students from Iowa colleges and  
 1 13 universities, in order to provide students enrolled in  
 1 14 Iowa accredited higher education institutions, as  
 1 15 defined in section 261.92, subsection 1, and is  
 1 16 participating in a one=semester internship opportunity  
 1 17 in Washington, D.C., with financial aid to offset  
 1 18 costs related to the internship:  
 1 19 ..... \$ 100,000  
 1 20 Up to 50 percent of the funds shall be dedicated to  
 1 21 students participating in the two=to=one federal and  
 1 22 state matching agricultural biofuels from biomass  
 1 23 internship pilot program if the program is contained  
 1 24 in federal legislation enacted and funded by Congress  
 1 25 during the 2008=2009 fiscal year.>>  
 1 26 #2. By renumbering as necessary.  
 1 27  
 1 28  
 1 29  
 1 30 FRANK B. WOOD  
 1 31 HF 2679.304 82  
 1 32 kh/mg/12161  
 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 23, 2008

**Senate File 2430 - Introduced**

SENATE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3301)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved

**A BILL FOR**

- 1 An Act relating to economic development by creating a community
- 2 microenterprise development organization grant program, a
- 3 microenterprise development advisory committee, and a river
- 4 enhancement community attraction and tourism fund, and by
- 5 making changes to the requirements for individual development
- 6 accounts and making appropriations, and including effective
- 7 and retroactive applicability provisions.
- 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 9 TLSB 6623SV 82
- 10 tw/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

PAG LIN

1 1 DIVISION I  
1 2 MICROENTERPRISE DEVELOPMENT  
1 3 Section 1. Section 15.102, Code Supplement 2007, is  
1 4 amended by adding the following new subsections:  
1 5 NEW SUBSECTION. 1A. "Community microenterprise  
1 6 development organization" means a community development,  
1 7 economic development, social service, or nonprofit  
1 8 organization that provides training, access to financing, and  
1 9 technical assistance to microenterprises.  
1 10 NEW SUBSECTION. 3A. "Microenterprise" means any business  
1 11 with five or fewer employees which generally lacks collateral  
1 12 and has difficulty securing financing from conventional  
1 13 business lending sources. "Microenterprise" includes  
1 14 start-up, home-based, and self-employed businesses.  
1 15 Sec. 2. Section 15.108, subsection 7, unnumbered paragraph  
1 16 1, Code Supplement 2007, is amended to read as follows:  
1 17 To provide assistance to small business, targeted small  
1 18 business, microenterprises, and entrepreneurs creating small  
1 19 businesses to ensure continued viability and growth. To carry  
1 20 out this responsibility, the department shall:  
1 21 Sec. 3. NEW SECTION. 15.114 COMMUNITY MICROENTERPRISE  
1 22 DEVELOPMENT ORGANIZATION GRANTS.  
1 23 1. The department shall award grants to community  
1 24 microenterprise development organizations. A grant shall not  
1 25 be awarded to a community microenterprise development  
1 26 organization unless the community microenterprise development  
1 27 organization can match at least twenty percent of the funds to  
1 28 be awarded. The matching funds may be from private  
1 29 foundations, federal or local government funds, financial  
1 30 institutions, or individuals.  
1 31 2. In awarding grants to community microenterprise  
1 32 development organizations, the department shall consider all  
1 33 of the following:  
1 34 a. The overall geographic diversity of the applicants for  
1 35 grants, including both urban and rural communities.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

2 1 b. The ability of a community microenterprise development  
2 2 organization to provide services to low-income and  
2 3 moderate-income individuals and underserved communities. In  
2 4 determining the ability to provide services, all of the  
2 5 following shall be considered:  
2 6 (1) The ability to identify potential microentrepreneurs  
2 7 within a community.  
2 8 (2) The capacity to perform client assessment and  
2 9 screening.  
2 10 (3) The ability to provide business training and technical  
2 11 assistance, including information about access to markets,  
2 12 business management, and financial literacy.  
2 13 (4) The capacity to provide assistance in securing  
2 14 financing.  
2 15 c. The scope of services offered and the efficient  
2 16 delivery of such services, especially to low-income,  
2 17 moderate-income, and minority individuals.  
2 18 d. The ability to monitor the progress of clients and to  
2 19 identify those clients in need of additional technical and  
2 20 financial assistance.  
2 21 e. The ability to build relationships and coordinate  
2 22 resources with other entities supporting microentrepreneurs.  
2 23 These entities may include but are not limited to community  
2 24 colleges, cooperative extension services, small business  
2 25 development centers, chambers of commerce, community economic  
2 26 development organizations, workforce centers, and community  
2 27 nonprofit service providers that serve low-income and  
2 28 moderate-income individuals.  
2 29 f. The ability to coordinate activities with any targeted  
2 30 small business advocate services operating in the community.  
2 31 g. The amount and sufficiency of operating funds  
2 32 available.  
2 33 h. Any other criteria the department deems reasonable.  
2 34 Sec. 4. NEW SECTION. 15.240 MICROENTERPRISE DEVELOPMENT  
2 35 ADVISORY COMMITTEE.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2430 - Introduced continued

3 1 1. The department shall establish, administer, and  
3 2 regularly convene a microenterprise development advisory  
3 3 committee.  
3 4 2. The committee shall include at least ten but not more  
3 5 than fifteen members representing government agencies,  
3 6 nonprofit organizations, and private sector entities that have  
3 7 expertise and a demonstrated interest in the development of  
3 8 microenterprises.  
3 9 3. The committee shall study and make recommendations to  
3 10 the department and the general assembly on the design and  
3 11 implementation of a competitive grant program in support of  
3 12 community efforts to develop microenterprises within  
3 13 communities with low-income and moderate-income residents.  
3 14 a. The committee shall make recommendations for improving  
3 15 the mechanisms for connecting community grantees with  
3 16 available microenterprise and entrepreneurship resources. The  
3 17 recommendations shall include standardized applications for  
3 18 participation in the community microenterprise development  
3 19 organization grant program and standardized applications for  
3 20 obtaining funding from various state and federal  
3 21 microenterprise and entrepreneurship development programs.  
3 22 b. The committee shall make recommendations to grantees  
3 23 regarding the development of an entrepreneurship and business  
3 24 education program. The program shall be designed to enhance  
3 25 entrepreneurial skills, develop business acumen, increase  
3 26 marketing skills, and improve financial literacy.  
3 27 c. In making its recommendations, the committee shall  
3 28 focus on creating a strong network of programs and shall  
3 29 ensure that the needs of both rural and urban communities are  
3 30 being met.  
3 31 4. The committee shall by January 31 of each year report  
3 32 to the department and the general assembly on the progress of  
3 33 microenterprise development in Iowa and on its recommendations  
3 34 for the community microenterprise development organizations  
3 35 grants program.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

4 1 DIVISION II  
4 2 RIVER ENHANCEMENT COMMUNITY  
4 3 ATTRACTION AND TOURISM  
4 4 Sec. 5. Section 15F.202, subsection 1, Code 2007, is  
4 5 amended to read as follows:  
4 6 1. The board shall establish and the department, subject  
4 7 to direction and approval by the board, shall administer a  
4 8 community attraction and tourism program to assist communities  
4 9 in the development, creation, and regional marketing of  
4 10 multiple-purpose attraction or tourism facilities. Any moneys  
4 11 appropriated to the river enhancement community attraction and  
4 12 tourism fund created pursuant to section 15F.205 shall be used  
4 13 exclusively for the creation and enhancement of community  
4 14 attractions and tourism opportunities along lakes, rivers, and  
4 15 river corridors in cities across the state, but a recipient of  
4 16 moneys from the river enhancement community attraction and  
4 17 tourism fund shall not be precluded from receiving funds from  
4 18 the community attraction and tourism fund created pursuant to  
4 19 section 15F.204.  
4 20 Sec. 6. Section 15F.204, subsection 8, Code 2007, is  
4 21 amended to read as follows:  
4 22 8. a. There is appropriated from the rebuild Iowa  
4 23 infrastructure fund to the community attraction and tourism  
4 24 fund, the following amounts:  
4 25 (1) For the fiscal year beginning July 1, 2004, and ending  
4 26 June 30, 2005, the sum of twelve million dollars.  
4 27 (2) For the fiscal year beginning July 1, 2005, and ending  
4 28 June 30, 2006, the sum of five million dollars.  
4 29 (3) For the fiscal year beginning July 1, 2006, and ending  
4 30 June 30, 2007, the sum of five million dollars.  
4 31 (4) For the fiscal year beginning July 1, 2007, and ending  
4 32 June 30, 2008, the sum of five million dollars.  
4 33 (5) For the fiscal year beginning July 1, 2008, and ending  
4 34 June 30, 2009, the sum of five million dollars.  
4 35 (6) For the fiscal year beginning July 1, 2009, and ending



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

- 5 1 June 30, 2010, the sum of five million dollars.  
5 2 (7) For the fiscal year beginning July 1, 2010, and ending  
5 3 June 30, 2011, the sum of five million dollars.  
5 4 (8) For the fiscal year beginning July 1, 2011, and ending  
5 5 June 30, 2012, the sum of five million dollars.  
5 6 (9) For the fiscal year beginning July 1, 2012, and ending  
5 7 June 30, 2013, the sum of five million dollars.  
5 8 b. There is appropriated from the franchise tax revenues  
5 9 deposited in the general fund of the state to the community  
5 10 attraction and tourism fund, the following amounts:  
5 11 (1) For the fiscal year beginning July 1, 2005, and ending  
5 12 June 30, 2006, the sum of seven million dollars.  
5 13 (2) For the fiscal year beginning July 1, 2006, and ending  
5 14 June 30, 2007, the sum of seven million dollars.  
5 15 (3) For the fiscal year beginning July 1, 2007, and ending  
5 16 June 30, 2008, the sum of seven million dollars.  
5 17 (4) For the fiscal year beginning July 1, 2008, and ending  
5 18 June 30, 2009, the sum of seven million dollars.  
5 19 (5) For the fiscal year beginning July 1, 2009, and ending  
5 20 June 30, 2010, the sum of seven million dollars.  
5 21 (6) For the fiscal year beginning July 1, 2010, and ending  
5 22 June 30, 2011, the sum of seven million dollars.  
5 23 (7) For the fiscal year beginning July 1, 2011, and ending  
5 24 June 30, 2012, the sum of seven million dollars.  
5 25 (8) For the fiscal year beginning July 1, 2012, and ending  
5 26 June 30, 2013, the sum of seven million dollars.  
5 27 Sec. 7. NEW SECTION. 15F.205 RIVER ENHANCEMENT COMMUNITY  
5 28 ATTRACTION AND TOURISM FUND.  
5 29 1. A river enhancement community attraction and tourism  
5 30 fund is created as a separate fund in the state treasury under  
5 31 the control of the board, consisting of any moneys  
5 32 appropriated by the general assembly and any other moneys  
5 33 available to and obtained or accepted by the board for  
5 34 placement in the fund.  
5 35 2. Payments of interest, repayments of moneys loaned



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2430 - Introduced continued

6 1 pursuant to this subchapter, and recaptures of grants or loans  
6 2 shall be deposited in the fund.

6 3 3. The fund shall be used to provide assistance only from  
6 4 funds, rights, and assets legally available to the board, and  
6 5 the assistance shall be in the form of grants, loans,  
6 6 forgivable loans, and credit enhancements and financing  
6 7 instruments as described in the community attraction and  
6 8 tourism program established in section 15F.202.

6 9 4. An applicant for financial assistance from moneys in  
6 10 the river enhancement community attraction and tourism fund  
6 11 for a river or lake enhancement project under the community  
6 12 attraction and tourism program shall receive financial  
6 13 assistance from the fund in an amount not to exceed one third  
6 14 of the total cost of the project.

6 15 5. Moneys in the fund are not subject to section 8.33.  
6 16 Notwithstanding section 12C.7, subsection 2, interest or  
6 17 earnings on moneys in the fund shall be credited to the fund.

6 18 6. At the beginning of each fiscal year, the board shall  
6 19 allocate moneys in the fund for financial assistance to  
6 20 projects that promote and enhance recreational opportunities  
6 21 and community attractions on and near rivers or lakes within  
6 22 cities across the state. Such recreational opportunities and  
6 23 community attractions shall be closely connected to a river or  
6 24 lake and may include but is not limited to pedestrian trails  
6 25 and walkways, amphitheaters, bike trails, water trails or  
6 26 whitewater courses for watercraft, and any modifications  
6 27 necessary for the safe mitigation of dams.

6 28 7. The board may make a multiyear commitment to an  
6 29 applicant or may award assistance for multiple projects to the  
6 30 same applicant provided the fund contains sufficient moneys.  
6 31 Any moneys remaining in the fund at the end of a fiscal year  
6 32 may be carried over to a subsequent fiscal year, or may be  
6 33 obligated in advance for a subsequent fiscal year.

6 34 8. The board is not required to award financial assistance  
6 35 pursuant to this section unless moneys are appropriated to and



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

7 1 available from the fund.

7 2 DIVISION III

7 3 INDIVIDUAL DEVELOPMENT ACCOUNTS

7 4 Sec. 8. Section 422.7, subsection 28, paragraph b, Code  
7 5 Supplement 2007, is amended to read as follows:

7 6 b. The amount of any savings refund or state match  
7 7 payments authorized under section 541A.3, subsection 1.

7 8 Sec. 9. Section 541A.1, subsection 2, Code 2007, is  
7 9 amended to read as follows:

7 10 2. "Administrator" means the division of community action  
7 11 agencies of the department of human ~~services~~ rights.

7 12 Sec. 10. Section 541A.1, Code 2007, is amended by adding  
7 13 the following new subsection:

7 14 NEW SUBSECTION. 5A. "Household income" means the annual  
7 15 household income of an account holder or prospective account  
7 16 holder, as determined in accordance with rules adopted by the  
7 17 administrator.

7 18 Sec. 11. Section 541A.2, subsection 4, paragraph a, Code  
7 19 2007, is amended by adding the following new subparagraphs:

7 20 NEW SUBPARAGRAPH. (7) A purpose approved in accordance  
7 21 with rule for a refugee individual development account.

7 22 NEW SUBPARAGRAPH. (8) Purchase of an automobile.

7 23 NEW SUBPARAGRAPH. (9) Purchase of assistive technology,  
7 24 home or vehicle modification, or other device or physical  
7 25 improvement to assist an account holder or family member with  
7 26 a disability.

7 27 NEW SUBPARAGRAPH. (10) Other purpose approved in  
7 28 accordance with rule that is intended to move the account  
7 29 holder or a family member toward a higher degree of  
7 30 self-sufficiency.

7 31 Sec. 12. Section 541A.2, subsection 10, Code 2007, is  
7 32 amended to read as follows:

7 33 10. The total amount of sources of principal which may be  
7 34 in an individual development account shall be limited to ~~fifty~~  
7 35 thirty thousand dollars.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

8 1 Sec. 13. Section 541A.3, Code 2007, is amended to read as  
8 2 follows:

8 3 541A.3 INDIVIDUAL DEVELOPMENT ACCOUNTS == ~~REFUND STATE~~  
8 4 MATCH AND TAX PROVISIONS.

8 5 All of the following state match and tax provisions shall  
8 6 apply to an individual development account:

8 7 1. a. Payment by the state of a state savings ~~refund~~  
8 8 match on amounts of up to two thousand dollars ~~per calendar~~  
~~8 9 year~~ that an account holder deposits in the account holder's  
8 10 account. To be eligible to receive a state match an account  
8 11 holder must have a household income that is equal to or less  
8 12 than two hundred percent of the federal poverty level.

8 13 b. Moneys transferred to an individual development account  
8 14 from another individual development account and a ~~savings~~  
~~8 15 refund~~ state match received by the account holder in  
8 16 accordance with this section shall not be considered an  
8 17 account holder deposit for purposes of determining a ~~savings~~  
~~8 18 refund~~ state match.

8 19 c. Payment of a ~~savings refund~~ state match either shall be  
8 20 made directly to the account holder or to an operating  
8 21 organization's central reserve account for later distribution  
8 22 to the account holder in the most appropriate manner as  
8 23 determined by the administrator.

8 24 d. The Subject to the limitation in paragraph "a", the  
8 25 state savings refund match shall be the indicated percentage  
~~8 26 of equal to one hundred percent of the amount deposited; by~~  
8 27 the account holder. However, the administrator may limit,  
8 28 reduce, delay, or otherwise revise state match payment  
8 29 provisions as necessary to restrict the payments to the  
8 30 funding available.

8 31 a. ~~For an account holder with a household income, as~~  
~~8 32 defined in section 425.17, subsection 6, which is one hundred~~  
~~8 33 fifty percent or less of the federal poverty level,~~  
~~8 34 twenty-five percent.~~

8 35 b. ~~For an account holder with a household income which is~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 — Introduced continued

~~9 1 more than one hundred fifty percent but less than one hundred  
9 2 seventy-five percent of the federal poverty level, twenty  
9 3 percent.~~

9 4 e. For an account holder with a household income which is  
~~9 5 one hundred seventy-five percent or more but not more than two  
9 6 hundred percent of the federal poverty level, fifteen percent.~~

9 7 d. For an account holder with a household income which is  
~~9 8 more than two hundred percent of the federal poverty level,  
9 9 zero percent.~~

9 10 2. Income earned by an individual development account is  
9 11 not subject to state tax, in accordance with the provisions of  
9 12 section 422.7, subsection 28.

9 13 3. Amounts transferred between individual development  
9 14 accounts are not subject to state tax.

9 15 4. ~~The administrator shall work with the United States  
9 16 secretary of the treasury and the state's congressional  
9 17 delegation as necessary to secure an exemption from federal  
9 18 taxation for individual development accounts and the earnings  
9 19 on those accounts. The administrator shall report annually to  
9 20 the governor and the general assembly concerning the status of  
9 21 federal approval.~~

9 22 ~~5.~~ 4. The administrator shall coordinate the filing of  
9 23 claims for a state savings ~~refunds~~ match authorized under  
9 24 subsection 1, between account holders, and operating  
9 25 organizations, ~~and the department of administrative services.~~  
9 26 Claims approved by the administrator may be paid ~~by the~~  
~~9 27 department of administrative services~~ to each account holder,  
9 28 for an aggregate amount for distribution to the holders of the  
9 29 accounts in a particular financial institution, or to an  
9 30 operating organization's central reserve account for later  
9 31 distribution to the account holders depending on the  
9 32 efficiency for issuing the ~~refunds~~ state match payments.  
9 33 Claims shall be initially filed with the administrator on or  
9 34 before a date established by the administrator. Claims  
9 35 approved by the administrator shall be paid from the ~~general~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 — Introduced continued

~~10 1 fund of the state in the manner specified in section 422.74~~  
10 2 individual development account state match fund.  
10 3 Sec. 14. Section 541A.5, Code 2007, is amended to read as  
10 4 follows:  
10 5 541A.5 RULES.  
10 6 1. The ~~administrator~~ commission on community action  
10 7 agencies created in section 216A.92A, in consultation with the  
10 8 department of administrative services, shall adopt  
10 9 administrative rules to administer this chapter.  
10 10 2. a. The rules adopted by the ~~administrator~~ commission  
10 11 shall include but are not limited to provision for transfer of  
10 12 an individual development account to a different financial  
10 13 institution than originally approved by the administrator, if  
10 14 the different financial institution has an agreement with the  
10 15 account's operating organization.  
10 16 b. The rules for determining household income may provide  
10 17 categorical eligibility for prospective account holders who  
10 18 are enrolled in programs with income eligibility restrictions  
10 19 that are equal to or less than the maximum household income  
10 20 allowed for payment of a state match under section 541A.3.  
10 21 c. Subject to the availability of funding, the commission  
10 22 may adopt rules implementing an individual development account  
10 23 program for refugees. Rules shall identify purposes approved  
10 24 for withdrawals to meet the special needs of refugee families.  
10 25 3. The administrator shall utilize a request for proposals  
10 26 process for selection of operating organizations and approval  
10 27 of financial institutions.  
10 28 Sec. 15. Section 541A.6, Code 2007, is amended to read as  
10 29 follows:  
10 30 541A.6 COMPLIANCE WITH FEDERAL REQUIREMENTS.  
10 31 The ~~administrator~~ commission on community action agencies  
10 32 shall adopt rules for compliance with federal individual  
10 33 development account requirements under the federal Personal  
10 34 Responsibility and Work Opportunity Reconciliation Act of  
10 35 1996, } 103, as codified in 42 U.S.C. } 604(h), under the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2430 - Introduced continued

11 1 federal Assets for Independence Act, Pub. L. No. 105=285,  
11 2 Title IV, or with any other federal individual development  
11 3 account program requirements, ~~as necessary for the state to~~  
~~11 4 qualify to use federal temporary assistance for needy families~~  
~~11 5 block grant funding or other available for drawing federal~~  
11 6 funding for allocation to operating organizations. Any rules  
11 7 adopted under this section shall not apply the federal  
11 8 individual development account program requirements to an  
11 9 operating organization which does not utilize federal funding  
11 10 for the accounts with which it is connected or to an account  
11 11 holder who does not receive temporary assistance for needy  
11 12 families block grant or other federal funding.

11 13 Sec. 16. NEW SECTION. 541A.7 INDIVIDUAL DEVELOPMENT  
11 14 ACCOUNT STATE MATCH FUND.

11 15 1. An individual development account state match fund is  
11 16 created in the state treasury under the authority of the  
11 17 administrator. Notwithstanding section 8.33, moneys  
11 18 appropriated to the fund shall not revert to any other fund.  
11 19 Notwithstanding section 12C.7, subsection 2, interest or  
11 20 earnings on moneys deposited in the fund shall be credited to  
11 21 the fund.

11 22 2. Moneys available in the fund for a fiscal year are  
11 23 appropriated to the administrator to be used to provide the  
11 24 state match for account holder deposits in accordance with  
11 25 section 541A.3. At least eighty=five percent of the amount  
11 26 appropriated shall be used for state match payments and the  
11 27 remainder may be used for the administrative costs of the  
11 28 operating organization. Administrative costs include but are  
11 29 not limited to accounting services, curriculum costs for  
11 30 financial education or asset=specific training, and costs for  
11 31 technical assistance contractors.

11 32 Sec. 17. INDIVIDUAL DEVELOPMENT ACCOUNT RULES ==  
11 33 TRANSITION, EFFECTIVE DATE, AND APPLICABILITY.

11 34 1. The division of community action agencies of the  
11 35 department of human rights shall administer individual



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2430 - Introduced continued

12 1 development accounts in accordance with the administrative  
 12 2 rules pertaining to the accounts in 441 IAC ch. 10, in place  
 12 3 of the department of human services until replacement  
 12 4 administrative rules are adopted. The commission on community  
 12 5 action agencies may adopt emergency rules under section 17A.4,  
 12 6 subsection 2, and section 17A.5, subsection 2, paragraph "b",  
 12 7 to implement the provisions of this Act and the rules shall be  
 12 8 effective immediately upon filing unless a later date is  
 12 9 specified in the rules. Any rules adopted in accordance with  
 12 10 this subsection shall also be published as a notice of  
 12 11 intended action as provided in section 17A.4.

12 12 2. This division of this Act, being deemed of immediate  
 12 13 importance, takes effect upon enactment.

12 14 3. The change from "savings refund" to "state match" as  
 12 15 authorized in section 422.7, subsection 28, and section  
 12 16 541A.3, as amended by this Act, is retroactively applicable to  
 12 17 January 1, 2008, for the tax year commencing on January 1,  
 12 18 2008.

DIVISION IV  
 APPROPRIATIONS

12 19 Sec. 18. COMMUNITY MICROENTERPRISE DEVELOPMENT  
 12 20 ORGANIZATION GRANTS == APPROPRIATION.

12 21 1. There is appropriated from any interest or earnings on  
 12 22 moneys in the federal economic stimulus and jobs holding fund  
 12 23 to the department of economic development for the fiscal year  
 12 24 beginning July 1, 2008, and ending June 30, 2009, the  
 12 25 following amount, or so much thereof as is necessary, to be  
 12 26 used for the purposes designated:

12 27 For competitive grants to community microenterprise  
 12 28 development organizations, including salaries, support,  
 12 29 maintenance, miscellaneous purposes, and for not more than the  
 12 30 following full-time equivalent positions:  
 12 31 ..... \$ 475,000  
 12 32 ..... FTEs 1.00

12 33 2. Of the moneys appropriated in subsection 1, not more



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2430 - Introduced continued

13 1 than \$80,000 shall be expended on any one community  
13 2 microenterprise development organization.

13 3 3. From the moneys appropriated in subsection 1, the  
13 4 department shall award grants to at least three community  
13 5 microenterprise development organizations in rural areas of  
13 6 the state that show an economic growth rate lower than the  
13 7 average economic growth rate of the state.

13 8 4. From the moneys appropriated in subsection 1, the  
13 9 department shall award grants to at least two community  
13 10 microenterprise development organizations in neighborhoods in  
13 11 urban areas of the state that show high rates of poverty and  
13 12 signs of economic distress.

13 13 5. Of the moneys appropriated in subsection 1, not more  
13 14 than \$80,000 may be used for a full-time equivalent staff  
13 15 person to administer the community microenterprise development  
13 16 organization grants.

13 17 6. Of the moneys appropriated in subsection 1, not more  
13 18 than \$20,000 may be used to contract with an expert in  
13 19 microenterprise development for consultation, technical  
13 20 assistance, and recommendations regarding best practices and  
13 21 industry standards for the development of community  
13 22 microenterprises.

13 23 Sec. 19. WATER TRAILS AND LOW HEAD DAM PUBLIC HAZARD  
13 24 STATEWIDE PLAN == APPROPRIATION. There is appropriated from  
13 25 any interest or earnings on moneys in the federal economic  
13 26 stimulus and jobs holding fund to the department of natural  
13 27 resources for the fiscal year beginning July 1, 2008, and  
13 28 ending June 30, 2009, the following amount, or so much thereof  
13 29 as is necessary, to be used for the purposes designated:

13 30 For the establishment and administration of a water trails  
13 31 and low head dam public hazard statewide plan, including  
13 32 salaries, support, maintenance, and miscellaneous purposes:  
13 33 ..... \$ 250,000

13 34 Sec. 20. RIVER ENHANCEMENT COMMUNITY ATTRACTION AND  
13 35 TOURISM FUND == APPROPRIATION. There is appropriated from any





**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2430 - Introduced continued

15 1 award grants to community microenterprise development  
15 2 organizations. Microenterprises are businesses with five or  
15 3 fewer employees that lack collateral for loans and have  
15 4 difficulty securing financing. The bill requires the  
15 5 department to consider the following criteria in awarding  
15 6 grants: the overall geographic diversity of the applicants,  
15 7 the ability of a community microenterprise development  
15 8 organization to provide services to low-income and  
15 9 moderate-income individuals and underserved communities, the  
15 10 scope and efficient delivery of the services offered, the  
15 11 ability to monitor the progress of clients, the ability to  
15 12 build relationships and coordinate resources with other  
15 13 entities, the ability to coordinate activities with targeted  
15 14 small business advocate services, the amount and sufficiency  
15 15 of available operating funds, and any other criteria the  
15 16 department deems reasonable.

15 17 The bill establishes a microenterprise development advisory  
15 18 committee within the department of economic development and  
15 19 directs the committee to study and make recommendations to the  
15 20 department regarding the development of microenterprises.

15 21 The bill extends the community attraction and tourism  
15 22 program at its current funding levels through the fiscal year  
15 23 ending June 30, 2013. The program is currently funded each  
15 24 year by a \$5 million appropriation from the rebuild Iowa  
15 25 infrastructure fund and a \$7 million appropriation from the  
15 26 franchise tax revenues deposited in the general fund of the  
15 27 state.

15 28 The bill also expands the scope of the community attraction  
15 29 and tourism program by creating a river enhancement community  
15 30 attraction and tourism fund and directing the vision Iowa  
15 31 board to expend any moneys appropriated to the fund for the  
15 32 creation and enhancement of community attractions and tourism  
15 33 opportunities along lakes, rivers, and river corridors in  
15 34 cities across the state.

15 35 The bill relates to individual development accounts



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2430 - Introduced continued

16 1 authorized for certain individuals with low income. Under  
16 2 current law in Code chapter 541A, the department of human  
16 3 services administers the accounts through operating  
16 4 organizations who certify the accounts. Account holder  
16 5 deposits may be matched by operating organizations, federal  
16 6 individual development account funding, and state savings  
16 7 refunds providing a state match for the deposits of account  
16 8 holders with family incomes of 200 percent or less of the  
16 9 federal poverty level. The state savings refund amount ranges  
16 10 from 15=25 percent of account holder deposits, depending on  
16 11 income. Interest and earnings on the accounts and the  
16 12 deposits made to an account by others is exempt from state  
16 13 income tax. Withdrawals from an account must be approved by  
16 14 the operating organization for one of the following approved  
16 15 purposes: higher education costs, training programs, purchase  
16 16 of a primary residence or improvements to such residence,  
16 17 capitalization of a small business start-up, or certain  
16 18 emergency medical costs.

16 19 The bill makes a number of changes to the requirements for  
16 20 individual development accounts. New approved purposes for  
16 21 using the accounts are provided authorizing purchase of an  
16 22 automobile, purchase of assistive technology to assist an  
16 23 account holder or family member with a disability, or for  
16 24 other purposes approved in rule. The maximum amount of  
16 25 deposits of principal to an account is reduced from \$50,000 to  
16 26 \$30,000. Administration of the program is moved from the  
16 27 department of human services to the division of community  
16 28 action agencies of the department of human rights.  
16 29 Requirements for household income determinations and other  
16 30 procedures for the accounts are required to be adopted in rule  
16 31 by the commission on community action agencies. The division  
16 32 of community action agencies is required to utilize a request  
16 33 for proposals process for selection of operating organizations  
16 34 and approval of financial institutions.

16 35 The bill includes a temporary authorization for operation



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2430 - Introduced continued

17 1 of the accounts in accordance with the rules adopted by the  
17 2 department of human services until replacement rules are  
17 3 adopted. The commission may adopt the replacement rules using  
17 4 emergency procedures which forego public comment and review by  
17 5 the administrative rules review committee.

17 6 The state savings refund is changed to a state match and is  
17 7 increased to 100 percent of account holder deposits. The  
17 8 current state match limit of a percentage of account holder  
17 9 deposits of up to \$2,000 per calendar year is charged with an  
17 10 overall limit of \$2,000. If funding is available the  
17 11 commission may authorize implementing refugee accounts with  
17 12 withdrawals approved for the special needs of refugee  
17 13 families. Code section 422.7, providing for adjustments to  
17 14 income for purposes of determining net income under the state  
17 15 income tax, is amended to include a reference to state match  
17 16 payments in the exemption provision relating to individual  
17 17 development accounts. The provisions of the bill referencing  
17 18 the state match payment are retroactively applicable to  
17 19 January 1, 2008, for the tax year beginning on that date.

17 20 An individual development account state match fund is  
17 21 created in new Code section 541A.7 with a standing  
17 22 appropriation of any moneys available in the fund to the  
17 23 division for payments of state matches. The division of  
17 24 community action agencies is authorized to revise the match  
17 25 payment provisions as necessary to restrict payments to the  
17 26 funding available. A requirement for the program  
17 27 administrator to work with the federal government and the  
17 28 state's congressional delegation to secure federal tax  
17 29 exemption for the accounts and account earnings and to report  
17 30 annually is repealed. A portion of any appropriations from  
17 31 the fund may be used for administrative costs.

17 32 This division of the bill relating to individual  
17 33 development accounts takes effect upon enactment.

17 34 The bill appropriates a total of \$2,875,000 from interest  
17 35 earned on the moneys in the federal economic stimulus and jobs



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2430 - Introduced continued

18 1 holding fund to a number of different programs and funds.  
18 2 First, the bill appropriates \$475,000 for the administration  
18 3 and awarding of grants to community microenterprise  
18 4 development organizations. Second, the bill appropriates  
18 5 \$250,000 to the department of natural resources for the  
18 6 administration of a water trails and low head dam statewide  
18 7 plan. Third, the bill appropriates \$2,000,000 to the river  
18 8 enhancement community attraction and tourism fund.  
18 9 Finally, the bill appropriates \$150,000 from the federal  
18 10 economic stimulus and jobs holding fund to the individual  
18 11 development account state match fund.  
18 12 LSB 6623SV 82  
18 13 tw/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced

SENATE FILE  
BY COMMITTEE ON GOVERNMENT  
OVERSIGHT

(SUCCESSOR TO SSB 3293)

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

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

A BILL FOR

1 An Act relating to student loans, including the protection of  
2 students and parents from certain lenders and institutions of  
3 higher education with conflicts of interest, establishing a  
4 student lending education fund, establishing penalties, and  
5 providing for properly related matters, and including an  
6 effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

8 TLSB 6635SV 82

9 kh/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced continued

PAG LIN

1 1 Section 1. Section 7C.12, subsection 2, Code 2007, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. c. Shall report quarterly any reallocation  
1 4 of the amount of the state ceiling by the governor's designee  
1 5 in accordance with this chapter to the legislative government  
1 6 oversight committee and the auditor of state no later than the  
1 7 tenth day of the month following any reallocation. The report  
1 8 shall contain, at a minimum, the amount of each reallocation,  
1 9 the date of each reallocation, the name of the political  
1 10 subdivision and a description of all bonds issued pursuant to  
1 11 a reallocation, a brief explanation of the reason for the  
1 12 reallocation, and such other information as may be required by  
1 13 the committee.  
1 14 Sec. 2. NEW SECTION. 7C.13 QUALIFIED STUDENT LOAN BOND  
1 15 ISSUER == OPEN RECORDS AND MEETINGS == OVERSIGHT.  
1 16 1. CONDITION OF ALLOCATION. As a condition of receiving  
1 17 the allocation of the state ceiling as provided in section  
1 18 7C.4A, subsection 3, the qualified student loan bond issuer  
1 19 shall comply with the provisions of this section.  
1 20 2. ANNUAL REPORT AND AUDIT. The qualified student loan  
1 21 bond issuer shall submit an annual report to the governor,  
1 22 general assembly, and the auditor of state by January 15  
1 23 setting forth its operations and activities conducted and  
1 24 newly implemented in the previous fiscal year related to use  
1 25 of the allocation of the state ceiling in accordance with this  
1 26 chapter and the outlook for the future. The report shall  
1 27 describe how the operations and activities serve students and  
1 28 parents. The annual audit of the qualified student loan bond  
1 29 issuer shall be filed with the office of auditor.  
1 30 3. OPEN MEETINGS FOR CONSIDERATION OF TAX=EXEMPT ISSUANCE.  
1 31 The deliberations or meetings of the board of directors of the  
1 32 qualified student loan bond issuer that relate to the issuance  
1 33 of bonds in accordance with this chapter shall be conducted in  
1 34 accordance with chapter 21.  
1 35 4. PUBLIC HEARING PRIOR TO ISSUANCE OF TAX=EXEMPT BONDS.



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2431 - Introduced continued

2 1 Prior to the issuance of tax-exempt bonds in accordance with  
2 2 this chapter, the board of directors of the qualified student  
2 3 loan bond issuer shall hold a public meeting after reasonable  
2 4 notice. The board shall give notice of the time, date, and  
2 5 place of the meeting, and its tentative agenda, in a manner  
2 6 reasonably calculated to apprise the public of that  
2 7 information and provide interested parties with an opportunity  
2 8 to submit or present data, views, or arguments related to the  
2 9 issuance of the bonds.

2 10 5. OPEN RECORDS FOR CONSIDERATION OF TAX-EXEMPT BONDS.

2 11 All of the following shall be subject to chapter 22:

2 12 a. Minutes of the meetings conducted in accordance with  
2 13 subsection 3.

2 14 b. The data and written views or arguments submitted in  
2 15 accordance with subsection 4.

2 16 c. Letters seeking approval from the governor for issuance  
2 17 of tax-exempt bonds in accordance with this chapter.

2 18 d. The published official statement of each tax-exempt  
2 19 bond issue authorized in accordance with this chapter.

2 20 6. STATE SUPERINTENDENT OF BANKING REVIEW. The  
2 21 superintendent of banking shall annually review the qualified  
2 22 student loan bond issuer's total assets, loan volume, and  
2 23 reserves. Additionally, the superintendent shall review the  
2 24 qualified student loan bond issuer's procedures to inform  
2 25 students, prior to the submission of an application to the  
2 26 qualified student loan bond issuer for a loan made by the  
2 27 qualified student loan bond issuer, about the advantages of  
2 28 loans available under Title IV of the federal Higher Education  
2 29 Act of 1965, as amended, for which the students may be  
2 30 eligible. The review shall verify that the qualified student  
2 31 loan bond issuer issued bonds in accordance with this chapter  
2 32 in conformance to the letter requesting approval of the  
2 33 governor as set forth in subsection 5. The superintendent  
2 34 shall submit the review to the general assembly by January 15.

2 35 7. NO STATE OBLIGATION FOR BONDS. The obligations of the



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced continued

3 1 qualified student loan bond issuer are not the obligations of  
3 2 the state or any political subdivision of the state within the  
3 3 meaning of any constitutional or statutory debt limitations,  
3 4 but are obligations of the qualified student loan bond issuer  
3 5 payable solely and only from the qualified student loan bond  
3 6 issuer's funds. The qualified student loan bond issuer shall  
3 7 not and cannot pledge the credit or taxing power of this state  
3 8 or any political subdivision of this state or make its debts  
3 9 payable out of any moneys except those of the qualified  
3 10 student loan bond issuer.

3 11 Sec. 3. NEW SECTION. 261E.1 DEFINITIONS.

3 12 As used in this chapter, unless otherwise specified:

3 13 1. "Borrower" means a student attending a covered  
3 14 institution in this state, or a parent or person in parental  
3 15 relation to such student, who obtains an educational loan from  
3 16 a lending institution to pay for or finance a student's higher  
3 17 education expenses.

3 18 2. "Covered institution" means any educational institution  
3 19 that offers a postsecondary educational degree, certificate,  
3 20 or program of study and receives any Title IV funds under the  
3 21 federal Higher Education Act of 1965, as amended, or state  
3 22 funding or assistance. "Covered institution" includes an  
3 23 authorized agent of the educational institution, including an  
3 24 alumni association, booster club, or other organization  
3 25 directly or indirectly associated with or authorized by the  
3 26 institution or an employee of the institution.

3 27 3. "Covered institution employee" means any employee,  
3 28 agent, contract employee, director, officer, or trustee of a  
3 29 covered institution.

3 30 4. "Educational loan" means any loan that is made,  
3 31 insured, or guaranteed under Title IV of the federal Higher  
3 32 Education Act of 1965, as amended, directly to a borrower  
3 33 solely for educational purposes, or any private educational  
3 34 loan.

3 35 5. "Gift" means any gratuity, favor, discount,



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

4 1 entertainment, hospitality, loan, or other item having a  
4 2 monetary value of more than a de minimus amount. "Gift"  
4 3 includes a gift of services, transportation, lodging, or  
4 4 meals, whether provided in kind, by purchase of a ticket,  
4 5 payment in advance, or reimbursement after the expense has  
4 6 been incurred. "Gift" does not include any of the following:  
4 7     a. Standard material, activities, or programs on issues  
4 8 related to a loan, default aversion, default prevention, or  
4 9 financial literacy.  
4 10     b. Food or refreshments furnished to an officer, employee,  
4 11 or agent of an institution as an integral part of a training  
4 12 session or conference that is designed to contribute to the  
4 13 professional development of the officer, employee, or agent of  
4 14 the institution.  
4 15     c. Favorable terms, conditions, and borrower benefits on  
4 16 an educational loan provided to a borrower employed by the  
4 17 covered institution if such terms, conditions, or benefits are  
4 18 comparable to those provided to all students of the  
4 19 institution.  
4 20     d. Philanthropic contributions to a covered institution  
4 21 from a lender, guarantor, or servicer of educational loans  
4 22 that are unrelated to educational loans provided, as  
4 23 applicable, that the contributions are disclosed pursuant to  
4 24 section 261E.4, subsection 6.  
4 25     e. State education grants, scholarships, or financial aid  
4 26 funds administered under chapter 261.  
4 27     f. Toll-free telephone numbers for use by covered  
4 28 institutions or other toll-free telephone numbers open to the  
4 29 public to obtain information about loans available under Title  
4 30 IV of the federal Higher Education Act of 1965, as amended, or  
4 31 private educational loans, or free data transmission service  
4 32 for use by a covered institution to electronically submit  
4 33 applicant loan processing information or student status  
4 34 confirmation data for loans available under Title IV of the  
4 35 federal Higher Education Act of 1965.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced continued

- 5 1 g. A reduced origination fee.
- 5 2 h. A reduced interest rate.
- 5 3 i. Payment of federal default fees.
- 5 4 j. Purchase of a loan made by another lender at a premium.
- 5 5 k. Other benefits to a borrower under a repayment  
5 6 incentive program that requires, at a minimum, one or more  
5 7 scheduled payments to receive or retain the benefit or under a  
5 8 loan forgiveness program for public service or other targeted  
5 9 purposes approved by the attorney general, provided these  
5 10 benefits are not marketed to secure loan applications or loan  
5 11 guarantees.
- 5 12 l. Items of nominal value to a covered institution,  
5 13 covered institution employee, covered institution=affiliated  
5 14 organization, or borrower that are offered as a form of  
5 15 generalized marketing or advertising, or to create goodwill.
- 5 16 m. Items of value which are offered to a borrower or to a  
5 17 covered institution employee that are also offered to the  
5 18 general public.
- 5 19 n. Other services as identified and approved by the  
5 20 attorney general through a public announcement, such as a  
5 21 notice on the attorney general's web site.
- 5 22 6. "Lender" or "lending institution" means a creditor as  
5 23 defined in section 103 of the federal Truth in Lending Act, 15  
5 24 U.S.C. } 1602.
- 5 25 7. "Postsecondary educational expenses" means any of the  
5 26 expenses that are included as part of a student's cost of  
5 27 attendance as defined in Title IV, part F, of the federal  
5 28 Higher Education Act of 1965, as amended.
- 5 29 8. "Preferred lender arrangement" means an arrangement or  
5 30 agreement between a lender and a covered institution under  
5 31 which the lender provides or otherwise issues educational  
5 32 loans to borrowers and which relates to the covered  
5 33 institution recommending, promoting, or endorsing the  
5 34 educational loan product of the lender. "Preferred lender  
5 35 arrangement" does not include arrangements or agreements with



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

6 1 respect to loans under part D or E of Title IV of the federal  
6 2 Higher Education Act of 1965, as amended.

6 3 9. "Preferred lender list" means a list of at least three  
6 4 recommended or suggested, unaffiliated lending institutions  
6 5 that a covered institution makes available for use, in print  
6 6 or any other medium or form, by borrowers, prospective  
6 7 borrowers, or others.

6 8 10. "Private educational loan" means a private loan  
6 9 provided by a lender that is not made, insured, or guaranteed  
6 10 under Title IV of the federal Higher Education Act of 1965, as  
6 11 amended, and is issued by a lender solely for postsecondary  
6 12 educational expenses to a borrower, regardless of whether the  
6 13 loan involves enrollment certification by the educational  
6 14 institution that the student for which the loan is made  
6 15 attends. "Private educational loan" does not include a  
6 16 private educational loan secured by a dwelling or under an  
6 17 open-end credit plan. For purposes of this subsection,  
6 18 "dwelling" and "open-end credit plan" have the meanings given  
6 19 such terms in section 103 of the federal Truth in Lending Act,  
6 20 15 U.S.C. } 1602.

6 21 11. "Revenue sharing arrangement" means an arrangement  
6 22 between a covered institution and a lender in which the lender  
6 23 provides or issues educational loans to persons attending the  
6 24 institution or on behalf of persons attending the institution  
6 25 and the covered institution recommends the lender or the  
6 26 educational loan products of the lender, in exchange for which  
6 27 the lender pays a fee or provides other material benefits,  
6 28 including revenue or profit sharing, to the institution or  
6 29 officers, employees, or agents of the institution. "Revenue  
6 30 sharing arrangement" does not include arrangements related  
6 31 solely to products which are not educational loans.

6 32 Sec. 4. NEW SECTION. 261E.2 CODE OF CONDUCT.

6 33 1. A covered institution shall do the following:

6 34 a. Develop, in consultation with the college student aid  
6 35 commission, a code of conduct governing educational loan



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

7 1 activities with which the covered institution's officers,  
7 2 employees, and agents shall comply.  
7 3     b. Publish the code of conduct developed in accordance  
7 4 with paragraph "a" prominently on its internet site.  
7 5     c. Administer and enforce the code of conduct developed in  
7 6 accordance with paragraph "a".  
7 7     2. The college student aid commission shall provide to  
7 8 covered institutions assistance and guidance relating to the  
7 9 development, administration, and monitoring of a code of  
7 10 conduct governing educational loan activities.  
7 11     3. Except as provided in this section, the college student  
7 12 aid commission is not subject to the duties, restrictions,  
7 13 prohibitions, and penalties of this chapter.  
7 14     Sec. 5. NEW SECTION. 261E.3 PROHIBITIONS == REPORT.  
7 15     1. GIFT BAN. No officer, employee, or agent of a covered  
7 16 institution who is employed in the financial aid office of the  
7 17 institution, or who otherwise has direct responsibilities with  
7 18 respect to educational loans, shall solicit or accept any gift  
7 19 from a lender, guarantor, or servicer of educational loans.  
7 20 The attorney general shall investigate any reported violation  
7 21 of this subsection and shall annually submit a report to the  
7 22 general assembly by January 15 identifying all substantiated  
7 23 violations of this subsection, including the lenders and  
7 24 covered institutions involved in each such violation, for the  
7 25 preceding year.  
7 26     2. GIFTS TO FAMILY MEMBERS OR OTHERS. For purposes of  
7 27 this section, a gift to a family member of an officer,  
7 28 employee, or agent of a covered institution, or a gift to any  
7 29 other individual based on that individual's relationship with  
7 30 the officer, employee, or agent, shall be considered a gift to  
7 31 the officer, employee, or agent if either of the following  
7 32 applies:  
7 33     a. The gift is given with the knowledge and acquiescence  
7 34 of the officer, employee, or agent.  
7 35     b. The officer, employee, or agent has reason to believe



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

8 1 the gift was given because of the official position of the  
8 2 officer, employee, or agent.

8 3 3. CONTRACTING ARRANGEMENTS. An officer, employee, or  
8 4 agent who is employed in the financial aid office of a covered  
8 5 institution, or who otherwise has direct responsibilities with  
8 6 respect to educational loans, shall not accept from any lender  
8 7 or affiliate of any lender any fee, payment, or other  
8 8 financial benefit including but not limited to the opportunity  
8 9 to purchase stock on other than free market terms, as  
8 10 compensation for any type of consulting arrangement or other  
8 11 contract to provide services to a lender or on behalf of a  
8 12 lender.

8 13 4. REVENUE SHARING ARRANGEMENTS. A covered institution  
8 14 shall not enter into any revenue sharing arrangement with any  
8 15 lender.

8 16 5. PROHIBITION ON OFFERS OF FUNDS FOR PRIVATE LOANS. A  
8 17 covered institution shall not request or accept from any  
8 18 lender any offer of funds, including any opportunity pool, to  
8 19 be used for private educational loans to borrowers in exchange  
8 20 for the covered institution providing concessions or promises  
8 21 to the lender with respect to such institution providing the  
8 22 lender with a specified number of loans, a specified loan  
8 23 volume, or a preferred lender arrangement for any loan made,  
8 24 insured, or guaranteed under Title IV of the federal Higher  
8 25 Education Act of 1965, as amended, and a lender shall not make  
8 26 any such offer. For purposes of this subsection, "opportunity  
8 27 pool" means an educational loan made by a private lender to a  
8 28 borrower that is in any manner guaranteed by a covered  
8 29 institution, or that involves a payment, directly or  
8 30 indirectly, by such an institution of points, premiums,  
8 31 payments, additional interest, or other financial support to  
8 32 the lender for the purpose of that lender extending credit to  
8 33 the borrower.

8 34 6. PARTICIPATION ON ADVISORY COUNCILS. An officer,  
8 35 employee, or agent who is employed in the financial aid office



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

9 1 of a covered institution, or who otherwise has direct  
9 2 responsibilities with respect to educational loans, shall not  
9 3 serve on or otherwise participate with advisory councils of  
9 4 lenders or affiliates of lenders. Nothing in this subsection  
9 5 shall prohibit lenders from seeking advice from covered  
9 6 institutions or groups of covered institutions, including  
9 7 through telephonic or electronic means, or a meeting, in order  
9 8 to improve products and services for borrowers, provided there  
9 9 are no gifts or compensation including but not limited to  
9 10 transportation, lodging, or related expenses, provided by  
9 11 lenders in connection with seeking such advice from the  
9 12 institutions. Nothing in this subsection shall prohibit an  
9 13 officer, employee, or agent of a covered institution from  
9 14 serving on the board of directors of a lender if required by  
9 15 law.

9 16 7. EXCEPTIONS.

9 17 a. Nothing in this section shall be construed as  
9 18 prohibiting any of the following:

9 19 (1) An officer, employee, or agent of a covered  
9 20 institution who is not employed in the institution's financial  
9 21 aid office, or who does not otherwise have direct  
9 22 responsibilities with respect to educational loans, from paid  
9 23 or unpaid service on a board of directors of a lender,  
9 24 guarantor, or servicer of educational loans.

9 25 (2) An officer, employee, or agent of a covered  
9 26 institution who is not employed in the financial aid office  
9 27 but who has direct responsibility with respect to educational  
9 28 loans as a result of a position held at the covered  
9 29 institution, from paid or unpaid service on a board of  
9 30 directors of a lender, guarantor, or servicer of educational  
9 31 loans, provided that the covered institution has a written  
9 32 conflict of interest policy that clearly sets forth that such  
9 33 an officer, employee, or agent must be recused from  
9 34 participating in any decision of the board with respect to any  
9 35 transaction regarding educational loans.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

10 1       (3) An officer, employee, or agent of a lender, guarantor,  
10 2 or servicer of educational loans from serving on a board of  
10 3 directors or serving as a trustee of a covered institution,  
10 4 provided that the covered institution has a written conflict  
10 5 of interest policy that clearly sets forth the procedures to  
10 6 be followed in instances where such a board member's or  
10 7 trustee's personal or business interests with respect to  
10 8 educational loans may be advanced by an action of the board of  
10 9 directors or trustees, including a provision that such a board  
10 10 member or trustee may not participate in any decision to  
10 11 approve any transaction where such conflicting interests may  
10 12 be advanced.

10 13       b. Nothing in this chapter shall be construed to prohibit  
10 14 a covered institution from lowering educational loan costs for  
10 15 borrowers, including payments made by the covered institution  
10 16 to lending institutions on behalf of borrowers.

10 17       Sec. 6. NEW SECTION. 261E.4 MISLEADING IDENTIFICATION ==  
10 18 COVERED INSTITUTION == LENDING INSTITUTIONS' EMPLOYEES.

10 19       1. A lending institution shall prohibit an employee or  
10 20 agent of the lending institution from being identified to  
10 21 borrowers or prospective borrowers of a covered institution as  
10 22 an employee, representative, or agent of the covered  
10 23 institution.

10 24       2. A covered institution shall prohibit an employee or  
10 25 agent of a lending institution from being identified as an  
10 26 employee, representative, or agent of the covered institution.

10 27       3. An employee, representative, or agent of a lending  
10 28 institution included on a covered institution's preferred  
10 29 lending list shall not staff a covered institution's financial  
10 30 aid offices or call center and shall not prepare any of the  
10 31 covered institution's materials related to educational loans.

10 32       4. A covered institution that has entered into a preferred  
10 33 lender arrangement with a lender regarding private educational  
10 34 loans shall not agree to the lender's use of the name, emblem,  
10 35 mascot, or logo of the institution, or other words, pictures,



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2431 - Introduced continued

11 1 or symbols readily identified with the institution, in the  
11 2 marketing of private educational loans to the students  
11 3 attending the institution in any way that implies that the  
11 4 institution endorses the private educational loans offered by  
11 5 the lender. However, the covered institution may allow the  
11 6 use of its name if it is part of the lending institution's  
11 7 legal name.

11 8 5. Nothing in this section shall prohibit a covered  
11 9 institution from requesting or accepting the following  
11 10 assistance from a lender related to any of the following:

11 11 a. Providing educational counseling materials, financial  
11 12 literacy materials, or debt management materials to borrowers,  
11 13 provided that such materials disclose to borrowers the  
11 14 identification of any lender that assisted in preparing or  
11 15 providing such materials.

11 16 b. Staffing services on a short-term, nonrecurring basis  
11 17 to assist the institution with financial aid-related functions  
11 18 during emergencies, including state-declared or federally  
11 19 declared natural disasters, federally declared national  
11 20 disasters, and other localized disasters and emergencies  
11 21 identified by the attorney general.

11 22 6. The attorney general shall adopt rules providing for  
11 23 the disclosure, for lenders with a preferred lender  
11 24 arrangement, of philanthropic contributions made as specified  
11 25 in section 261E.1, subsection 5, paragraph "d".

11 26 Sec. 7. NEW SECTION. 261E.5 LOAN DISCLOSURE == LOAN  
11 27 BUNDLING == PROHIBITIONS.

11 28 1. A covered institution that has entered into a preferred  
11 29 lender arrangement with a lender regarding private educational  
11 30 loans shall inform the borrower or prospective borrower of all  
11 31 available state education financing options, and financing  
11 32 options under Title IV of the federal Higher Education Act of  
11 33 1965, as amended, including information on any terms and  
11 34 conditions of available loans under such title that are more  
11 35 favorable to the borrower.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

12 1     2. A covered institution shall prohibit the bundling of  
12 2 private educational loans in financial aid packages, unless  
12 3 the borrower is ineligible for financing, is not eligible for  
12 4 any additional funding, or has exhausted the limits of loan  
12 5 eligibility, under Title IV of the federal Higher Education  
12 6 Act of 1965, as amended, or has not filled out a free  
12 7 application for federal student aid, and the bundling of the  
12 8 private educational loans is clearly and conspicuously  
12 9 disclosed to the borrower prior to acceptance of the package  
12 10 by the borrower. The provisions of this subsection shall not  
12 11 apply if the borrower does not desire or refuses to apply for  
12 12 a loan under Title IV of the federal Higher Education Act of  
12 13 1965.

12 14     3. A lending institution included on a covered  
12 15 institution's preferred lender list shall disclose, clearly  
12 16 and conspicuously, in any application for a private  
12 17 educational loan, all of the following:

12 18     a. The rate of interest or the potential range of rates of  
12 19 interest applicable to the loan and whether such rates are  
12 20 fixed or variable.

12 21     b. Limitations, if any, on interest rate adjustments, both  
12 22 in terms of frequency and amount, or lack thereof.

12 23     c. Coborrower requirements, including changes in interest  
12 24 rates.

12 25     d. Any fees associated with the loan.

12 26     e. The repayment terms available on the loan.

12 27     f. The opportunity for deferment or forbearance in  
12 28 repayment of the loan, including whether the loan payments can  
12 29 be deferred if the borrower is in school.

12 30     g. Any additional terms and conditions applied to the  
12 31 loan, including any benefits that are contingent on the  
12 32 repayment behavior of the borrower.

12 33     h. Information comparing federal and private educational  
12 34 loans.

12 35     i. An example of the total cost of the educational loan



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced continued

13 1 over the life of the loan which shall be calculated using the  
13 2 following:

13 3 (1) A principal amount and the maximum rate of interest  
13 4 actually offered by the lender, or, if there is no maximum  
13 5 rate provided under the terms of the loan agreement or  
13 6 applicable state or federal law, a statement to that effect.

13 7 (2) Both with and without capitalization of interest, if  
13 8 that is an option for postponing interest payments.

13 9 j. The consequences for the borrower of defaulting on a  
13 10 loan, including any limitations on the discharge of an  
13 11 educational loan in bankruptcy.

13 12 k. Contact information for the lender.

13 13 4. Not later than January 31, 2009, the attorney general  
13 14 shall develop and make available to lenders a model disclosure  
13 15 form that is based on the requirements of subsection 3. Use  
13 16 of the model disclosure form by a lending institution in a  
13 17 manner consistent with this chapter shall constitute  
13 18 compliance with subsection 3.

13 19 Sec. 8. NEW SECTION. 261E.6 STANDARDS FOR PREFERRED  
13 20 LENDER LISTS.

13 21 1. A covered institution may make available a list of  
13 22 preferred lenders, in print or any other medium or form, for  
13 23 use by the covered institution's students or their parents,  
13 24 provided the list meets the following conditions:

13 25 a. The list is not used to deny or otherwise impede a  
13 26 borrower's choice of lender.

13 27 b. The list contains at least three lenders that are not  
13 28 affiliated and will make loans to borrowers or students  
13 29 attending the school. For the purposes of this paragraph, a  
13 30 lender is affiliated with another lender if any of the  
13 31 following applies:

13 32 (1) The lenders are under the ownership or control of the  
13 33 same entity or individuals.

13 34 (2) The lenders are wholly or partly owned subsidiaries of  
13 35 the same parent company.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

14 1       (3) The directors, trustees, or general partners, or  
14 2 individuals exercising similar functions, of one of the  
14 3 lenders constitute a majority of the persons holding similar  
14 4 positions with the other lender.  
14 5       c. The list does not include lenders that have offered, or  
14 6 have offered in response to a solicitation by the covered  
14 7 institution, financial or other benefits to the covered  
14 8 institution in exchange for inclusion on the list or any  
14 9 promise that a certain number of loan applications will be  
14 10 sent to the lender by the covered institution or its students.  
14 11       2. A covered institution that provides or makes available  
14 12 a preferred lender list shall do the following:  
14 13       a. Disclose to prospective borrowers, as part of the list,  
14 14 the method and criteria used by the covered institution in  
14 15 selecting any lender that it recommends or suggests.  
14 16       b. Provide comparative information to prospective  
14 17 borrowers about interest rates and other benefits offered by  
14 18 the lenders.  
14 19       c. Include a prominent statement in any information  
14 20 related to its preferred lender list advising prospective  
14 21 borrowers that the borrowers are not required to use one of  
14 22 the covered institution's recommended or suggested lenders.  
14 23       d. For first-time borrowers, refrain from assigning,  
14 24 through award packaging or other methods, a borrower's loan to  
14 25 a particular lender.  
14 26       e. Not cause unnecessary certification delays for  
14 27 borrowers who use a lender that is not included on the covered  
14 28 institution's preferred lender list.  
14 29       f. Update the preferred lender list and any information  
14 30 accompanying the list at least annually.  
14 31       3. If the servicer of a private educational loan is  
14 32 changed by a lending institution, the lending institution  
14 33 shall disclose the change to the affected borrower.  
14 34       4. A lending institution shall not be placed on a covered  
14 35 institution's preferred lender list or in favored placement on



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

15 1 a covered institution's preferred lender list for a particular  
15 2 type of loan, in exchange for benefits provided to the covered  
15 3 institution or to the covered institution's students in  
15 4 connection with a different type of loan.

15 5       Sec. 9. NEW SECTION. 261E.7 DISCLOSURE REQUIREMENTS.

15 6       Except for educational loans made, insured, or guaranteed  
15 7 by the federal government, a lending institution included on a  
15 8 covered institution's preferred lender list shall, upon  
15 9 receiving a request from a borrower, covered institution, or  
15 10 government entity, disclose to the requester in reasonable  
15 11 detail and form, the terms of private educational loans made  
15 12 to borrowers by that lending institution and the rates of  
15 13 interest charged to borrowers for private educational loans in  
15 14 the year preceding the disclosures.

15 15       Sec. 10. NEW SECTION. 261E.8 PENALTIES.

15 16       1. If after providing notice and an opportunity for a  
15 17 hearing the attorney general determines that a covered  
15 18 institution or lending institution has violated a provision of  
15 19 this chapter, the covered institution or lending institution  
15 20 may be liable for a civil penalty of up to five thousand  
15 21 dollars per violation. In taking action against a covered  
15 22 institution or lending institution, consideration shall be  
15 23 given to the nature and severity of a violation of this  
15 24 chapter.

15 25       2. If after providing notice and an opportunity for a  
15 26 hearing the attorney general determines that a covered  
15 27 institution employee has violated a provision of this chapter,  
15 28 the covered institution employee may be liable for a civil  
15 29 penalty of up to two thousand five hundred dollars per  
15 30 violation. In taking action against a covered institution  
15 31 employee, consideration shall be given to the nature and  
15 32 severity of a violation of this chapter.

15 33       3. If after providing notice and an opportunity for a  
15 34 hearing the attorney general determines that a lending  
15 35 institution has violated a provision of this chapter, such



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced continued

16 1 lending institution shall not be placed or remain on any  
16 2 covered institution's preferred lender list unless notice of  
16 3 such violation is provided to all potential borrowers of the  
16 4 covered institution. However, consideration shall be given to  
16 5 the nature and severity of a violation of this chapter in  
16 6 determining whether and for how long to ban a lender from a  
16 7 preferred lender list.

16 8 4. Nothing in this section shall prohibit the attorney  
16 9 general from reaching a settlement agreement with a covered  
16 10 institution, covered institution employee, or lending  
16 11 institution in order to effectuate the purposes of this  
16 12 section. Provided, however, if such settlement agreement is  
16 13 reached with a covered institution or lending institution, the  
16 14 attorney general shall provide notice of such action to the  
16 15 borrowers in a form and manner prescribed by the attorney  
16 16 general.

16 17 5. The attorney general shall deposit the funds generated  
16 18 pursuant to this section into the student lending education  
16 19 fund, created in section 261E.10.

16 20 6. Each individual incident of a violation of this chapter  
16 21 shall be considered a separate violation for the purpose of  
16 22 imposing civil penalties.

16 23 Sec. 11. NEW SECTION. 261E.9 RULES == INVESTIGATION  
16 24 AUTHORITY == ENFORCEMENT.

16 25 1. The attorney general shall administer this chapter and  
16 26 promulgate rules, pursuant to chapter 17A, necessary for the  
16 27 implementation of this chapter. Unless otherwise provided,  
16 28 all actions by the attorney general pursuant to this chapter  
16 29 shall be subject to the provisions of chapter 17A.

16 30 2. The attorney general is authorized to conduct an  
16 31 investigation to determine whether to initiate proceedings  
16 32 pursuant to this chapter to the same extent as the  
16 33 investigation authority granted the attorney general under  
16 34 section 714.16.

16 35 Sec. 12. NEW SECTION. 261E.10 STUDENT LENDING EDUCATION



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

Senate File 2431 - Introduced continued

17 1 FUND.

17 2 1. There is established in the state treasury a student  
17 3 lending education fund.

17 4 2. The fund shall consist of all revenues generated  
17 5 pursuant to section 261E.8 and all other moneys credited or  
17 6 transferred to the fund from any other fund or source pursuant  
17 7 to law.

17 8 3. Moneys in the fund shall be made available to the  
17 9 attorney general for the purpose of enforcing this chapter.

17 10 Sec. 13. NEW SECTION. 261E.11 EFFECT ON OTHER LAWS OR  
17 11 REGULATIONS.

17 12 This chapter shall not be interpreted to affect the  
17 13 liability of any person, covered institution, or lending  
17 14 institution under any other state statute or rule.

17 15 Sec. 14. STUDENT LOAN SECONDARY MARKET INVESTIGATION  
17 16 REPORT.

17 17 1. The attorney general shall submit the findings and  
17 18 recommendations resulting from the investigation of the  
17 19 student loan secondary market and the Iowa student loan  
17 20 liquidity corporation to the general assembly by January 15,  
17 21 2009.

17 22 2. The attorney general shall present the findings and  
17 23 recommendations resulting from the investigation of the  
17 24 student loan secondary market and the Iowa student loan  
17 25 liquidity corporation to the legislative government oversight  
17 26 committee at the committee's October 2008 meeting.

17 27 Sec. 15. EFFECTIVE DATE. The sections of this Act  
17 28 enacting sections 261E.3, 261E.5, 261E.6, and 261E.7, take  
17 29 effect January 31, 2009.

17 30 EXPLANATION

17 31 This bill relates to student loans by establishing new  
17 32 requirements for the qualified student loan bond issuer. The  
17 33 bill also creates a new Code chapter under the authority of  
17 34 the attorney general which establishes measures designed to  
17 35 protect students and parents from certain lending practices,



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

18 1 penalties for violation of the chapter, and a student lending  
18 2 education fund. The bill requires accredited postsecondary  
18 3 institutions to develop a code of conduct governing  
18 4 educational loan activities.

18 5 STATE CEILING REALLOCATION REPORT. The bill requires the  
18 6 governor's designee, the director of the Iowa finance  
18 7 authority, to report quarterly any reallocation of the amount  
18 8 of the state ceiling under the private activity bond  
18 9 allocation Act to the legislative government oversight  
18 10 committee and the auditor of state.

18 11 QUALIFIED STUDENT LOAN BOND ISSUER. The bill requires the  
18 12 qualified student loan bond issuer to submit an annual report  
18 13 to the governor, general assembly, and the auditor of state by  
18 14 January 15 setting forth its operations and activities. The  
18 15 issuer must also comply with the open meetings and open  
18 16 records law when its board of directors conducts meetings and  
18 17 maintains records relating to the issuance of bonds. The bill  
18 18 requires the state superintendent of banking to annually  
18 19 review the issuer's total assets, loan volume, and reserves,  
18 20 to review the issuer's procedures to inform students about the  
18 21 advantages of federal educational loans, and to verify that  
18 22 the issuer issued bonds in conformance to the letter  
18 23 requesting approval of the governor required in the bill. The  
18 24 bill provides that the obligations of the issuer are not the  
18 25 obligations of the state or any political subdivision of the  
18 26 state.

18 27 DEFINITIONS. The bill includes a number of definitions,  
18 28 including but not limited to a definition for borrower, which  
18 29 under the bill means a student attending a covered institution,  
18 30 in this state, or a parent or person in parental relation to  
18 31 such student, who obtains an educational loan from a lending  
18 32 institution to pay for or finance a student's higher education  
18 33 expenses. "Covered institution" includes any educational  
18 34 institution that offers a postsecondary educational degree,  
18 35 certificate, or program of study and receives federal student



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2431 - Introduced continued

19 1 aid funds, as well as an authorized agent of the educational  
19 2 institution. The bill specifies what is included in the  
19 3 definition of "gift", as well as what is not included in the  
19 4 term.

19 5 CODE OF CONDUCT. Covered institutions must develop, in  
19 6 consultation with the college student aid commission, a code  
19 7 of conduct governing educational loan activities with which  
19 8 the institution's officers, employees, and agents must comply.  
19 9 The institution must also publish the code of conduct  
19 10 prominently on its internet site and administer and enforce  
19 11 the code of conduct. The college student aid commission is  
19 12 directed to provide institutions assistance and guidance  
19 13 relating to the development, administration, and monitoring of  
19 14 a code of conduct governing educational loan activities. The  
19 15 commission is otherwise exempted from the duties,  
19 16 restrictions, prohibitions, and penalties of this chapter.

19 17 GIFT BAN. The bill prohibits any officer, employee, or  
19 18 agent of a covered institution employed in the financial aid  
19 19 office of the institution, or who otherwise has direct  
19 20 responsibilities with respect to educational loans, from  
19 21 soliciting or accepting any gift from a lender, guarantor, or  
19 22 servicer of educational loans. A gift to a family member of  
19 23 such a person or to any other individual based on that  
19 24 individual's relationship with the person is considered a gift  
19 25 to the person if the gift is given with the knowledge and  
19 26 acquiescence of the person or the person has reason to believe  
19 27 the gift was given because of the person's official position.  
19 28 This provision takes effect January 31, 2009.

19 29 REVENUE SHARING ARRANGEMENTS. The bill prohibits a covered  
19 30 institution from entering into any revenue sharing arrangement  
19 31 with any lender. This provision takes effect January 31,  
19 32 2009.

19 33 OTHER PROHIBITIONS. The bill prohibits a covered  
19 34 institution from requesting or accepting from any lender any  
19 35 offer of funds, including any opportunity pool, to be used for



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2431 - Introduced continued

20 1 private educational loans to borrowers in exchange for  
20 2 concessions or promises of providing the lender with a  
20 3 specified number of loans, a specified loan volume, or a  
20 4 preferred lender arrangement for any loan made, insured, or  
20 5 guaranteed under the federal Higher Education Act of 1965, as  
20 6 amended, and a lender is prohibited from making such an offer.  
20 7     The bill also prohibits an officer, employee, or agent who  
20 8 is employed in the financial aid office of a covered  
20 9 institution, or who otherwise has direct responsibilities with  
20 10 respect to educational loans, from serving on or otherwise  
20 11 participating with advisory councils of lenders or affiliates  
20 12 of lenders, though the bill provides for limited exceptions.  
20 13     This provision takes effect January 31, 2009.  
20 14     EXCEPTIONS. Nothing in the bill shall be construed as  
20 15 prohibiting an officer, employee, or agent of a covered  
20 16 institution who is not employed in the institution's financial  
20 17 aid office, or who does not otherwise have direct  
20 18 responsibilities with respect to educational loans, from paid  
20 19 or unpaid service on a board of directors of a lender,  
20 20 guarantor, or servicer of educational loans; prohibiting such  
20 21 a person, who is not employed in the financial aid office but  
20 22 who has direct responsibility with respect to educational  
20 23 loans as a result of a position held at the covered  
20 24 institution, from paid or unpaid service on such a board  
20 25 provided that the covered institution has a written conflict  
20 26 of interest policy that provides that the person must be  
20 27 recused from participating in any decision of the board with  
20 28 respect to any transaction regarding educational loans; or  
20 29 prohibiting an officer, employee, or agent of a lender,  
20 30 guarantor, or servicer of educational loans from serving on a  
20 31 board of directors or serving as a trustee of a covered  
20 32 institution, provided that the covered institution has a  
20 33 written conflict of interest policy that clearly sets forth  
20 34 procedures to be followed. This provision takes effect  
20 35 January 31, 2009.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

21 1 Persons employed by or representing a lending institution  
21 2 are prohibited from being identified to borrowers or  
21 3 prospective borrowers of a covered institution as an employee,  
21 4 representative, or agent of the covered institution. Persons  
21 5 employed or representing a lending institution included on a  
21 6 preferred lending list are prohibited from staffing a covered  
21 7 institution's financial aid office or call center and cannot  
21 8 prepare any of the covered institution's materials related to  
21 9 educational loans.

21 10 A covered institution that has entered into a preferred  
21 11 lender arrangement with a lender regarding private educational  
21 12 loans shall not agree to the lender's use of the name, emblem,  
21 13 mascot, or logo of the institution, or other words, pictures,  
21 14 or symbols readily identified with the institution in any way  
21 15 that implies that the institution endorses the private  
21 16 educational loans offered by the lender.

21 17 LOAN DISCLOSURE AND LOAN BUNDLING. The bill provides for a  
21 18 number of disclosure requirements. A covered institution that  
21 19 has entered into a preferred lender arrangement with a lender  
21 20 regarding private educational loans shall inform the borrower  
21 21 or prospective borrower of all available state and federal  
21 22 education financing options.

21 23 A covered institution must prohibit the bundling of private  
21 24 educational loans in financial aid packages except under  
21 25 circumstances specified in the bill. The bill provides a list  
21 26 of disclosures a lending institution included on a covered  
21 27 institution's preferred lender list must disclose, clearly and  
21 28 conspicuously, in any application for a private educational  
21 29 loan. However, the bill directs the attorney general to  
21 30 develop and make available to lenders a model disclosure form  
21 31 that is based on the list, and provides that use of the model  
21 32 disclosure form by a lending institution constitutes  
21 33 compliance with the disclosure requirements. The provisions  
21 34 establishing the loan disclosure and loan bundling  
21 35 prohibitions take effect January 31, 2009.



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate File 2431 - Introduced continued

22 1       STANDARDS FOR PREFERRED LENDER LISTS. The bill authorizes  
22 2 a covered institution to make available a list of preferred  
22 3 lenders for use by the covered institution's students or their  
22 4 parents, provided the list meets the conditions specified in  
22 5 the bill. A covered institution that makes available a  
22 6 preferred lender list must also meet conditions which are  
22 7 specified in the bill. If the servicer of a private  
22 8 educational loan is changed by a lending institution, the  
22 9 lending institution must disclose the change to the affected  
22 10 borrower. A lending institution shall not be placed on a  
22 11 preferred lender list in exchange for benefits provided to the  
22 12 covered institution or to the covered institution's students  
22 13 in connection with a different type of loan. These provisions  
22 14 take effect January 31, 2009.

22 15       DISCLOSURE REQUIREMENTS. Except for educational loans  
22 16 made, insured, or guaranteed by the federal government, a  
22 17 lending institution included on a preferred lender list shall,  
22 18 upon receiving a request from a borrower, covered institution,  
22 19 or government entity, disclose to the requester in reasonable  
22 20 detail and form, the terms of private educational loans made  
22 21 to borrowers by that lending institution and the rates of  
22 22 interest charged to borrowers for private educational loans in  
22 23 the year preceding the disclosures. This provision takes  
22 24 effect January 31, 2009.

22 25       PENALTIES. If after providing notice and an opportunity  
22 26 for a hearing the attorney general determines that a covered  
22 27 institution or lending institution is in violation of the new  
22 28 Code chapter, the covered institution or lending institution  
22 29 may be liable for a civil penalty of up to \$5,000 per  
22 30 violation. Similarly, an employee found to be in violation of  
22 31 the new Code chapter may be liable for a civil penalty of up  
22 32 to \$2,500 per violation. A lending institution found to have  
22 33 violated the chapter shall not be placed or remain on any  
22 34 covered institution's preferred lender list unless notice of  
22 35 the violation is provided to all potential borrowers of the



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 23, 2008**

Senate File 2431 - Introduced continued

23 1 covered institution.  
23 2       RULES == INVESTIGATION AUTHORITY == ENFORCEMENT. The  
23 3 attorney general is directed to administer the Code chapter  
23 4 and is authorized to conduct an investigation to determine  
23 5 whether to initiate proceedings under the Code chapter.  
23 6       STUDENT LENDING EDUCATION FUND. The bill establishes in  
23 7 the state treasury a student lending education fund consisting  
23 8 of all revenues generated by the penalties established under  
23 9 the bill. Moneys in the fund are available to the attorney  
23 10 general for the purpose of enforcing the new Code chapter.  
23 11       EFFECT ON OTHER LAWS OR REGULATIONS. The bill provides  
23 12 that the new Code chapter shall not be interpreted to affect  
23 13 the liability of any person, covered institution, or lending  
23 14 institution under any other state statute or rule.  
23 15       STUDENT LOAN SECONDARY MARKET INVESTIGATION REPORT. The  
23 16 attorney general is directed to submit the findings and  
23 17 recommendations resulting from the investigation of the  
23 18 student loan secondary market and the Iowa student loan  
23 19 liquidity corporation to the general assembly by January 15,  
23 20 2009, and to present the findings and recommendations  
23 21 resulting from the investigation of the student loan secondary  
23 22 market and the Iowa student loan liquidity corporation to the  
23 23 legislative government oversight committee at the committee's  
23 24 October 2008 meeting.  
23 25 LSB 6635SV 82  
23 26 kh/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008

**Senate Resolution 163 - Introduced**

PAG LIN

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

1 1                               SENATE RESOLUTION NO.  
1 2                               BY COURTNEY and ANGELO  
1 3 A Resolution recognizing May 2008 as Huntington's  
1 4     Disease Awareness Month.  
1 5     WHEREAS, Huntington's disease, first described in  
1 6 1873, is a hereditary, progressive, neurodegenerative  
1 7 disorder that gradually robs its victims of their  
1 8 intellect, their emotional well-being, and their  
1 9 control of movement; and  
1 10     WHEREAS, the effects of Huntington's disease are  
1 11 always tragic because as the disease progresses, its  
1 12 victims suffer increasingly from such symptoms as  
1 13 slurred speech, dementia, and writhing movements known  
1 14 as chorea, and because victims in the later stages of  
1 15 Huntington's disease invariably require total personal  
1 16 care, and affected families often bear heavy financial  
1 17 costs in addition to the heartache of watching the  
1 18 health of a mother, father, sibling, or child slowly  
1 19 deteriorate; and  
1 20     WHEREAS, Huntington's disease affects males and  
1 21 females equally and crosses all ethnic and racial  
1 22 boundaries, and everyone who carries the gene will  
1 23 develop the disease and will die; and  
1 24     WHEREAS, the existence of this dreaded disease  
1 25 presents a challenge to the love and humanitarianism  
1 26 of the American people; and  
1 27     WHEREAS, since the discovery of the genetic basis  
1 28 for the disease in 1993, the pace of research into the  
1 29 cause and nature of the disease has increased  
1 30 dramatically; and



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 23, 2008**

Senate Resolution 163 - Introduced continued

2 1       WHEREAS, the Huntington's Disease Society of  
2 2 America, Inc. has supported this research, bringing  
2 3 new hope to those who bear the burden of this tragic  
2 4 affliction; NOW THEREFORE,  
2 5       BE IT RESOLVED BY THE SENATE, That the Senate  
2 6 recognizes the month of May 2008 as Huntington's  
2 7 Disease Awareness Month in Iowa, and urges the  
2 8 citizens of this state to lend their support to  
2 9 efforts to control this disease so that the suffering  
2 10 it induces may be eliminated.  
2 11 LSB 6690SS 82  
2 12 jr/rj/14.1