



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 10, 2012

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House File 2009 - Introduced

HOUSE FILE 2009
BY ISENHART

A BILL FOR

1 An Act relating to reimbursement of expenses under the disaster
2 aid individual assistance grant fund.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5131HH (2) 84
jp/sc



**Iowa General Assembly
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H.F. 2009

1 Section 1. Section 29C.20A, subsection 2, Code Supplement
2 2011, is amended to read as follows:

3 2. The grant funds shall be administered by the department
4 of human services. The department shall adopt rules to create
5 the Iowa disaster aid individual assistance grant program.
6 The rules shall specify the eligibility of applicants and
7 eligible items for grant funding. The executive council shall
8 use grant funds to reimburse the department of human services
9 for its actual expenses associated with the administration of
10 the grants and for local administrative costs. Reimbursement
11 of local administrative costs shall be limited to actual
12 expenses for local administration and disbursement of grants
13 and for individual disaster case management in cases where
14 the local administrator designated by the county board of
15 supervisors elects to provide advance distribution of aid to
16 individuals rather than reimbursement to such individuals. The
17 amounts of reimbursement for the expenses of individual case
18 management with the local administrator election and for local
19 administration and disbursement expenses shall each be limited
20 to not more than five percent of the total amount of the grant.

21 EXPLANATION

22 This bill relates to reimbursement of expenses under the
23 disaster aid individual assistance grant fund.
24 Under Code section 29C.20A, the executive council is
25 required to reimburse the department of human services for the
26 department's actual expenses associated with administration of
27 the individual grants. The bill includes local administrative
28 costs in the requirement. The local administrative costs
29 are limited to actual expenses for local administration
30 and disbursement of grants and for individual disaster case
31 management in cases where the local administrator designated
32 by the county board of supervisors elects to provide advance
33 distribution of aid to individuals rather than reimbursement
34 to those individuals. The amounts of reimbursement for
35 the expenses of individual case management with the local

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H.F. 2009

1 administrator election and for local administration and
2 disbursement expenses are each limited to not more than 5
3 percent of the total amount of the grant.



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House File 2010 - Introduced

HOUSE FILE 2010
BY VAN ENGELENHOVEN

A BILL FOR

- 1 An Act prohibiting a licensed foster parent from providing
- 2 child care when a foster child is present who has been found
- 3 to have committed abuse of another child.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5520YH (2) 84
jp/nh



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H.F. 2010

1 Section 1. Section 237.3, Code 2011, is amended by adding
 2 the following new subsection:
 3 NEW SUBSECTION. 11. The department shall adopt rules
 4 prohibiting an individual foster parent licensee from
 5 providing child care to children as a child care home or child
 6 development home provider registered under chapter 237A at
 7 times when a child is present who is receiving foster care from
 8 the licensee and who has been found by the department to have
 9 committed abuse of another child.

10 EXPLANATION

11 This bill prohibits a licensed foster parent from providing
 12 child care at times when a foster child is present who has been
 13 found by the department of human services to have committed
 14 abuse of another child.

15 Code section 237.3, providing for the department to adopt
 16 rules pertaining to licensed child foster care, is amended
 17 by requiring adoption of rules applying the prohibition
 18 to licensed foster parents who provide child care as an
 19 unregistered child care home provider or a child development
 20 home provider registered under Code chapter 237A.



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House File 2011 - Introduced

HOUSE FILE 2011
BY WILLEMS

A BILL FOR

- 1 An Act relating to the assignment of visitation or physical
- 2 care parenting time to a grandparent based on relocation of
- 3 a parent.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5330YH (3) 84
pf/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
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H.F. 2011

1 Section 1. NEW SECTION. 598.41E Assignment of visitation or
2 physical care parenting time — relocation of parent.

3 1. Notwithstanding any provision to the contrary, a
4 parent who has been granted court-ordered visitation with the
5 parent's minor child may file an application for modification
6 of a decree or a petition for modification of an order
7 regarding child visitation, prior to or during the time the
8 parent is relocated to a location which is two hundred fifty
9 miles or more from the residence of the custodial parent of
10 the minor child, to temporarily assign a portion of that
11 parent's visitation to a grandparent of the minor child, as
12 specified by the parent. The application or petition shall be
13 accompanied by an affidavit from the grandparent indicating
14 the grandparent's knowledge of the application or petition and
15 willingness to exercise the parent's visitation during the
16 period of the assignment. The application or petition shall
17 also request any change in the visitation schedule necessitated
18 by the assignment.

19 2. Notwithstanding any provision to the contrary, a
20 parent who has been granted court-ordered physical care or
21 joint physical care of the parent's minor child may file an
22 application for modification of a decree or a petition for
23 modification of an order regarding child custody, prior to or
24 during the time the parent is relocated to a location which is
25 two hundred fifty miles or more from the residence of the other
26 parent of the minor child, to temporarily assign a portion of
27 the parent's physical care parenting time to a grandparent of
28 the minor child, as specified by the parent. The application
29 or petition shall be accompanied by an affidavit from the
30 grandparent indicating the grandparent's knowledge of the
31 application or petition and willingness to exercise the
32 parent's physical care parenting time during the period of the
33 assignment. The application or petition shall also request
34 any change in the physical care parenting time schedule
35 necessitated by the assignment.

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Iowa General Assembly
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H.F. 2011

1 3. a. The court may grant the parent's request for
2 temporary assignment of visitation or physical care parenting
3 time and any change in the visitation or physical care
4 parenting time schedule requested if the court finds that such
5 assignment of visitation or physical care parenting time is in
6 the best interest of the child.

7 b. In determining the best interest of the child, the court
8 shall ensure all of the following:

9 (1) That the grandparent is not a sex offender as defined in
10 section 692A.101.

11 (2) That the grandparent does not have a history of domestic
12 abuse, as defined in section 236.2. In determining whether a
13 history of domestic abuse exists, the court's consideration
14 shall include but is not limited to commencement of an action
15 pursuant to section 236.3, the issuance of a protective order
16 against the individual or the issuance of a court order or
17 consent agreement pursuant to section 236.5, the issuance of an
18 emergency order pursuant to section 236.6, the holding of an
19 individual in contempt pursuant to section 664A.7, the response
20 of a peace officer to the scene of alleged domestic abuse or
21 the arrest of an individual following response to a report of
22 alleged domestic abuse, or a conviction for domestic abuse
23 assault pursuant to section 708.2A.

24 (3) That the grandparent does not have a record of founded
25 child or dependent adult abuse.

26 (4) That the grandparent has an established relationship
27 with the child and assigning visitation or physical care
28 parenting time to the grandparent will provide the child the
29 opportunity to maintain an ongoing family relationship that is
30 important to the child.

31 (5) That the grandparent demonstrates an ability to
32 personally and financially support the child and will support
33 the child's relationship with both of the child's parents
34 during the assigned visitation or physical care parenting time.

35 4. An order granting assignment of visitation or physical

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H.F. 2011

1 care parenting time under this section does not create separate
 2 rights to visitation or physical care parenting time for a
 3 person other than the parent. An order granting assignment of
 4 visitation or physical care parenting time under this section
 5 does not grant any custodial or parental rights to any person
 6 who is not the parent of the child.

7 5. An order granted under this section may temporarily
 8 assign visitation or physical care parenting time that is less
 9 than the visitation or physical care parenting time awarded to
 10 the parent whose visitation or physical care parenting time is
 11 assigned in order to retain a portion for that parent.

12 6. The parent whose visitation or physical care parenting
 13 time is temporarily assigned shall provide a copy of the order
 14 granting assignment of visitation or physical care parenting
 15 time to the school and school district of the child to whom the
 16 order applies.

17 7. An order granting temporary assignment of visitation or
 18 physical care parenting time pursuant to this section shall
 19 specify the duration of the assignment and shall terminate upon
 20 completion of the specified duration period.

21 8. As used in this section, "*parenting time*" means actual
 22 time spent with the child as specified in a decree or order,
 23 but does not include any other element of legal custody,
 24 physical care, or joint physical care.

25 EXPLANATION

26 This bill provides for the assignment of visitation or
 27 physical care parenting time to a grandparent when a parent
 28 relocates to a location which is 250 miles or more from
 29 the residence of the custodial or other parent of the minor
 30 child. The bill provides that a parent who has been granted
 31 court-ordered visitation or physical care with the parent's
 32 minor child may file an application for modification of a
 33 decree or a petition for modification of an order regarding
 34 child visitation or parenting time, to temporarily assign a
 35 portion of that parent's visitation or parenting time to a

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1 grandparent of the minor child, as specified by the parent.
2 The application or petition must be accompanied by an affidavit
3 from the grandparent indicating the grandparent's knowledge
4 of the application or petition and willingness to exercise
5 the parent's visitation or parenting time during the period
6 of the assignment. The application or petition must also
7 request any change in the visitation or parenting time schedule
8 necessitated by the assignment.

9 The court may grant the parent's request for temporary
10 assignment of visitation or physical care parenting time and
11 any change in the visitation or physical care parenting time
12 schedule requested if the court finds that such assignment
13 of visitation or physical care parenting time is in the
14 best interest of the child. The bill provides criteria for
15 determining if the assignment is in the best interest of the
16 child including that the grandparent is not a sex offender;
17 that the grandparent does not have a history of domestic
18 abuse; that the grandparent does not have a record of founded
19 child or dependent adult abuse; that the grandparent has an
20 established relationship; and that the grandparent demonstrates
21 an ability to personally and financially support the child and
22 will support the child's relationship with both of the child's
23 parents during the assignment.

24 The bill provides that the order granting assignment of
25 visitation or physical care parenting time does not create
26 separate rights to visitation or physical care parenting time
27 nor does it grant any custodial or parental rights to any
28 person who is not the parent of the child. The order may
29 temporarily assign visitation or physical care parenting time
30 that is less than the visitation or physical care parenting
31 time awarded to the parent whose visitation or physical care
32 parenting time is assigned. A copy of the order is to be
33 provided to the school and school district of the child to whom
34 the order applies. The order is to specify the duration of
35 the assignment and terminates upon completion of the specified

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H.F. 2011

1 duration period.



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House File 2012 - Introduced

HOUSE FILE 2012
BY LUKAN

A BILL FOR

1 An Act reducing the years of experience used to calculate an
2 employer's contribution rate for unemployment insurance.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5344YH (4) 84
je/rj



Iowa General Assembly
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House File 2013 - Introduced

HOUSE FILE 2013
BY LUKAN

A BILL FOR

1 An Act reducing the time period during which new employers
2 are subject to the new employer contribution rate for
3 unemployment insurance and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5346YH (5) 84
je/rj



**Iowa General Assembly
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H.F. 2013

1 Section 1. Section 96.7, subsection 2, paragraph c,
2 subparagraphs (1) and (2), Code 2011, are amended to read as
3 follows:

4 (1) A nonconstruction contributory employer newly subject
5 to this chapter shall pay contributions at the rate specified
6 in the twelfth benefit ratio rank but not less than one percent
7 until the end of the calendar year in which the employer's
8 account has been chargeable with benefits for ~~twelve~~ four
9 consecutive calendar quarters immediately preceding the
10 computation date.

11 (2) A construction contributory employer, as defined under
12 rules adopted by the department, which is newly subject to this
13 chapter shall pay contributions at the rate specified in the
14 twenty-first benefit ratio rank until the end of the calendar
15 year in which the employer's account has been chargeable
16 with benefits for ~~twelve~~ four consecutive calendar quarters
17 immediately preceding the computation date.

18 Sec. 2. EFFECTIVE DATE. This Act takes effect July 1, 2012.

19 EXPLANATION

20 This bill reduces the time period during which construction
21 and nonconstruction employers are subject to the contribution
22 rate for new employers for unemployment insurance from three
23 years to four calendar quarters.

24 The bill takes effect July 1, 2012.



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House File 2014 - Introduced

HOUSE FILE 2014
BY GASKILL

A BILL FOR

1 An Act relating to city and school corporation elections by
2 changing the date of the election of city officers and
3 directors of local school districts, merged areas, and area
4 education agency boards.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5082YH (4) 84
aw/sc



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H.F. 2014

1 Section 1. Section 39.2, subsection 4, paragraph c, Code
2 2011, is amended to read as follows:

3 c. For a school district or merged area, in the odd-numbered
4 year, the first Tuesday in February, the first Tuesday in
5 April, the last Tuesday in June, or the ~~second~~ first Tuesday
6 after the first Monday in ~~September~~ October. For a school
7 district or merged area, in the even-numbered year, the first
8 Tuesday in February, the first Tuesday in April, the second
9 Tuesday in September, or the first Tuesday in December.

10 Sec. 2. Section 43.112, Code 2011, is amended to read as
11 follows:

12 **43.112 Nominations in certain cities.**

13 1. This chapter shall, so far as applicable, govern the
14 nominations of candidates by political parties for all offices
15 to be filled by a direct vote of the people in cities acting
16 under a special charter in 1973 and having a population of
17 over fifty thousand, except all such cities as choose by
18 special election to conduct nonpartisan city elections under
19 the provisions of chapter 44, 45, or 376. An election on the
20 question of conducting city elections in such a special charter
21 city on a nonpartisan basis may be called by the city council
22 on its own initiative, and shall be called by the council upon
23 receipt of a petition of the voters which so requests and
24 is presented in conformity with section 362.4, but a special
25 election on that question shall be held concurrently with any
26 election being held on the first Tuesday after the first Monday
27 in ~~November~~ October of any odd-numbered year.

28 2. Sections 43.114 to 43.118 shall apply only to cities to
29 which this chapter is made applicable by this section.

30 Sec. 3. Section 43.114, Code 2011, is amended to read as
31 follows:

32 **43.114 Time of holding special charter city primary.**

33 In special charter cities holding a city primary election
34 under the provisions of section 43.112 such primary shall be
35 held on the first Tuesday in ~~October~~ September of the year in



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H.F. 2014

1 which regular city elections are held.

2 Sec. 4. Section 260C.12, subsection 1, Code 2011, is amended
3 to read as follows:

4 1. The board of directors of the merged area shall organize
5 at the first regular meeting in ~~October~~ November following the
6 regular school election. Organization of the board shall be
7 effected by the election of a president and other officers from
8 the board membership as board members determine. The board
9 of directors shall appoint a secretary and a treasurer who
10 shall each give bond as prescribed in section 291.2 and who
11 shall each receive the salary determined by the board. The
12 secretary and treasurer shall perform duties under chapter 291
13 and additional duties the board of directors deems necessary.
14 However, the board may appoint one person to serve as the
15 secretary and treasurer. If one person serves as the secretary
16 and treasurer, only one bond is necessary for that person. The
17 frequency of meetings other than organizational meetings shall
18 be as determined by the board of directors but the president
19 or a majority of the members may call a special meeting at any
20 time.

21 Sec. 5. Section 260C.13, subsection 1, Code 2011, is amended
22 to read as follows:

23 1. The board of a merged area may change the number of
24 directors on the board and shall make corresponding changes
25 in the boundaries of director districts. Changes shall be
26 completed not later than ~~June~~ July 1 of the year of the regular
27 school election. As soon as possible after adoption of the
28 boundary changes, notice of changes in the director district
29 boundaries shall be submitted by the merged area to the county
30 commissioner of elections in all counties included in whole or
31 in part in the merged area.

32 Sec. 6. Section 273.8, subsection 2, paragraphs a and b,
33 Code 2011, are amended to read as follows:

34 a. Notice of the election shall be published by the area
35 education agency administrator not later than ~~July~~ August 15

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aw/sc

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Iowa General Assembly
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H.F. 2014

1 of the odd-numbered year in at least one newspaper of general
 2 circulation in the director district. The cost of publication
 3 shall be paid by the area education agency.

4 **b.** A candidate for election to the area education agency
 5 board shall file a statement of candidacy with the area
 6 education agency secretary not later than ~~August~~ September 15
 7 of the odd-numbered year, on forms prescribed by the department
 8 of education. The statement of candidacy shall include the
 9 candidate's name, address, and school district. The list of
 10 candidates shall be sent by the secretary of the area education
 11 agency in ballot form by certified mail to the presidents of
 12 the boards of directors of all school districts within the
 13 director district not later than ~~September~~ October 1. In order
 14 for the ballot to be counted, the ballot must be received in
 15 the secretary's office by the end of the normal business day on
 16 ~~September~~ October 30 or be clearly postmarked by an officially
 17 authorized postal service not later than ~~September~~ October 29
 18 and received by the secretary not later than noon on the first
 19 Monday following ~~September~~ October 30.

20 Sec. 7. Section 273.8, subsection 4, paragraph a, Code 2011,
 21 is amended to read as follows:

22 **a.** The board of directors of each area education agency
 23 shall meet and organize at the first regular meeting in ~~October~~
 24 November following the regular school election at a suitable
 25 place designated by the president. Directors whose terms
 26 commence at the organizational meeting shall qualify by taking
 27 the oath of office required by section 277.28 at or before the
 28 organizational meeting.

29 Sec. 8. Section 273.8, subsection 6, Code 2011, is amended
 30 to read as follows:

31 **6. Change in directors.** The board of an area education
 32 agency may change the number of directors on the board and
 33 shall make corresponding changes in the boundaries of director
 34 districts. Changes shall be completed not later than ~~July~~
 35 August 1 of ~~a fiscal~~ the odd-numbered year for the director

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1 district conventions to be held the following ~~September~~
 2 October.

3 Sec. 9. Section 277.1, Code 2011, is amended to read as
 4 follows:

5 **277.1 Regular election.**

6 The regular election shall be held biennially on the ~~second~~
 7 first Tuesday after the first Monday in ~~September~~ October of
 8 each odd-numbered year in each school district for the election
 9 of officers of the district and merged area and for the purpose
 10 of submitting to the voters any matter authorized by law.

11 Sec. 10. Section 372.4, subsection 4, Code 2011, is amended
 12 to read as follows:

13 4. In a city having a population of less than five hundred,
 14 the city council may adopt a resolution of intent to reduce the
 15 number of council members from five to three and shall call a
 16 public hearing on the proposal. Notice of the time and place
 17 of the public hearing shall be published as provided in section
 18 362.3, except that at least ten days' notice must be given. At
 19 the public hearing, the council shall receive oral and written
 20 comments regarding the proposal from any person. Thereafter,
 21 the council, at the same meeting as the public hearing or at
 22 a subsequent meeting, may adopt a final resolution to reduce
 23 the number of council members from five to three or may adopt
 24 a resolution abandoning the proposal. If the council adopts
 25 a final resolution to reduce the number of council members
 26 from five to three, a petition meeting the same requirements
 27 specified in section 362.4 for petitions authorized by city
 28 code may be filed with the clerk within thirty days following
 29 the effective date of the final resolution, requesting that the
 30 question of reducing the number of council members from five
 31 to three be submitted to the registered voters of the city.
 32 Upon receipt of a petition requesting an election, the council
 33 shall direct the county commissioner of elections to put the
 34 proposal on the ballot for the next regular city election.
 35 If the ballot proposal is adopted, the new council shall be

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 aw/sc



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1 elected at the next following regular city election. If a
 2 petition is not filed, the council shall notify the county
 3 commissioner of elections by ~~July~~ June 1 of the year of the
 4 regular city election and the new council shall be elected
 5 at that regular city election. If the council notifies the
 6 commissioner of elections after ~~July~~ June 1 of the year of the
 7 regular city election, the change shall take effect at the next
 8 following regular city election. The council shall determine
 9 by ordinance whether the three council members are elected at
 10 large or by ward.

11 Sec. 11. Section 372.13, subsection 8, Code 2011, is amended
 12 to read as follows:

13 8. By ordinance, the council shall prescribe the
 14 compensation of the mayor, council members, and other elected
 15 city officers, but a change in the compensation of the mayor
 16 does not become effective during the term in which the change
 17 is adopted, and the council shall not adopt an ordinance
 18 changing the compensation of the mayor, council members, or
 19 other elected officers during the months of October, November,
 20 and December in the year of a regular city election. A change
 21 in the compensation of council members becomes effective for
 22 all council members at the beginning of the term of the council
 23 members elected at the election next following the change in
 24 compensation. Except as provided in section 362.5, an elected
 25 city officer is not entitled to receive any other compensation
 26 for any other city office or city employment during that
 27 officer's tenure in office, but may be reimbursed for actual
 28 expenses incurred. However, if the mayor pro tem performs the
 29 duties of the mayor during the mayor's absence or disability
 30 for a continuous period of fifteen days or more, the mayor pro
 31 tem may be paid for that period the compensation determined by
 32 the council, based upon the mayor pro tem's performance of the
 33 mayor's duties and upon the compensation of the mayor.

34 Sec. 12. Section 376.1, Code 2011, is amended to read as
 35 follows:

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1 odd-numbered years to the first Tuesday after the first Monday
2 in October of odd-numbered years. The bill makes conforming
3 changes in relation to elections for special charter cities.

4 The bill also moves the date of the regular school election
5 from the second Tuesday in September of odd-numbered years
6 to the first Tuesday after the first Monday in October of
7 odd-numbered years.

8 Because area education agency board directors are elected at
9 the director district conventions by members of school boards,
10 the bill also changes the date of their election from September
11 to October in odd-numbered years.



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House File 2015 - Introduced

HOUSE FILE 2015
BY PETTENGILL

A BILL FOR

1 An Act relating to the definition of hydronic for purposes of
2 the Iowa plumber, mechanical professional, and contractor
3 licensing Act and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5448YH (2) 84
jr/sc



Iowa General Assembly
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H.F. 2015

1 Section 1. Section 105.2, subsection 8, Code Supplement
 2 2011, is amended to read as follows:

3 8. *Hydronic* means a heating or cooling system that
 4 transfers heating or cooling by circulating fluid through
 5 a closed system, including boilers, pressure vessels,
 6 refrigerated equipment in connection with chilled water
 7 systems, all steam piping, hot or chilled water piping together
 8 with all control devices and accessories, installed as part of,
 9 or in connection with, any comfort heating or comfort cooling
 10 system or appliance using a liquid, water, or steam as the
 11 heating or cooling media. *Hydronic* includes all low-pressure
 12 and high-pressure systems and all natural, propane, liquid
 13 propane, or other gas lines associated with any component of
 14 a hydronic system.

15 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
 16 immediate importance, takes effect upon enactment.

17 EXPLANATION

18 This bill amends Code chapter 105, the Iowa plumber,
 19 mechanical professional, and contractor licensing Act.

20 2011 Acts, House File 392, changed the definition of
 21 "hydronic" by striking language which limited application
 22 to heating and cooling systems used for comfort. The bill
 23 reinstates the previous language.

24 The bill takes effect upon enactment.



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House File 2016 - Introduced

HOUSE FILE 2016
BY PETTENGILL

A BILL FOR

1 An Act to allow a person with a special minor's license to
2 drive to and from school and school activities along a route
3 that begins or ends at the home of either parent.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5497YH (2) 84
dea/nh



Iowa General Assembly
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H.F. 2016

1 Section 1. Section 321.194, subsection 1, paragraph a,
 2 subparagraph (1), Code Supplement 2011, is amended to read as
 3 follows:

4 (1) During the hours of 5 a.m. to 10 p.m. over the most
 5 direct and accessible route between the licensee's residence or
 6 the home of a parent of the licensee and schools of enrollment
 7 or the closest school bus stop or public transportation
 8 service, and between schools of enrollment, for the purpose
 9 of attending duly scheduled courses of instruction and
 10 extracurricular activities within the school district.

11 EXPLANATION

12 Under current law, a driver's license may be issued to
 13 certain persons between 14 and 18 years of age for the general
 14 purpose of driving to and from school. The license permits
 15 driving between 5 a.m. and 10 p.m. over the most direct and
 16 accessible route between the licensee's residence and schools
 17 of enrollment or the closest bus stop for the purpose of
 18 attending classes and extracurricular activities within the
 19 school district. This bill allows such travel over the most
 20 direct accessible route from the licensee's residence or from
 21 the home of either parent.



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House File 2017 - Introduced

HOUSE FILE 2017
BY WINDSCHITL

A BILL FOR

1 An Act relating to the operation of all-terrain vehicles on
2 noninterstate highways and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5177YH (3) 84
dea/nh



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H.F. 2017

1 Section 1. Section 321.1, subsection 32, unnumbered
2 paragraph 1, Code Supplement 2011, is amended to read as
3 follows:

4 *“Implement of husbandry”* means a vehicle or special
5 mobile equipment manufactured, designed, or reconstructed
6 for agricultural purposes and, except for incidental uses,
7 exclusively used in the conduct of agricultural operations.
8 *“Implements of husbandry”* includes all-terrain vehicles
9 operated in compliance with section 321.234A, subsection
10 ~~1, paragraph “a”~~ 2, fence-line feeders, and vehicles used
11 exclusively for the application of organic or inorganic plant
12 food materials, organic agricultural limestone, or agricultural
13 chemicals. To be considered an implement of husbandry, a
14 self-propelled implement of husbandry must be operated at
15 speeds of thirty-five miles per hour or less. *“Reconstructed”*
16 as used in this subsection means materially altered from the
17 original construction by the removal, addition, or substitution
18 of essential parts, new or used.

19 Sec. 2. Section 321.234A, Code 2011, is amended to read as
20 follows:

21 **321.234A All-terrain vehicles — highway use.**

22 1. ~~All-terrain vehicles shall not be operated on a highway
23 unless one or more of the following conditions apply:~~

24 ~~a. The operation is between sunrise and sunset and is
25 incidental to the vehicle’s use for agricultural purposes. For
26 purposes of this paragraph, “incidental to the vehicle’s use
27 for agricultural purposes” includes stopping in the course of
28 agricultural use to obtain fuel for the all-terrain vehicle or
29 to obtain food or a nonalcoholic beverage for the operator.~~

30 Except as provided in subsection 2, a person shall not operate
31 an all-terrain vehicle on a highway unless one or more of the
32 following conditions apply:

33 a. The operation is between sunrise and sunset.

34 b. The operation is incidental to the vehicle’s use for the
35 purpose of surveying by a licensed engineer or land surveyor.

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1 *c.* The all-terrain vehicle is operated by an employee or
2 agent of a political subdivision or public utility for the
3 purpose of construction or maintenance on or adjacent to the
4 highway.

5 *d.* The all-terrain vehicle is operated by an employee or
6 agent of a public agency as defined in section 34.1 for the
7 purpose of providing emergency services or rescue.

8 *e.* The all-terrain vehicle is operated for the purpose
9 of mowing, installing approved trail signs, or providing
10 maintenance on a snowmobile or all-terrain vehicle trail
11 designated by the department of natural resources.

12 ~~*f.* The all-terrain vehicle is operated on a county roadway
13 in accordance with section 321I.10, subsection 2, or a city
14 street in accordance with section 321I.10, subsection 3.~~

15 2. An all-terrain vehicle which is an implement of husbandry
16 shall not be operated on a highway unless the operation
17 is between sunrise and sunset and is incidental to the
18 vehicle's use for agricultural purposes. For purposes of this
19 subsection, "incidental to the vehicle's use for agricultural
20 purposes" includes stopping in the course of agricultural use to
21 obtain fuel for the all-terrain vehicle or to obtain food or a
22 nonalcoholic beverage for the operator.

23 ~~2.~~ 3. A person operating an all-terrain vehicle on a
24 highway shall have a valid driver's license, and the vehicle
25 shall be operated at speeds of thirty-five miles per hour or
26 less.

27 4. A person shall not operate an all-terrain vehicle on an
28 interstate highway.

29 ~~3.~~ 5. An all-terrain vehicle that is owned by the owner
30 of land adjacent to a highway, other than an interstate road,
31 may be operated by the owner of the all-terrain vehicle, or by
32 a member of the owner's family, on the portion of the highway
33 right-of-way that is between the shoulder of the roadway, or at
34 least five feet from the edge of the roadway, and the owner's
35 property line. A person operating an all-terrain vehicle

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1 within the highway right-of-way under this subsection shall
2 comply with the registration, safety, and age requirements
3 under chapter 321I.

4 ~~4-~~ 6. A person convicted of a violation of this section
5 is guilty of a simple misdemeanor punishable as a scheduled
6 violation under section 805.8A, subsection 3.

7 Sec. 3. Section 321I.9, subsection 2, Code 2011, is amended
8 to read as follows:

9 2. All-terrain vehicles used only in accordance with
10 section 321.234A, subsection 1, ~~paragraph "a"~~ or 2.

11 Sec. 4. Section 321I.10, subsections 2 and 3, Code 2011, are
12 amended by striking the subsections.

13 Sec. 5. Section 331.362, subsection 9, Code 2011, is amended
14 to read as follows:

15 9. A county may regulate traffic on and use of the secondary
16 roads, in accordance with sections 321.236 to 321.250, 321.254,
17 321.255, 321.285, subsection 4, sections 321.352, 321.471 to
18 321.473, and other applicable provisions of chapter 321, and
19 sections 321G.9, ~~321I.10~~, and 327G.15.

20 EXPLANATION

21 This bill provides for the operation of all-terrain vehicles
22 on highways, subject to certain restrictions.

23 Under current law, all-terrain vehicles are registered
24 by the department of natural resources for recreational use
25 on public land or ice. In general, registered all-terrain
26 vehicles may not be used on roadways or within a highway
27 right-of-way, but a city or county has the authority to
28 allow all-terrain vehicles on local roads under specified
29 circumstances. All-terrain vehicles which are used for
30 agricultural purposes are exempt from registration requirements
31 and are permitted on highways between the hours of sunrise
32 and sunset if the operation is incidental to the vehicle's
33 use for agricultural purposes, including stopping for fuel
34 or for food or a beverage for the operator. In addition,
35 all-terrain vehicles are permitted on a highway when operated

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1 for purposes of land surveying by a licensed engineer or land
2 surveyor; by an employee or agent of a political subdivision
3 or public utility for purposes of construction or maintenance
4 adjacent to the highway; by an employee or agent of a public
5 agency providing emergency rescue or services; and for mowing,
6 installing signs, or providing maintenance on a designated
7 snowmobile trail or all-terrain vehicle riding trail.

8 The bill allows any person with a valid driver's license
9 to operate an all-terrain vehicle on a noninterstate highway
10 between the hours of sunrise and sunset. The daytime
11 restriction does not apply to highway use which is currently
12 permitted for limited purposes. Current restrictions which
13 apply to all-terrain vehicles used for agricultural purposes
14 and considered implements of husbandry are not changed under
15 the bill.

16 Pursuant to current law, a person who operates an
17 all-terrain vehicle on a highway must have a valid driver's
18 license, and the vehicle must be operated at speeds of 35
19 miles per hour or less. Because an all-terrain vehicle is
20 principally designed for use off the highway, and because
21 of the 35 mile per hour speed restriction, an all-terrain
22 vehicle is required to display a reflective device visible
23 from the rear when operated on a highway, pursuant to current
24 requirements for slow vehicles. A violation of restrictions on
25 the operation of all-terrain vehicles on a highway is a simple
26 misdemeanor, punishable by a scheduled fine of \$50. Failure to
27 display a reflective device is a simple misdemeanor punishable
28 by a scheduled fine of \$30.

29 The bill provides that all-terrain vehicles which are used
30 only on highways, and not on public lands, are not subject to
31 registration by the department of natural resources. The bill
32 strikes current provisions authorizing cities and counties to
33 allow operation of all-terrain vehicles on local roads.



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House File 2018 - Introduced

HOUSE FILE 2018
BY LYKAM

A BILL FOR

- 1 An Act allowing a veteran to request that the veteran's
- 2 driver's license or nonoperator's identification be marked
- 3 with the letter "V" to indicate veteran status.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5377YH (2) 84
aw/nh



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H.F. 2018

1 Section 1. Section 321.189, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 8. *Veteran status.* Upon request of a
4 licensee who is a veteran of the armed forces of the United
5 States, the letter "V" shall appear prominently on the face of
6 the license. Such a license shall be issued only upon receipt
7 of satisfactory proof of veteran status pursuant to procedures
8 established by the department.

9 Sec. 2. Section 321.190, subsection 1, paragraph b, Code
10 Supplement 2011, is amended to read as follows:

11 b. (1) The department shall not issue a card to a person
12 holding a driver's license. However, a card may be issued to a
13 person holding a temporary permit under section 321.181. The
14 card shall be identical in form to a driver's license issued
15 under section 321.189 except the word "nonoperator" shall
16 appear prominently on the face of the card.

17 (2) A nonoperator's identification card issued to a person
18 under eighteen years of age shall contain the same information
19 as any other nonoperator's identification card except that the
20 words "under eighteen" shall appear prominently on the face of
21 the card.

22 (3) A nonoperator's identification card issued to a
23 person eighteen years of age or older but under twenty-one
24 years of age shall contain the same information as any other
25 nonoperator's identification card except that the words "under
26 twenty-one" shall appear prominently on the face of the card.

27 (4) A nonoperator's identification card issued to a veteran
28 of the armed forces of the United States who satisfies the
29 requirements of section 321.189, subsection 8, shall contain
30 the same information as any other nonoperator's identification
31 card except the letter "V" shall appear prominently on the face
32 of the card.

33 EXPLANATION

34 This bill provides that a person who is a veteran of the
35 armed forces of the United States may request to have that

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1 status noted on the person's driver's license or nonoperator's
2 identification card. A veteran making such a request is
3 required to provide proof of veteran status. The license
4 card issued to the veteran will have the letter "V" marked
5 prominently on its face.



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House File 2019 - Introduced

HOUSE FILE 2019
BY SWAIM

A BILL FOR

1 An Act relating to the evaluation of permanent disability for
2 purposes of workers' compensation benefits.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5022HH (3) 84
av/nh



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H.F. 2019

1 Section 1. Section 85.39, Code 2011, is amended to read as
2 follows:

3 **85.39 Examination of injured employees.**

4 1. After an injury, the employee, if requested by the
5 employer, shall submit for examination at some reasonable time
6 and place and as often as reasonably requested, to a physician,
7 ~~or~~ physicians, or other health care provider authorized to
8 ~~practice~~ provide professional health care services under the
9 laws of this state or another state, without cost to the
10 employee; but if the employee requests, the employee, at the
11 employee's own cost, is entitled to have a physician, ~~or~~
12 physicians, or other health care provider of the employee's
13 own selection present to participate in the examination. If
14 an employee is required to leave work for which the employee
15 is being paid wages to attend the requested examination, the
16 employee shall be compensated at the employee's regular rate
17 for the time the employee is required to leave work, and
18 the employee shall be furnished transportation to and from
19 the place of examination, or the employer may elect to pay
20 the employee the reasonable cost of the transportation. The
21 refusal of the employee to submit to the examination shall
22 suspend the employee's right to any compensation for the period
23 of the refusal. Compensation shall not be payable for the
24 period of suspension.

25 2. If an evaluation of permanent disability has been made
26 by a physician or other health care provider retained by the
27 employer and the employee believes this evaluation to be too
28 low, the employee shall, upon application to the commissioner
29 and upon delivery of a copy of the application to the employer
30 and its insurance carrier, be reimbursed by the employer the
31 reasonable fee for a subsequent examination by a physician
32 or other health care provider of the employee's own choice,
33 and reasonably necessary transportation expenses incurred for
34 the examination. The physician or other health care provider
35 chosen by the employee has the right to confer with and obtain

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1 from the employer-retained physician or other health care
2 provider sufficient history of the injury to make a proper
3 examination.

4 3. For the purposes of this section, "health care provider"
5 means a person who is licensed or certified under chapter
6 147, 148, 148A, 148C, 149, 151, 152, 152E, 153, 154, 154B,
7 154F, or 155A to provide professional health care services to
8 an employee during that employee's medical care, treatment,
9 or confinement, and whose scope of practice pursuant to the
10 person's licensure qualifies that person to make an evaluation
11 of permanent disability of the employee.

12 EXPLANATION

13 This bill provides that after a work-related injury
14 an employee, if requested by the employer, is required to
15 submit for examination to a physician or other health care
16 provider chosen by the employer who is authorized to provide
17 professional health care services. If the physician or
18 other health care provider makes an evaluation of permanent
19 disability, and the employee believes the evaluation is
20 too low, the employee must be reimbursed for a subsequent
21 examination by a physician or health care provider of the
22 employee's own choice.

23 Currently, the statute only refers to examinations provided
24 by a physician. The bill provides that other licensed health
25 care providers can perform examinations and make evaluations
26 of permanent disability if the provider's scope of practice
27 pursuant to the provider's licensure qualifies that person to
28 make an evaluation of permanent disability.

29 A "health care provider" as defined in the bill includes
30 a physician and surgeon and an osteopathic physician and
31 surgeon; physical therapist; physician assistant; podiatrist;
32 chiropractor; nurse; dentist; optometrist; psychologist; speech
33 pathologist or audiologist; and pharmacist.



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House File 2020 - Introduced

HOUSE FILE 2020
BY SWAIM

A BILL FOR

1 An Act providing specified individuals an exception from
2 alcoholic beverage control business interest limitations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5140YH (2) 84
ec/nh



Iowa General Assembly
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H.F. 2020

1 Section 1. Section 123.45, Code 2011, is amended to read as
 2 follows:

3 **123.45 Limitations on business interests.**

4 1. Except as provided in section 123.6, a commission
 5 member or division employee shall not, directly or indirectly,
 6 individually, or as a member of a partnership or shareholder
 7 in a corporation, have any interest in dealing in or in the
 8 manufacture of alcoholic liquor, wine, or beer, and shall
 9 not receive any kind of profit nor have any interest in the
 10 purchase or sale of alcoholic liquor, wine, or beer by persons
 11 so authorized under this chapter. However, this provision does
 12 not prohibit any member or employee from lawfully purchasing
 13 and keeping alcoholic liquor, wine, or beer in the member's or
 14 employee's possession for personal use.

15 2. A person engaged in the business of manufacturing,
 16 bottling, or wholesaling alcoholic beverages, wine, or beer, or
 17 any jobber, representative, broker, employee, or agent of such
 18 a person, shall not directly or indirectly supply, furnish,
 19 give, or pay for any furnishings, fixtures, or equipment used
 20 in the storage, handling, serving, or dispensing of alcoholic
 21 beverages, wine, beer, or food within the place of business of
 22 a licensee or permittee authorized under this chapter to sell
 23 at retail; nor shall the person directly or indirectly extend
 24 any credit for alcoholic beverages or beer or pay for any such
 25 license or permit; nor directly or indirectly be interested in
 26 the ownership, conduct, or operation of the business of another
 27 licensee or permittee authorized under this chapter to sell at
 28 retail; nor hold a retail liquor control license or retail
 29 wine or beer permit. ~~However, a~~

30 3. The limitations contained in subsection 2 shall be
 31 subject to the following exceptions:

32 a. A person engaged in the wholesaling of beer or wine
 33 may sell only disposable glassware, which is constructed of
 34 paper, paper laminated, or plastic materials and designed
 35 primarily for personal consumption on a one-time usage

LSB 5140YH (2) 84
 ec/nh



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1 basis, to retailers for use within the premises of licensed
2 establishments, for an amount which is greater than or equal
3 to an amount which represents the greater of either the amount
4 paid for the disposable glassware by the supplier or the amount
5 paid for the disposable glassware by the wholesaler. ~~Also, a~~
6 b. A person engaged in the business of manufacturing beer
7 may sell beer at retail for consumption on or off the premises
8 of the manufacturing facility and, notwithstanding any other
9 provision of this chapter or the fact that a person is the
10 holder of a class "A" beer permit, may be granted not more than
11 one class "B" beer permit as defined in section 123.124 for
12 that purpose.

13 4. An employee of a person engaged in the business of
14 manufacturing, bottling, or wholesaling alcoholic beverages,
15 wine, or beer may also be employed by another licensee or
16 permittee authorized under this chapter to sell alcoholic
17 beverages at retail provided that the employee does not
18 directly or indirectly possess an ownership interest in either
19 business or engage in exclusionary practices as defined by
20 rule.

21 5. A licensee or permittee who permits or assents to or is a
22 party in any way to a violation or infringement of this section
23 is guilty of a violation of this section.

24 EXPLANATION

25 This bill relates to provisions which restrict or limit
26 potentially conflicting business interests among alcoholic
27 beverage, wine, or beer licensees under Code chapter 123.

28 Among other restrictions, Code section 123.45 provides that
29 a person engaged in the business of manufacturing, bottling,
30 or wholesaling alcoholic beverages, wine, or beer, or any
31 jobber, representative, broker, employee, or agent of such a
32 person, shall not directly or indirectly be interested in the
33 ownership, conduct, or operation of the business of another
34 licensee or permittee authorized under Code chapter 123 to sell
35 at retail. The bill creates an exception allowing an employee

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ec/nh



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1 of a person engaged in the business of manufacturing, bottling,
2 or wholesaling alcoholic beverages, wine, or beer to also be
3 employed by another licensee or permittee authorized under the
4 Code chapter to sell alcoholic beverages at retail, provided
5 that the employee does not directly or indirectly possess an
6 ownership interest in either business or engage in exclusionary
7 practices as defined by rule.



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House File 2021 - Introduced

HOUSE FILE 2021
BY J. TAYLOR and CHAMBERS

A BILL FOR

1 An Act exempting from the individual income tax all pay
2 received from the federal government for certain military
3 service in support of the national guard and including
4 retroactive applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5092YH (3) 84
aw/sc



**Iowa General Assembly
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H.F. 2021

1 Section 1. Section 422.7, subsections 40 and 42A, Code
2 Supplement 2011, are amended to read as follows:
3 40. Subtract, to the extent included, active duty pay,
4 including pay for service performed pursuant to 32 U.S.C. §
5 502(f) and 32 U.S.C. § 709(a) and (b), received by a person in
6 the national guard or armed forces military reserve for service
7 performed on or after January 1, 2003, pursuant to military
8 orders related to Operation Iraqi Freedom, Operation New Dawn,
9 Operation Noble Eagle, and Operation Enduring Freedom.

10 42A. Subtract, to the extent included, all pay received by
11 the taxpayer from the federal government for military service
12 performed while on active duty status in the armed forces, the
13 armed forces military reserve, or the national guard, including
14 pay for service performed pursuant to 32 U.S.C. § 502(f) and 32
15 U.S.C. § 709(a) and (b).

16 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies
17 retroactively to January 1, 2012, for tax years beginning on
18 or after that date.

EXPLANATION

19 This bill exempts from the individual income tax all
20 pay received by a taxpayer for military service performed
21 in support of the national guard pursuant to 32 U.S.C. §
22 502(f) and 32 U.S.C. § 709(a) and (b). This exempts certain
23 income received by active duty and reserve personnel, certain
24 operational support personnel, and certain dual-status federal
25 technicians.
26 technicians.

27 The bill applies retroactively to January 1, 2012, for tax
28 years beginning on or after that date.



Iowa General Assembly
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House Joint Resolution 2001 - Introduced

HOUSE JOINT RESOLUTION 2001
BY JOINT ADMINISTRATIVE RULES
REVIEW COMMITTEE

HOUSE JOINT RESOLUTION

1 A Joint Resolution nullifying an administrative rule of the
2 natural resource commission prohibiting the use of lead shot
3 for hunting mourning doves and providing an effective date.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5021RH (4) 84
je/rj



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H.J.R. 2001

1 Section 1. 571 Iowa administrative code, rule 97.6,
2 is nullified to read as follows:
3 ~~571—97.6 (481A) Dove season.~~ Open season for hunting
4 mourning doves and Eurasian collared-doves shall
5 begin on September 1 and continue for 70 consecutive
6 days. Shooting hours shall be from one-half hour
7 before sunrise to sunset each day. Daily bag limit
8 is 15; possession limit is 30. The entire state is
9 open. ~~No person shall take a mourning dove or Eurasian~~
10 ~~collared-dove on any land or water of the state of~~
11 ~~Iowa while having in one's possession any shot other~~
12 ~~than nontoxic approved by the United States Fish and~~
13 ~~Wildlife Service.~~
14 Sec. 2. EFFECTIVE DATE. This joint resolution,
15 being deemed of immediate importance, takes effect upon
16 enactment.

17 EXPLANATION

18 This joint resolution nullifies 571 IAC, rule
19 97.6, fifth sentence, in which the natural resource
20 commission prohibits the use of lead shot for hunting
21 mourning doves. Iowa Code sections 481A.38 and 481A.39
22 authorize the natural resource commission to regulate
23 methods of take in the hunting of authorized species.
24 The effective date of this portion of the rule was
25 delayed until the end of the 2012 session of the
26 general assembly by the administrative rules review
27 committee at its meeting on August 16, 2011.
28 The joint resolution takes effect upon enactment.



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House Study Bill 503 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ECONOMIC GROWTH/REBUILD
IOWA BILL BY CHAIRPERSON
GRASSLEY)

A BILL FOR

1 An Act requiring jobs impact statements for administrative
2 rules.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5415YC (2) 84
jr/rj



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1 Section 1. NEW SECTION. 17A.4B **Job impact statement.**
2 1. *a.* “Benefit” means the reasonably identifiable and
3 quantifiable positive effect or outcome that is expected to
4 result from implementation of a rule.
5 *b.* “Cost” means reasonably identifiable, significant, direct
6 or indirect, economic impact that is expected to result from
7 implementation of and compliance with a rule.
8 *c.* “Cost-benefit analysis” means regulatory analysis
9 to provide the public with transparency regarding the
10 cost-effectiveness of a rule, including the economic costs and
11 the effectiveness weighed by the agency in adopting the rule.
12 “Cost-benefit analysis” includes a comparison of the probable
13 costs and benefits of a rule to the probable costs and benefits
14 of less intrusive or less expensive methods that exist for
15 achieving the purpose of the rule.
16 *d.* “Jobs” means private sector employment including
17 self-employment and areas for potential for employment growth.
18 *e.* “Jobs impact statement” means a statement that does all
19 of the following:
20 (1) Identifies the objective of a rule and the applicable
21 section of the statute that provides specific legal authority
22 for the agency to adopt the rule.
23 (2) Identifies and describes the cost that the agency
24 anticipates state agencies, local governments, the public, and
25 the regulated entities, including regulated businesses and
26 self-employed individuals, will incur due to the implementation
27 of and complying with a rule.
28 (3) Determines whether a rule would have a positive
29 or negative impact on private sector jobs and employment
30 opportunities in Iowa.
31 (4) Describes and quantifies the nature of the impact a rule
32 will have on private sector jobs and employment opportunities
33 including the categories of jobs and employment opportunities
34 that are affected by the rule, and the number of jobs or
35 potential job opportunities and the regions of the state



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1 affected by the rule.

2 (5) Identifies, where possible, the additional costs to
3 employers per employee due to implementation of and complying
4 with a rule.

5 (6) Includes other relevant analysis requested by the
6 administrative rules coordinator.

7 2. Prior to implementation of a rule, an agency shall
8 take steps to minimize the adverse impact on jobs and
9 the development of new employment opportunities due to
10 implementation of the rule.

11 3. An agency shall provide a jobs impact statement to the
12 administrative rules coordinator prior to publication of a
13 notice of intended action or the publication of a rule without
14 notice.

15 4. The jobs impact statement shall be published as part
16 of the preamble to the notice of rulemaking in the Iowa
17 administrative bulletin, unless the administrative rules
18 coordinator determines that publication of the entire jobs
19 impact statement would be unnecessary or impractical.

20 5. An agency shall accept comments and information
21 from stakeholders prior to final preparation of the jobs
22 impact statement. Any concerned private sector employer or
23 self-employed individual, potential employer, potential small
24 business, or member of the public may submit information
25 relating to a jobs impact statement upon a request for
26 information or prior to publication of a notice of intended
27 action by an agency.

28 6. If a jobs impact statement is revised after a notice
29 of intended action is published, the revised jobs impact
30 statement shall be published as part of the preamble to the
31 adopted version of the rule, unless the administrative rules
32 coordinator determines that publication of the entire jobs
33 impact statement would be unnecessary or impractical.

34 7. The analysis in the jobs impact statement shall give
35 particular weight to jobs in production sectors of the economy



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1 which includes the manufacturing and agricultural sectors of
 2 the economy and includes analysis, where applicable, of the
 3 impact of the rule on expansion of existing businesses or
 4 facilities.

5 8. The administrative rules coordinator may waive the jobs
 6 impact statement requirement for rules proposed on an emergency
 7 basis or if unnecessary or impractical.

8 EXPLANATION

9 This bill requires that every proposed rule under a notice
 10 of intended action or published without notice contain a jobs
 11 impact statement which outlines the objective and statutory
 12 authority of the rule and analyzes and sets out in detail
 13 the impact of the proposed rule on state agencies, local
 14 governments, the public, and the regulated entities, including
 15 regulated businesses and self-employed individuals affected by
 16 the rule. The statement must also determine whether a proposed
 17 rule would have a positive or negative impact on private sector
 18 jobs and employment opportunities.

19 As part of this requirement, an agency is required to
 20 take steps to minimize the adverse impact on jobs and the
 21 development of new employment opportunities before proposing
 22 a rule.

23 The administrative rules coordinator may waive the jobs
 24 impact statement requirement for emergency-filed rules or if
 25 unnecessary or impractical.



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House Study Bill 504 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ECONOMIC GROWTH/REBUILD
IOWA BILL BY CHAIRPERSON
GRASSLEY)

A BILL FOR

1 An Act relating to the implementation of federal statute,
2 regulation, or policy by state administrative agencies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5133YC (5) 84
jr/rj



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1 Section 1. NEW SECTION. 17A.24 Rule implementation of
2 federal statute, regulation, or policy.

3 1. Except as otherwise explicitly authorized by state law,
4 an agency charged with the implementation of a federal statute,
5 regulation, or policy shall not implement the federal statute,
6 regulation, or policy in a manner that exceeds the specific
7 requirements of the federal statute, regulation, or policy.

8 2. Any portion of an agency rule or policy that implements
9 a federal statute, regulation, or policy and that exceeds the
10 specific requirements of the federal statute, regulation, or
11 policy is automatically superceded by the specific requirements
12 of that federal statute, regulation, or policy.

13 EXPLANATION

14 This bill provides that state implementation of a federal
15 statute, regulation, or policy by a state agency shall not
16 exceed the specific requirements of the federal statute,
17 regulation, or policy, except as specifically allowed by state
18 law. Any portion of a state rule or policy that implements a
19 federal statute, regulation, or policy and that exceeds the
20 specific requirements of the federal statute, regulation, or
21 policy is automatically superceded by the specific requirements
22 of that federal statute, regulation, or policy.



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House Study Bill 505 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ECONOMIC GROWTH/REBUILD
IOWA BILL BY CHAIRPERSON
GRASSLEY)

A BILL FOR

1 An Act imposing a moratorium on new administrative rules under
2 certain conditions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5151YC (3) 84
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1 The bill does not apply to the adoption of a rule, which is
2 an amendment or repeal of an existing rule, if the adopting
3 agency determines that such adoption will not negatively impact
4 the rate of insured unemployment for the state. In any action
5 contesting the adoption of a rule under this exception, the
6 agency bears the burden of proof.

7 The bill also does not apply to the adoption of a rule which
8 is specifically required by statute.



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House Study Bill 506 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to school corporations by changing the date of
2 the election of directors of local school districts, merged
3 areas, and area education agency boards.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5051YC (2) 84
aw/sc



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1 Section 1. Section 39.2, subsection 4, paragraph c, Code
 2 2011, is amended to read as follows:

3 c. For a school district or merged area, in the odd-numbered
 4 year, the first Tuesday in February, the first Tuesday in
 5 April, the last Tuesday in June, or the ~~second~~ first Tuesday
 6 ~~in September after the first Monday in November.~~ For a school
 7 district or merged area, in the even-numbered year, the first
 8 Tuesday in February, the first Tuesday in April, the second
 9 Tuesday in September, or the first Tuesday in December.

10 Sec. 2. Section 260C.12, subsection 1, Code 2011, is amended
 11 to read as follows:

12 1. The board of directors of the merged area shall organize
 13 at the first regular meeting in ~~October~~ December following the
 14 regular school election. Organization of the board shall be
 15 effected by the election of a president and other officers from
 16 the board membership as board members determine. The board
 17 of directors shall appoint a secretary and a treasurer who
 18 shall each give bond as prescribed in section 291.2 and who
 19 shall each receive the salary determined by the board. The
 20 secretary and treasurer shall perform duties under chapter 291
 21 and additional duties the board of directors deems necessary.
 22 However, the board may appoint one person to serve as the
 23 secretary and treasurer. If one person serves as the secretary
 24 and treasurer, only one bond is necessary for that person. The
 25 frequency of meetings other than organizational meetings shall
 26 be as determined by the board of directors but the president
 27 or a majority of the members may call a special meeting at any
 28 time.

29 Sec. 3. Section 260C.13, subsection 1, Code 2011, is amended
 30 to read as follows:

31 1. The board of a merged area may change the number of
 32 directors on the board and shall make corresponding changes
 33 in the boundaries of director districts. Changes shall be
 34 completed not later than ~~June~~ August 1 of the year of the
 35 regular school election. As soon as possible after adoption

LSB 5051YC (2) 84
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1 of the boundary changes, notice of changes in the director
2 district boundaries shall be submitted by the merged area to
3 the county commissioner of elections in all counties included
4 in whole or in part in the merged area.

5 Sec. 4. Section 273.8, subsection 2, paragraphs a and b,
6 Code 2011, are amended to read as follows:

7 a. Notice of the election shall be published by the area
8 education agency administrator not later than ~~July~~ September 15
9 of the odd-numbered year in at least one newspaper of general
10 circulation in the director district. The cost of publication
11 shall be paid by the area education agency.

12 b. A candidate for election to the area education agency
13 board shall file a statement of candidacy with the area
14 education agency secretary not later than ~~August~~ October 15 of
15 the odd-numbered year, on forms prescribed by the department
16 of education. The statement of candidacy shall include the
17 candidate's name, address, and school district. The list of
18 candidates shall be sent by the secretary of the area education
19 agency in ballot form by certified mail to the presidents of
20 the boards of directors of all school districts within the
21 director district not later than ~~September~~ November 1. In
22 order for the ballot to be counted, the ballot must be received
23 in the secretary's office by the end of the normal business
24 day on ~~September~~ November 30 or be clearly postmarked by an
25 officially authorized postal service not later than ~~September~~
26 November 29 and received by the secretary not later than noon
27 on the first Monday following ~~September~~ November 30.

28 Sec. 5. Section 273.8, subsection 4, paragraph a, Code 2011,
29 is amended to read as follows:

30 a. The board of directors of each area education agency
31 shall meet and organize at the first regular meeting in ~~October~~
32 December following the regular school election at a suitable
33 place designated by the president. Directors whose terms
34 commence at the organizational meeting shall qualify by taking
35 the oath of office required by section 277.28 at or before the



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1 organizational meeting.

2 Sec. 6. Section 273.8, subsection 6, Code 2011, is amended
 3 to read as follows:

4 6. *Change in directors.* The board of an area education
 5 agency may change the number of directors on the board and
 6 shall make corresponding changes in the boundaries of director
 7 districts. Changes shall be completed not later than ~~July~~
 8 September 1 of a fiscal ~~the~~ odd-numbered year for the director
 9 district conventions to be held the following ~~September~~
 10 November.

11 Sec. 7. Section 277.1, Code 2011, is amended to read as
 12 follows:

13 **277.1 Regular election.**

14 The regular election shall be held biennially on the ~~second~~
 15 first Tuesday in September ~~after the first Monday in November~~
 16 of each odd-numbered year in each school district for the
 17 election of officers of the district and merged area and for
 18 the purpose of submitting to the voters any matter authorized
 19 by law.

20 Sec. 8. Section 277.20, Code 2011, is amended to read as
 21 follows:

22 **277.20 Canvassing returns.**

23 ~~On the next Friday after~~ After the regular school election,
 24 the county board of supervisors shall canvass the returns
 25 made to the county commissioner of elections from the several
 26 precinct polling places and the absentee ballot counting board,
 27 ascertain the result of the voting with regard to every matter
 28 voted upon and cause a record to be made thereof, all as
 29 required by section 50.24. Special elections held in school
 30 districts shall be canvassed at the time and in the manner
 31 required by that section. The board shall declare the results
 32 of the voting for members of boards of directors of school
 33 corporations nominated pursuant to section 277.4, and the
 34 commissioner shall at once issue a certificate of election to
 35 each person declared elected. The board shall also declare the



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1 results of the voting on any public question submitted to the
 2 voters of a single school district, and the commissioner shall
 3 certify the result as required by section 50.27.

4 The abstracts of the votes cast for members of the board
 5 of directors of any merged area, and of the votes cast on any
 6 public question submitted to the voters of any merged area,
 7 shall be promptly certified by the commissioner to the county
 8 commissioner of elections who is responsible under section 47.2
 9 for conducting the elections held for that merged area.

10 EXPLANATION

11 This bill changes the date of regular school elections
 12 for local school districts, merged areas, and area education
 13 agencies. The bill moves the date of the regular school
 14 election from the second Tuesday in September in odd-numbered
 15 years to the first Tuesday after the first Monday in November
 16 of odd-numbered years, which is the date of the regular city
 17 election.

18 Because area education agency board directors are elected at
 19 the director district conventions by members of school boards,
 20 the bill also changes the date of their election from September
 21 to November in the odd-numbered year.



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House Study Bill 507 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to the licensure of the practice of
2 naturopathic medicine.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5036YC (3) 84
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1 Section 1. Section 147.1, subsections 3 and 6, Code 2011,
2 are amended to read as follows:

3 3. *“Licensed”* or *“certified”*, when applied to a physician
4 and surgeon, podiatric physician, osteopathic physician
5 and surgeon, naturopathic physician, physician assistant,
6 psychologist, chiropractor, nurse, dentist, dental hygienist,
7 dental assistant, optometrist, speech pathologist, audiologist,
8 pharmacist, physical therapist, physical therapist assistant,
9 occupational therapist, occupational therapy assistant,
10 respiratory care practitioner, practitioner of cosmetology
11 arts and sciences, practitioner of barbering, funeral
12 director, dietitian, marital and family therapist, mental
13 health counselor, social worker, massage therapist, athletic
14 trainer, acupuncturist, nursing home administrator, hearing aid
15 dispenser, or sign language interpreter or transliterator means
16 a person licensed under this subtitle.

17 6. *“Profession”* means medicine and surgery, podiatry,
18 osteopathic medicine and surgery, naturopathic medicine,
19 practice as a physician assistant, psychology, chiropractic,
20 nursing, dentistry, dental hygiene, dental assisting,
21 optometry, speech pathology, audiology, pharmacy, physical
22 therapy, physical therapist assisting, occupational therapy,
23 occupational therapy assisting, respiratory care, cosmetology
24 arts and sciences, barbering, mortuary science, marital
25 and family therapy, mental health counseling, social work,
26 dietetics, massage therapy, athletic training, acupuncture,
27 nursing home administration, hearing aid dispensing, or sign
28 language interpreting or transliterating.

29 Sec. 2. Section 147.2, subsection 1, Code 2011, is amended
30 to read as follows:

31 1. A person shall not engage in the practice of medicine
32 and surgery, podiatry, osteopathic medicine and surgery,
33 naturopathic medicine, psychology, chiropractic, physical
34 therapy, physical therapist assisting, nursing, dentistry,
35 dental hygiene, dental assisting, optometry, speech pathology,



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1 audiology, occupational therapy, occupational therapy
2 assisting, respiratory care, pharmacy, cosmetology arts and
3 sciences, barbering, social work, dietetics, marital and
4 family therapy or mental health counseling, massage therapy,
5 mortuary science, athletic training, acupuncture, nursing
6 home administration, hearing aid dispensing, or sign language
7 interpreting or transliterating, or shall not practice as a
8 physician assistant, unless the person has obtained a license
9 for that purpose from the board for the profession.

10 Sec. 3. Section 147.13, subsection 1, Code 2011, is amended
11 to read as follows:

12 1. For medicine and surgery, osteopathic medicine and
13 surgery, ~~and~~ acupuncture, and naturopathic medicine, the board
14 of medicine.

15 Sec. 4. Section 147.74, Code 2011, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 22A. A naturopathic physician licensed
18 under chapter 148F may use the words "*naturopathic physician*",
19 "*naturopathic doctor*", "*doctor of naturopathy*", "*naturopathic*
20 *medical doctor*", "*doctor of naturopathic medicine*", "*naturopath*"
21 or the initials "*N.D.*" or "*N.M.D.*" after the person's name.

22 Sec. 5. Section 147.107, Code Supplement 2011, is amended by
23 adding the following new subsection:

24 NEW SUBSECTION. 8A. A licensed naturopathic physician
25 may prescribe all substances and devices consistent with the
26 level of training of the naturopathic physician unless added
27 to the exclusionary naturopathic formulary by the naturopathic
28 advisory council.

29 Sec. 6. Section 148E.3, subsection 1, Code 2011, is amended
30 to read as follows:

31 1. A person otherwise licensed to practice medicine and
32 surgery, osteopathic medicine and surgery, naturopathic
33 medicine, chiropractic, podiatry, or dentistry who is
34 exclusively engaged in the practice of the person's profession.

35 Sec. 7. NEW SECTION. 148F.1 **Definitions.**



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

3 1. *“Approved naturopathic medical program”* means any of the
4 following:

5 a. A naturopathic medical education program in the
6 United States providing the degree of doctor of naturopathy
7 or doctor of naturopathic medicine. Such program shall
8 offer graduate-level, full-time didactic and supervised
9 clinical training and shall be accredited, or shall have
10 achieved candidacy status for accreditation by the council
11 on naturopathic medical education or by an equivalent
12 federally recognized accrediting body for naturopathic medical
13 programs also recognized by the board. Additionally, the
14 program shall be an institution, or part of an institution of
15 higher education that is either accredited or is a candidate
16 for accreditation by a regional or national institutional
17 accrediting agency recognized by the United States secretary
18 of education.

19 b. A diploma-granting, degree-equivalent college or
20 university in Canada that offers graduate-level, full-time
21 didactic and supervised clinical training and is accredited, or
22 has achieved candidacy status for accreditation by the council
23 on naturopathic medical education or an equivalent federally
24 recognized accrediting body for naturopathic medical programs
25 also recognized by the board; and the college or university
26 has provincial approval for participation in government-funded
27 student aid.

28 2. *“Board”* means the board of medicine established in
29 section 147.13.

30 3. *“Director”* means the executive director of the board of
31 medicine.

32 4. *“Exclusionary naturopathic formulary”* means the
33 exclusionary list of medicines, nonprescription and
34 prescription, which naturopathic physicians may not use in the
35 practice of their profession, as determined by the naturopathic



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1 advisory council.

2 5. "*Minor office procedures*" means methods for the repair
 3 and care incidental to superficial lacerations and abrasions,
 4 superficial lesions, and the removal of foreign bodies located
 5 in the superficial tissues.

6 6. "*Naturopathic advisory council*" means the naturopathic
 7 advisory council as established under this chapter.

8 7. "*Naturopathic medicine*" means a system of primary health
 9 care for the prevention, diagnosis, and treatment of human
 10 health conditions, injury, and disease, and the promotion or
 11 restoration of health. "*Naturopathic medicine*" includes the use
 12 of physiological, psychological, or mechanical methods, and the
 13 use of natural medicines, prescription or legend drugs, foods,
 14 herbs, or other natural remedies.

15 8. "*Naturopathic physician*" means a practitioner of
 16 naturopathic medicine who has been properly licensed for that
 17 purpose by the board of medicine under this chapter, who may
 18 diagnose, treat, and help prevent diseases using a system
 19 of practice that is based on the natural healing capacity
 20 of individuals, and may use physiological, psychological,
 21 or mechanical methods, and may use natural medicines,
 22 prescription, or legend drugs, foods, herbs, or other natural
 23 remedies.

24 9. "*Prescription drug*" means any drug described in section
 25 503(b) of the federal Food, Drug and Cosmetic Act, 21 U.S.C. §
 26 353, if its label is required to bear the symbol "RX only".

27 **Sec. 8. NEW SECTION. 148F.2 Licensure — naturopathic**
 28 **medicine.**

29 1. *Qualifications for licensure.* An applicant for a license
 30 to practice naturopathic medicine shall be granted a license
 31 by the board if the applicant satisfies all of the following
 32 requirements:

33 a. Submits an application for licensure designed and
 34 approved by the naturopathic advisory council.

35 b. Pays an application fee established by the board.



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1 *c.* Has graduated from an approved naturopathic medical
2 program.

3 *d.* Has passed a competency-based national naturopathic
4 licensing examination administered by the north American board
5 of naturopathic examiners or successor agency, that has been
6 nationally recognized to administer a naturopathic examination
7 representing federal standards of education and training. For
8 applicants who completed an approved naturopathic medical
9 program located in Canada, eligibility for licensure may be
10 granted with evidence of successful passage of a Canadian
11 provincial competency examination.

12 *e.* Provides evidence that the applicant is of good ethical
13 and professional reputation. An applicant shall not have had
14 a license to practice naturopathic medicine or other health
15 care license registration or certificate refused, revoked,
16 or suspended by this state or any other jurisdiction for
17 reasons that relate to the applicant's ability to skillfully
18 and safely practice naturopathic medicine unless that license,
19 registration, or certification has been restored to good
20 standing.

21 *f.* Provides evidence that the applicant is physically and
22 mentally capable of safely practicing naturopathic medicine
23 with or without reasonable accommodation.

24 2. *Term of license.* A license granted pursuant to this
25 section shall be renewed every two years.

26 Sec. 9. NEW SECTION. **148F.3 Use of title — exceptions.**

27 1. A person shall not represent that the person is a
28 naturopathic physician, a doctor of naturopathic medicine, a
29 doctor of naturopathy, a naturopath, or as being otherwise
30 authorized to practice naturopathic medicine in this state, or
31 use the titles "N.D." or "N.M.D." or any other titles, words,
32 letters, abbreviations, or insignia indicating or implying that
33 the individual is a licensed naturopathic physician unless
34 the individual has been licensed as a naturopathic physician
35 pursuant to this chapter without first obtaining from the board



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1 a license to practice naturopathic medicine pursuant to the
2 provisions of this chapter.

3 2. The practice of naturopathic medicine by a naturopathic
4 physician licensed pursuant to this chapter does not constitute
5 the practice of medicine and surgery under chapter 148, the
6 practice of osteopathic medicine and surgery under chapter 148,
7 or the practice of nursing under chapter 152.

8 3. This chapter and chapter 147 do not prevent qualified
9 members of other professions including but not limited
10 to individuals licensed under chapter 148, 150, 150A, or
11 152 from providing services consistent with the nature of
12 naturopathic medicine, but these persons shall not use a title
13 or description denoting that they are licensed naturopathic
14 physicians.

15 **Sec. 10. NEW SECTION. 148F.4 Duties of board.**

16 The board shall adopt rules consistent with this chapter,
17 chapter 147, and as recommended by the naturopathic advisory
18 council which are necessary for the performance of its duties.

19 **Sec. 11. NEW SECTION. 148F.5 Naturopathic advisory council.**

20 1. A naturopathic advisory council is established,
21 consisting of the following members, appointed by the governor:

22 a. Four members who are naturopathic physicians who are
23 residents of the state of Iowa and who are currently licensed
24 in good standing in another state.

25 b. One member who is a pharmacist licensed in Iowa.

26 c. One member who is a medical or osteopathic physician
27 licensed in Iowa, who has expertise in integrative medicine.

28 d. One member representing the general public.

29 2. Members shall not receive per diem or expense payments.

30 3. Members shall serve two-year terms, and shall serve until
31 their successors have been appointed.

32 4. The council shall select a chairperson from its
33 membership.

34 **Sec. 12. NEW SECTION. 148F.6 Council powers and duties.**

35 The naturopathic advisory council shall do all of the



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1 following:

- 2 1. Advise the board regarding standards for licensed
- 3 naturopathic physicians.
- 4 2. Provide for distribution of information regarding
- 5 licensed naturopathic physician standards.
- 6 3. Advise the board on enforcement issues.
- 7 4. Review applications for licensure and license renewal
- 8 and recommend the granting or denial thereof.
- 9 5. Advise the board on issues related to receiving and
- 10 investigating complaints, conducting hearings, and imposing
- 11 disciplinary action in relation to complaints against licensed
- 12 naturopathic physicians.
- 13 6. Review naturopathic education and training for and
- 14 make specific recommendations to the board regarding the
- 15 qualifications to practice naturopathic childbirth attendance.
- 16 7. Recommend to the board any prescription drugs which
- 17 should be included on the exclusionary naturopathic formulary.
- 18 8. Advise the board regarding approval of continuing
- 19 education programs specific to naturopathic practice.

20 **Sec. 13. NEW SECTION. 148F.7 Scope of practice.**

21 A naturopathic physician may do any of the following:

- 22 1. Order and perform physical and laboratory examinations
- 23 consistent with naturopathic education and training for
- 24 diagnostic purposes, including but not limited to phlebotomy,
- 25 clinical laboratory tests, orificial examinations, and
- 26 physiological function tests.
- 27 2. Order diagnostic imaging studies consistent with
- 28 naturopathic training. All diagnostic tests not consistent
- 29 with naturopathic medical education and training must be
- 30 referred for performance and interpretation to an appropriately
- 31 licensed health care professional.
- 32 3. Dispense, administer, order, and prescribe, provide, or
- 33 perform the following, as applicable:
- 34 a. Food, extracts of food, nutraceuticals, vitamins, amino
- 35 acids, minerals, enzymes, botanicals and their extracts,



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- 1 botanical medicines, homeopathic medicines, and all dietary
 2 supplements and nonprescription drugs as defined by the federal
 3 Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq.
 4 *b.* Prescription or legend drugs and hormonal replacement.
 5 *c.* Hot or cold hydrotherapy, naturopathic physical medicine,
 6 and therapeutic exercise.
 7 *d.* Devices, including but not limited to therapeutic
 8 devices, barrier contraception, and durable medical equipment.
 9 *e.* Health education and health counseling.
 10 *f.* Repair and care incidental to superficial lacerations and
 11 abrasions.
 12 *g.* Removal of foreign bodies located in the superficial
 13 tissues.
 14 *h.* Musculoskeletal manipulation consistent with
 15 naturopathic education and training.
 16 4. Utilize routes of administration that include oral,
 17 nasal, auricular, ocular, rectal, vaginal, transdermal,
 18 intradermal, subcutaneous, intravenous, and intramuscular
 19 consistent with the education and training of a naturopathic
 20 physician.
 21 5. Perform all therapies as trained and educated, and
 22 approved by the naturopathic advisory council.
 23 **Sec. 14. NEW SECTION. 148F.8 Prohibitions.**
 24 A naturopathic physician licensed under this chapter shall
 25 not do any of the following:
 26 1. Perform or induce abortions.
 27 2. Perform surgical procedures except those minor office
 28 procedures authorized by this chapter.
 29 3. Practice or claim to practice as a medical or osteopathic
 30 physician, dentist, pharmacist, podiatrist, optometrist,
 31 psychologist, advanced practice registered nurse, physician
 32 assistant, chiropractor, physical therapist, acupuncturist, or
 33 any other health care provider not authorized in this chapter
 34 unless licensed by the state of Iowa as such.
 35 4. Use general or spinal anesthetics.



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1 5. Administer ionizing radioactive substances for
2 therapeutic purposes.

3 6. Administer or prescribe chemotherapeutic medications for
4 the purpose of cancer treatment.

5 7. Perform surgical procedures of the eye, ear, nerves,
6 veins, or arteries extending beyond superficial tissue.

7 Sec. 15. NEW SECTION. 148F.9 Exemptions.

8 Nothing in this chapter shall be construed to prohibit or
9 restrict:

10 1. The practice of a profession by individuals who are
11 licensed, certified, or registered under other laws of this
12 state who are performing services within their authorized scope
13 of practice.

14 2. The practice of naturopathic medicine by an individual
15 employed by the government of the United States while the
16 individual is engaged in the performance of duties prescribed
17 by the laws and regulations of the United States.

18 3. The practice of naturopathic medicine by students
19 enrolled in an approved naturopathic medical program. The
20 performance of services shall be pursuant to a course of
21 instruction or assignments from an instructor and under the
22 supervision of the instructor. The instructor shall be a
23 naturopathic physician licensed pursuant to this chapter or a
24 duly licensed professional in the instructed field.

25 4. Persons from treating themselves and family members
26 based on religious or health beliefs.

27 5. Persons who sell vitamins and herbs from providing
28 information about their products.

29 6. Persons or practitioners from advising in the use of
30 a therapy, including but not limited to: herbal medicine,
31 homeopathy, nutrition, or other nondrug or nonsurgical therapy
32 that is within the scope of practice of naturopathic physicians
33 as outlined in this chapter as long as such therapy is lawful,
34 or, if a licensed health care provider, within the scope of
35 practice of the profession; and provided that such person is



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1 not using a title protected pursuant to this chapter or holding
 2 themselves out to be a naturopathic physician.

3 7. The practice of naturopathic medicine by persons who
 4 are licensed to practice in any other state as practicing
 5 naturopathic physicians, who enter this state to consult with
 6 a licensed naturopathic physician in this state; provided,
 7 however, that the consultation is to be limited to examination,
 8 recommendation, or testimony in litigation.

9 Sec. 16. FUNDING. The board of medicine shall apply
 10 to the department of administrative services to request an
 11 allocation of moneys from the IowAccess revolving fund to fund
 12 the estimated seventy-five thousand dollars for expansion
 13 of the advanced Maryland automatic network disk archiver
 14 (AMANDA) system to allow licensure of naturopathic physicians
 15 in the AMANDA system currently being developed for the boards
 16 of dentistry, nursing, and medicine. The board shall not
 17 implement a fee increase to make this adjustment to the AMANDA
 18 system for naturopathic physicians. Until such changes are
 19 made to the electronic licensing system the board shall license
 20 naturopathic physicians under the current procedures used to
 21 license medical and osteopathic physicians.

22 EXPLANATION

23 This bill requires the licensing of naturopathic physicians
 24 and makes the provisions of Code chapter 147, including
 25 penalty and other regulatory provisions, applicable to other
 26 health professions applicable to the practice of naturopathic
 27 medicine. The bill provides that the practice of naturopathic
 28 medicine means the provision of naturopathic services defined
 29 as a system of primary health care for the prevention,
 30 diagnosis, and treatment of human health conditions, injury,
 31 and disease, and the promotion or restoration of health.
 32 Naturopathic medicine includes the use of physiological,
 33 psychological, or mechanical methods, and the use of natural
 34 medicines, prescription or legend drugs, foods, herbs, or
 35 other natural remedies. The bill specifies qualifications

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jr/nh

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Iowa General Assembly
Daily Bills, Amendments and Study Bills
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H.F. _____

1 for licensure and the scope of practice for a naturopathic
2 physician, and details functions that a naturopathic physician
3 may not perform.

4 The practice of naturopathic medicine is regulated by the
5 board of medicine, with the advice of a naturopathic advisory
6 council. The council consists of seven members, four of
7 whom are naturopathic physicians, one medical or osteopathic
8 physician, a pharmacist, and one member representing the
9 general public. The council does not receive a per diem or
10 expenses.

11 The bill provides that qualified members of other
12 professions, including physicians and nurses, are not prevented
13 from providing services consistent with naturopathic medicine,
14 but these persons shall not use a title or description denoting
15 that they are naturopathic physicians. The bill sets out these
16 titles.

17 The bill provides for inclusion of licensed naturopathic
18 physicians in the AMANDA system. This system is a network
19 disk archiver system currently used by the boards of nursing,
20 dentistry, and medicine.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
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House Study Bill 508 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act requiring the department of administrative services
2 to issue a request for proposals concerning efficient and
3 low-cost lighting options in state government buildings.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5098YC (2) 84
rn/nh



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H.F. _____

1 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES — STATE
 2 BUILDING AND OFFICE SPACE LIGHTING — REQUEST FOR PROPOSALS.

3 1. The department of administrative services shall issue a
 4 request for proposals concerning options for achieving the most
 5 efficient and cost-effective method of providing lighting in
 6 buildings and office space owned or leased by the state or a
 7 state agency. The department shall consider bids from vendors
 8 submitting proposals incorporating more energy-efficient
 9 lighting configurations, forms of delivery, and hours of
 10 illumination, at a comparable or lower lighting cost than
 11 currently incurred by the state, with regard to existing and
 12 anticipated state-owned or leased office space.

13 2. The department shall issue the request for proposals by
 14 July 1, 2012, and shall submit a written report to the general
 15 assembly concerning the results of the request for proposals
 16 and any recommendations by January 1, 2013.

17 EXPLANATION

18 This bill directs the department of administrative services
 19 to issue a request for proposals concerning efficient and
 20 low-cost lighting options in buildings and office space
 21 owned or leased by the state or a state agency. The bill
 22 provides that the department shall consider bids from vendors
 23 submitting proposals incorporating more energy-efficient
 24 lighting configurations, forms of delivery, and hours of
 25 illumination, at a comparable or lower lighting cost than
 26 currently incurred by the state, with regard to existing and
 27 anticipated state-owned or leased office space. The bill
 28 requires the department to issue the request for proposals by
 29 July 1, 2012, and to submit a written report to the general
 30 assembly concerning the results of the request for proposals
 31 and any recommendations by January 1, 2013.



Iowa General Assembly
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House Study Bill 509 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ECONOMIC GROWTH/REBUILD
IOWA BILL BY CHAIRPERSON
GRASSLEY)

A BILL FOR

1 An Act eliminating the Iowa studies professional development
2 plan and the Iowa studies committee under the department of
3 cultural affairs.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5531HC (3) 84
je/nh



Iowa General Assembly
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H.F. _____

1 Section 1. REPEAL. Section 303.17, Code 2011, is repealed.

2 EXPLANATION

3 This bill strikes Code section 303.17, which establishes the
4 Iowa studies professional development plan to further the study
5 of Iowa's history and government in schools, as well as an Iowa
6 studies committee to oversee the plan. Code section 303.17
7 provides that the plan and the committee are to be established
8 by the department of cultural affairs. Currently, Code section
9 303.17 is to be repealed by its own terms July 1, 2013.



Iowa General Assembly
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Senate File 2009 - Introduced

SENATE FILE 2009
BY HANCOCK

A BILL FOR

- 1 An Act relating to and making an appropriation for emergency
- 2 medical services training.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5097XS (3) 84
pf/nh



Iowa General Assembly
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January 10, 2012

S.F. 2009

1 Section 1. 2011 Iowa Acts, chapter 129, section 114,
2 subsection 1, paragraph a, is amended by adding the following
3 new subparagraph:

4 NEW SUBPARAGRAPH. (3) Of the funds allocated in
5 this paragraph "a", \$750,000 shall be transferred to the
6 appropriation to the department of public health in this Act
7 for public protection to be used for emergency medical services
8 training for communities with populations under 9,000.

9 EXPLANATION

10 This bill transfers \$750,000 from the allocation to the
11 department of public health for the tobacco use prevention and
12 control initiative to the appropriation to the department of
13 public health for public protection to be used for emergency
14 medical services training for communities with populations
15 under 9,000 for FY 2012-2013.



Iowa General Assembly
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Senate File 2010 - Introduced

SENATE FILE 2010
BY HATCH

A BILL FOR

1 An Act relating to home and community-based services under the
2 medical assistance program.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5235XS (3) 84
pf/nh



**Iowa General Assembly
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S.F. 2010

1 Section 1. MEDICAL ASSISTANCE PROGRAM — HOME AND
2 COMMUNITY-BASED SERVICES.

3 1. The department of human services shall submit an
4 application to the centers for Medicare and Medicaid services
5 of the United States department of health and human services
6 to participate in the medical assistance state balancing
7 incentive payments program created pursuant to section 10202
8 of the federal Patient Protection and Affordable Care Act of
9 2010, Pub. L. No. 111-148 (2010), as amended by the Health Care
10 and Education Reconciliation Act of 2010, Pub. L. No. 111-152.
11 If selected for participation in the grant program, the
12 department shall comply with the requirements of the program
13 including developing a no wrong door single entry point system;
14 providing a conflict-free case management system; providing
15 core standardized assessment instruments within six months of
16 submitting the application; and complying with data collection
17 requirements relating to services, quality, and outcomes. No
18 later than October 1, 2015, the department shall meet the
19 applicable target spending percentage required under the state
20 balancing incentive payments program to rebalance long-term
21 care spending under the medical assistance program between home
22 and community-based services and institution-based services.
23 Funding received under the federal grant shall be used for new
24 or expanded medical assistance program noninstitutionally based
25 long-term care services and supports.

26 2. Beginning July 1, 2012, home health care providers under
27 the medical assistance program shall be reimbursed based on the
28 Medicare low utilization payment adjustment methodology rather
29 than a cost-based methodology.

30 EXPLANATION

31 This bill relates to home and community-based services
32 under the medical assistance (Medicaid) program. The bill
33 directs the department of human services (DHS) to submit an
34 application to the centers for Medicare and Medicaid services
35 of the United States department of health and human services to

LSB 5235XS (3) 84

-1-

pf/nh

1/2



Iowa General Assembly
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S.F. 2010

1 participate in the medical assistance state balancing incentive
2 payments program created under the federal Patient Protection
3 and Affordable Care Act. If selected for participation in the
4 grant program, DHS is required to comply with the requirements
5 of the program including developing a no wrong door single
6 entry point system; providing a conflict-free case management
7 system; providing core standardized assessment instruments
8 within six months of submitting the application; and complying
9 with data collection requirements relating to services,
10 quality, and outcomes. Additionally, no later than October 1,
11 2015, DHS is required to meet the applicable target spending
12 percentage required under the state balancing incentive
13 payments program to rebalance long-term care spending under the
14 Medicaid program between home and community-based services and
15 institution-based services. Funding received under the federal
16 grant must be used for new or expanded medical assistance
17 program noninstitutionally based long-term care services and
18 supports.

19 The bill also requires that beginning July 1, 2012, home
20 health care providers under the medical assistance program
21 shall be reimbursed based on the Medicare low utilization
22 payment adjustment methodology rather than a cost-based
23 methodology.



Iowa General Assembly
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Senate File 2011 - Introduced

SENATE FILE 2011
BY HANCOCK

A BILL FOR

- 1 An Act relating to the membership of the statewide
- 2 interoperable communications system board.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5043XS (4) 84
jm/nh



Iowa General Assembly
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S.F. 2011

1 Section 1. Section 80.28, subsection 2, paragraph b, Code
2 2011, is amended by adding the following new subparagraph:
3 NEW SUBPARAGRAPH. (05) One member who is an emergency
4 manager and a representative of the Iowa emergency management
5 association.

6 EXPLANATION

7 This bill relates to the membership of the statewide
8 interoperable communications system board.

9 The bill adds an emergency manager who is a representative of
10 the Iowa emergency management association to the board.

11 The bill provides that the governor shall solicit and
12 consider recommendations from professional or volunteer
13 organizations prior to making the appointment to the board.

14 Code section 80.28(4) specifies the representative of the
15 Iowa emergency management association appointed to the board
16 shall serve a three-year term.



Iowa General Assembly
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Senate File 2012 - Introduced

SENATE FILE 2012
BY HANCOCK and WILHELM

A BILL FOR

- 1 An Act authorizing the imposition of certain charges for fire
- 2 protection and emergency medical services.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5094XS (8) 84
md/sc



**Iowa General Assembly
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S.F. 2012

1 Section 1. Section 331.385, subsection 5, paragraph a, Code
2 2011, is amended to read as follows:

3 a. Notwithstanding subsection 1, if as of July 1, 2006, a
4 township has in force an agreement entered into pursuant to
5 chapter 28E for a city or another township to provide fire
6 protection service or fire protection service and emergency
7 medical service for the township, or if a township is otherwise
8 contracting with a city or another township for provision to
9 the township of fire protection service or fire protection
10 service and emergency medical service, the county board of
11 supervisors shall, for the fiscal year beginning July 1, 2007,
12 and subsequent fiscal years, negotiate for and enter into an
13 agreement pursuant to chapter 28E providing for continued fire
14 protection service, or fire protection service and emergency
15 medical service, to the township, and shall certify taxes
16 for levy in the township or impose service charges, or both,
17 pursuant to section 331.424C, in amounts sufficient to meet the
18 financial obligations pertaining to the agreement.

19 Sec. 2. Section 331.424C, Code 2011, is amended to read as
20 follows:

21 **331.424C Emergency services fund.**

22 A county that is providing fire protection service or
23 emergency medical service to a township pursuant to section
24 331.385 shall establish an emergency services fund and may
25 certify taxes for levy in the township or may impose service
26 charges for such services, or both. The taxes levied or
27 charges imposed shall not ~~to~~ exceed the amounts authorized in
28 section 359.43. The county has the authority to use a portion
29 of the taxes levied or charges imposed and deposited in the
30 fund for the purpose of accumulating moneys to carry out the
31 purposes of section 359.43, subsection 4.

32 Sec. 3. Section 357J.17, Code 2011, is amended to read as
33 follows:

34 **357J.17 Transition — township tax and service charges**
35 **discontinued.**



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S.F. 2012

1 When the boundary lines of the district include all or a
2 portion of a township and the district has certified a tax levy
3 within the township for the purpose of fire protection service
4 and emergency medical service, the township trustees shall no
5 longer levy the tax or impose the service charges provided
6 by section 359.43 in that portion of the township provided
7 services by the district. Any indebtedness incurred for the
8 purposes of sections 359.42 through 359.45 for a service now
9 provided by the district shall be assumed by the district.
10 Such township shall not be responsible for providing fire
11 protection service and emergency medical service as provided
12 in section 359.42 for the portion of the township within the
13 district, and shall have no liability for the method, manner,
14 or means by which the district provides the fire protection
15 service and emergency medical service.

16 Sec. 4. Section 359.43, Code 2011, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 6. *a.* In addition to or in lieu of the
19 property tax levies authorized in this section, the trustees
20 may authorize the collection of any of the following:

21 (1) A service charge for fire protection service from the
22 property owner where the fire protection service was provided.

23 (2) A service charge for emergency medical service from the
24 recipient of the emergency medical service or from the parent
25 of the recipient if the recipient is a minor. For purposes
26 of this subsection, "*minor*" means an individual who is under
27 eighteen years of age and is not considered by law to be an
28 adult, and "*parent*" means one biological or adoptive parent, a
29 stepparent, or a legal guardian or custodian of the minor.

30 *b.* A service charge collected under this section for fire
31 protection service or emergency medical service shall not
32 exceed an amount equal to the actual expense incurred by the
33 township to provide the service.

34 *c.* The state fire service and emergency response council
35 established in section 100B.1 shall develop guidelines for

LSB 5094XS (8) 84
md/sc



Iowa General Assembly
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1 townships to follow when authorizing the collection of service
2 charges for fire protection service or emergency medical
3 service.

4 *d.* If the trustees contract with a public or private agency
5 under chapter 28E for the purpose of providing fire protection
6 service or emergency medical service, the public or private
7 agency may collect the service charges authorized under this
8 subsection if the types and amounts of such service charges are
9 specified in the chapter 28E agreement.

10 *e.* (1) If a service charge for fire protection service
11 imposed under this subsection remains unpaid six months
12 after the property owner was notified of the service charge,
13 the unpaid amount shall constitute a lien upon the property
14 where such service was provided. The lien shall have equal
15 precedence with ordinary taxes, may be certified to the county
16 treasurer and collected in the same manner as ordinary taxes,
17 and is not divested by a judicial sale.

18 (2) If a service charge for emergency medical service
19 imposed under this subsection remains unpaid six months after
20 the recipient of the service, or the parent of the recipient if
21 the recipient is a minor, was notified of the service charge,
22 the trustees may bring a civil action in order to collect the
23 amount due. The civil action may be heard by the district
24 court sitting in small claims as provided in chapter 631 unless
25 the amount due exceeds the jurisdictional amount for small
26 claims set forth in section 631.1.

27 Sec. 5. Section 359.45, Code 2011, is amended to read as
28 follows:

29 **359.45 Anticipatory bonds.**

30 Townships may anticipate the collection of taxes or service
31 charges authorized by section 359.43 and for such purposes
32 may direct the county board of supervisors to issue bonds
33 under sections 331.441 to 331.449 relating to essential county
34 purpose bonds except that the bonds are payable only from tax
35 levies on property subject to the levy under section 359.43 or

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1 from service charges collected under section 359.43.

2 EXPLANATION

3 Current Code section 359.43 authorizes townships to levy
 4 property taxes for providing fire protection service and
 5 emergency medical service. This bill authorizes townships to
 6 collect a service charge for providing fire protection service
 7 or emergency medical service, in addition to or in lieu of such
 8 property taxes.

9 The bill provides that a service charge for fire protection
 10 service is charged to the property owner where such service
 11 was provided and that a service charge for emergency medical
 12 service is charged to the recipient of the emergency medical
 13 service or to the parent of the recipient if the recipient is a
 14 minor. The bill prohibits the township from imposing a service
 15 charge that exceeds an amount equal to the actual expense
 16 incurred by the township to provide the service. The bill also
 17 directs the state fire service and emergency response council
 18 to develop guidelines for townships to follow when authorizing
 19 the collection of service charges for fire protection service
 20 or emergency medical service.

21 If a township contracts with a public or private agency under
 22 Code chapter 28E for the purpose of providing fire protection
 23 service or emergency medical service, the public or private
 24 agency may collect the service charges authorized in the bill
 25 if the types and amounts of such service charges are specified
 26 in the Code chapter 28E agreement.

27 The bill provides that if a service charge for fire
 28 protection service remains unpaid six months after the property
 29 owner was notified of the service charge, the unpaid amount
 30 constitutes a lien upon the property where such service was
 31 provided and may be collected in the same manner as ordinary
 32 taxes. The bill also provides that if a service charge for
 33 emergency medical service remains unpaid six months after the
 34 recipient of the service or the parent of the recipient, if
 35 applicable, was notified of the service charge, the trustees

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 md/sc



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1 may bring a civil action in order to collect the amount due.
2 The bill includes the fire protection and emergency medical
3 service charges authorized in the bill among the revenues under
4 which the township may direct the issuance of anticipatory
5 revenue bonds.
6 For a county that is providing fire protection service
7 or emergency medical service to a township pursuant to Code
8 section 331.385, the bill allows that county to impose the
9 service charges that the bill authorizes for townships.



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Senate File 2013 - Introduced

SENATE FILE 2013
BY HANCOCK

A BILL FOR

- 1 An Act designating a single point of contact for the
- 2 communication of public safety communications needs, issues,
- 3 and concerns.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5100XS (2) 84
rn/nh



**Iowa General Assembly
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S.F. 2013

1 Section 1. NEW SECTION. 34A.11 Communications — single
2 point of contact.

3 A public or private safety agency that determines that a
4 need, issue, or concern exists or has arisen in connection
5 with the provision of public safety communications within an
6 enhanced 911 service area shall file, register, or otherwise
7 convey the need, issue, or concern to the joint E911 service
8 board maintained within the area, or an alternative legal
9 entity created pursuant to chapter 28E as provided in
10 section 34A.3, subsection 3. The joint E911 service board
11 or alternative legal entity shall serve as the single point
12 of contact with regard to the receipt of public safety
13 communications needs, issues, or concerns, and shall take such
14 action with regard to the disposition of the need, issue, or
15 concern as the board or entity in its discretion determines
16 appropriate.

17 EXPLANATION

18 This bill provides that if a public or private safety agency
19 has a need, issue, or concern in connection with the provision
20 of public safety communications within an enhanced 911 service
21 area, the agency shall file, register, or otherwise convey
22 the need, issue, or concern to the joint E911 service board
23 maintained within the area, or an alternative legal entity
24 established as provided in Code section 34A.3, subsection
25 3. The bill directs the applicable joint E911 service
26 board or alternative legal entity to serve as the single
27 point of contact with regard to the receipt of public safety
28 communications needs, issues, or concerns, and authorizes
29 the board or entity to take such action with regard to the
30 disposition of the need, issue, or concern as the board or
31 entity in its discretion determines appropriate.



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Senate File 2014 - Introduced

SENATE FILE 2014
BY HANCOCK

A BILL FOR

1 An Act relating to flood prevention by providing for the
2 alteration of a water channel in connection with a project
3 for highway construction or improvement.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5006XS (9) 84
dea/sc



**Iowa General Assembly
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S.F. 2014

1 Section 1. Section 306.27, Code 2011, is amended to read as
2 follows:

3 **306.27 Changes for safety, economy, and utility, and flood**
4 **prevention.**

5 1. The state department of transportation as to primary
6 roads and the boards of supervisors as to secondary roads on
7 their own motion may change the course of any part of any
8 road or stream, watercourse, or dry run and may pond water in
9 order to avoid the construction and maintenance of bridges,
10 or to avoid grades, or railroad crossings, or to straighten a
11 road, or to cut off dangerous corners, turns or intersections
12 on the highway, or to widen a road above statutory width, or
13 for the purpose of preventing the encroachment of a stream,
14 watercourse, or dry run upon the highway. The department and
15 the board of supervisors shall conduct their proceedings under
16 this subsection in the manner and form prescribed in chapter
17 6B, except that the board of supervisors may use the form
18 prescribed in sections 306.28 to 306.37 for the condemnation of
19 right-of-way that is contiguous to existing road right-of-way
20 and necessary for the maintenance, safety improvement, or
21 upgrade of the existing secondary road.

22 2. The department of transportation as to primary roads and
23 the boards of supervisors as to secondary roads may straighten,
24 deepen, or otherwise improve any channel, river, stream, or
25 other watercourse as necessary to prevent future flooding
26 of property in the path of the channel, river, stream, or
27 watercourse which may occur as a result of a highway project.
28 The department and the board of supervisors shall conduct
29 their proceedings under this subsection in the manner and form
30 prescribed in chapter 6B.

31 3. Changes made under this section are subject to chapter
32 455B and chapter 459, subchapters II and III.

33 EXPLANATION

34 Under current law, the department of transportation as
35 to primary roads and county boards of supervisors as to

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dea/sc



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S.F. 2014

1 secondary roads are authorized to change the course of any
2 stream, watercourse, or dry run and to pond water in order to
3 facilitate a highway project, to improve a highway, or to avoid
4 flooding of a highway. Changes made to any watercourse by the
5 department or a board of supervisors are subject to existing
6 statutes and rules under the purview of the department of
7 natural resources.

8 This bill allows the department or a board of supervisors to
9 straighten, deepen, or otherwise improve any channel, river,
10 stream, or other watercourse if a highway project results in
11 a situation that might contribute to flooding in areas that
12 are not part of the highway right-of-way. The department and
13 boards of supervisors are authorized to use procedures under
14 eminent domain for this purpose.



Iowa General Assembly
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Senate File 2015 - Introduced

SENATE FILE 2015
BY HANCOCK

A BILL FOR

1 An Act providing volunteer fire fighters and emergency medical
2 services personnel with an individual income tax credit and
3 including related appropriations from the taxpayers trust
4 fund, and including applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5023XS (5) 84
mm/sc



**Iowa General Assembly
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S.F. 2015

1 Sec. 2. Section 422.12, subsection 1, Code 2011, is amended
2 by adding the following new paragraphs:

3 NEW PARAGRAPH. *Ob.* "Emergency medical services personnel"
4 means an emergency medical care provider, as defined in section
5 147A.1, who is certified as a first responder pursuant to
6 chapter 147A.

7 NEW PARAGRAPH. *d.* "Volunteer fire fighter" means a
8 volunteer fire fighter as defined in section 85.61 who has met
9 the minimum training standards established by the fire service
10 training bureau pursuant to chapter 100B.

11 Sec. 3. Section 422.12, subsection 2, Code 2011, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. *c.* (1) A volunteer fire fighter and
14 volunteer emergency medical services personnel credit equal
15 to five hundred dollars to compensate the taxpayer for the
16 voluntary services if the volunteer served for the entire tax
17 year.

18 If the taxpayer is not a volunteer fire fighter or volunteer
19 emergency medical services personnel for the entire tax
20 year, the maximum amount of the credit shall be prorated
21 and the amount of credit for the taxpayer shall equal the
22 maximum amount of credit for the tax year, divided by twelve,
23 multiplied by the number of months in the tax year the taxpayer
24 was a volunteer. The credit shall be rounded to the nearest
25 dollar. If the taxpayer is a volunteer during any part of a
26 month, the taxpayer shall be considered a volunteer for the
27 entire month. If the taxpayer is a volunteer fire fighter and
28 a volunteer emergency medical services personnel during the
29 same month, a credit may be claimed for only one volunteer
30 position for that month.

31 (2) The taxpayer is required to have a written statement
32 from the fire chief or other appropriate supervisor verifying
33 that the taxpayer was a volunteer fire fighter or volunteer
34 emergency medical services personnel for the months for which
35 the credit under this subsection is claimed.

LSB 5023XS (5) 84
mm/sc



Iowa General Assembly
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S.F. 2015

1 Sec. 4. APPLICABILITY. This Act applies to tax years
2 beginning on or after January 1, 2013.

3 EXPLANATION

4 This bill provides a nonrefundable individual income tax
5 credit for an individual who was a volunteer fire fighter who
6 has met the minimum training standards or certified volunteer
7 emergency medical services personnel for the entire tax year.
8 The credit is to compensate the individual for the volunteer
9 services. The amount of the credit equals \$500. If the
10 individual was not a volunteer for the entire tax year, the
11 amount of credit is prorated based upon the months of volunteer
12 service. A credit may be claimed for only one volunteer
13 position per month.

14 The bill provides an annual appropriation from the taxpayers
15 relief fund to the general fund for an amount equal to the
16 credits claimed for a tax year, not to exceed \$60 million.

17 The bill applies to tax years beginning on or after January
18 1, 2013.



Iowa General Assembly
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Senate File 2016 - Introduced

SENATE FILE 2016
BY HANCOCK

A BILL FOR

1 An Act providing tuition and health insurance benefits to
2 children of public safety employees who die in the line of
3 duty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5180XS (2) 84
ec/nh



**Iowa General Assembly
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S.F. 2016

1 Section 1. Section 260C.14, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 23. Adopt rules to waive tuition and
4 mandatory fee charges for any student in good standing who is
5 a resident of Iowa; is under the age of twenty-six, or under
6 the age of thirty if the student is a qualified veteran as
7 defined in subsection 14; is not a convicted felon as defined
8 in section 910.15; and is the child of an individual who died
9 in the line of duty as determined by section 97A.6, subsection
10 16, section 97B.52, subsection 2, section 100B.31, or section
11 411.6, subsection 15.

12 Sec. 2. Section 262.9, Code Supplement 2011, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 36. Adopt rules that require the
15 institutions of higher education under its control to waive
16 tuition and mandatory fee charges for any undergraduate student
17 in good standing who is a resident of Iowa; is under the age
18 of twenty-six, or under the age of thirty if the student is
19 a qualified veteran as defined in subsection 17; is not a
20 convicted felon as defined in section 910.15; and is the child
21 of an individual who died in the line of duty as determined by
22 section 97A.6, subsection 16, section 97B.52, subsection 2,
23 section 100B.31, or section 411.6, subsection 15.

24 Sec. 3. Section 509A.13, Code 2011, is amended to read as
25 follows:

26 **509A.13 Continuation of group insurance.**

27 1. If a governing body, a county board of supervisors, or a
28 city council has procured for its employees accident, health,
29 or hospitalization insurance, or a medical service plan, or has
30 contracted with a health maintenance organization authorized
31 to do business in this state, the governing body, county board
32 of supervisors, or city council shall allow do all of the
33 following:

34 a. Allow its employees who retired before attaining
35 sixty-five years of age to continue participation in the group



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1 plan or under the group contract at the employee's own expense
2 until the employee attains sixty-five years of age.

3 b. Allow any child of an eligible deceased employee to
4 continue participation in the group plan or under the group
5 contract at the employer's expense until the child attains
6 twenty-six years of age. For purposes of this paragraph,
7 "eligible deceased employee" means an employee who died in
8 the line of duty as determined by section 97A.6, subsection
9 16, section 97B.52, subsection 2, section 100B.31, or section
10 411.6, subsection 15.

11 2. This section applies to employees who retired on or
12 after January 1, 1981, and to children of an eligible deceased
13 employee who died on or after July 1, 2012.

14 Sec. 4. IMPLEMENTATION OF ACT. Section 25B.2, subsection
15 3, shall not apply to this Act.

16 EXPLANATION

17 This bill provides health care and tuition benefits to
18 children of public safety employees who died in the line of
19 duty.

20 Code section 260C.14, concerning community colleges,
21 is amended to provide that the board of directors of each
22 community college shall adopt rules to waive tuition and
23 mandatory fee charges for any student in good standing who is a
24 resident of Iowa who is under the age of 26, or under the age
25 of 30 if the student is a qualified veteran, is not a convicted
26 felon, and is the child of an individual who died in the line
27 of duty as determined by Code section 97A.6(16), Code section
28 97B.52(2), Code section 100B.31, or Code section 411.6(15).

29 Code section 262.9, concerning the board of regents, is
30 amended to provide that the board of regents shall adopt
31 rules providing that institutions of higher education under
32 its control waive tuition and mandatory fee charges for any
33 undergraduate student in good standing who is a resident of
34 Iowa, who is under the age of 26 or under the age of 30 if the
35 student is a qualified veteran, is not a convicted felon, and

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1 is the child of an individual who died in the line of duty as
2 determined by Code section 97A.6(16), Code section 97B.52(2),
3 Code section 100B.31, or Code section 411.6(15).

4 Code section 509A.13, concerning continuation of group
5 insurance for public employees, is amended to provide that
6 any child of an employee who died in the line of duty on or
7 after July 1, 2012, as determined by Code section 97A.6(16),
8 Code section 97B.52(2), Code section 100B.31, or Code section
9 411.6(15), shall be entitled to continue participation in that
10 group insurance, at the employer's expense, until the child
11 attains 26 years of age.

12 The bill may include a state mandate as defined in Code
13 section 25B.3. The bill makes inapplicable Code section 25B.2,
14 subsection 3, which would relieve a political subdivision from
15 complying with a state mandate if funding for the cost of
16 the state mandate is not provided or specified. Therefore,
17 political subdivisions are required to comply with any state
18 mandate included in the bill.



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Senate Study Bill 3001 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON DEARDEN)

A BILL FOR

1 An Act concerning the definitions of "all-terrain vehicle"
2 and "off-road utility vehicle" for purposes of provisions
3 administered by the department of natural resources.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321I.1, subsection 1, paragraph a, Code
 2 2011, is amended to read as follows:

3 a. *"All-terrain vehicle"* means a motorized ~~flotation-tire~~
 4 vehicle with not less than three and not more than six
 5 ~~low-pressure~~ nonhighway tires that has a width not exceeding
 6 fifty inches and is limited in engine displacement to less than
 7 one thousand cubic centimeters and in total dry weight to less
 8 than one thousand two hundred pounds ~~and that has a seat or~~
 9 ~~saddle designed to be straddled by the operator and handlebars~~
 10 ~~for steering control.~~

11 Sec. 2. Section 321I.1, subsection 16, paragraph a, Code
 12 2011, is amended to read as follows:

13 a. *"Off-road utility vehicle"* means a motorized
 14 ~~flotation-tire~~ vehicle with not less than four and not more
 15 than eight ~~low-pressure~~ nonhighway tires that has a width
 16 not exceeding sixty-five inches and is limited in engine
 17 displacement to less than one thousand five hundred cubic
 18 centimeters and in total dry weight to not more than ~~one~~ two
 19 thousand ~~eight hundred~~ pounds ~~and that has a seat that is of~~
 20 ~~bucket or bench design, not intended to be straddled by the~~
 21 ~~operator, and a steering wheel or control levers for control.~~

22 EXPLANATION

23 This bill revises the definitions of "all-terrain vehicle"
 24 and "off-road utility vehicle" for purposes of Code chapter
 25 321I.

26 The definition of "all-terrain vehicle" is amended to
 27 include vehicles with not less than three and not more than
 28 six nonhighway tires. In addition, the revised definition
 29 limits the width of all-terrain vehicles to not more than 50
 30 inches, limits the engine displacement to less than 1,000 cubic
 31 centimeters, limits the dry weight to less than 1,200 pounds,
 32 and omits current requirements for a seat or saddle designed
 33 to be straddled by the operator and handlebars for steering
 34 control.

35 The definition of "off-road utility vehicle" is amended to



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1 include vehicles with not less than four and not more than
2 eight nonhighway tires. In addition, the revised definition
3 limits the width of an off-road utility vehicle to not more
4 than 65 inches, limits the engine displacement to less than
5 1,500 cubic centimeters, limits the total dry weight to not
6 more than 2,000 pounds, and omits current requirements for a
7 bucket or bench seat and a steering wheel or control levers.



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Senate Study Bill 3002 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT
OF EDUCATION/BOARD OF
EDUCATIONAL EXAMINERS BILL)

A BILL FOR

1 An Act relating to mandatory reporting of school employee
2 misconduct to the board of educational examiners.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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je/nh



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1 Section 1. Section 272.15, subsection 1, paragraphs a and c,
2 Code Supplement 2011, are amended to read as follows:

3 a. (1) The board of directors of a school district or
4 area education agency, an administrator of a school district,
5 the chief administrator of an area education agency, and
6 the authorities in charge of an accredited nonpublic school
7 shall report to the board any instance of disciplinary action
8 taken against a licensed school employee by the board of
9 directors of the school district or area education agency, the
10 administrator of the school district, the chief administrator
11 of the area education agency, or the authorities in charge of
12 the accredited nonpublic school.

13 (2) The board of directors of a school district or area
14 education agency, ~~the superintendent~~ an administrator of
15 a school district ~~or~~, the chief administrator of an area
16 education agency, and the authorities in charge of a an
17 accredited nonpublic school shall report to the board the
18 nonrenewal or termination, for reasons of alleged or actual
19 misconduct, of a person's contract executed under sections
20 279.12, 279.13, 279.15 through 279.21, 279.23, and 279.24, and
21 the resignation of a person who holds a license, certificate,
22 or authorization issued by the board as a result of or
23 following an incident or allegation of misconduct that, if
24 proven, would constitute a violation of the ~~rules~~ standards
25 of professional conduct and ethics adopted by the board
26 ~~to implement section 272.2, subsection 14, paragraph "b",~~
27 ~~subparagraph (1) in 282 IAC 25,~~ when the board or reporting
28 official has a good faith belief that the incident occurred
29 or the allegation is true. The board may deny a license or
30 revoke the license of an administrator if the board finds by
31 a preponderance of the evidence that the administrator failed
32 to report the termination or resignation of a school employee
33 holding a license, certificate, statement of professional
34 recognition, or coaching authorization, for reasons of alleged
35 or actual misconduct, as defined by this section.



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Senate Study Bill 3003 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act requiring background checks for school bus drivers,
2 providing for fees, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5276XD (3) 84
je/nh



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1 Section 1. Section 235A.15, subsection 2, paragraph e,
 2 Code Supplement 2011, is amended by adding the following new
 3 subparagraph:

4 NEW SUBPARAGRAPH. (22) To the employer or prospective
 5 employer of a school bus driver for purposes of an employment
 6 record check.

7 Sec. 2. Section 235B.6, subsection 2, paragraph e, Code
 8 Supplement 2011, is amended by adding the following new
 9 subparagraph:

10 NEW SUBPARAGRAPH. (18) To the employer or prospective
 11 employer of a school bus driver for purposes of an employment
 12 record check.

13 Sec. 3. Section 321.375, Code 2011, is amended by adding the
 14 following new subsection:

15 NEW SUBSECTION. 1A. Prior to hiring an applicant for a
 16 school bus driver position, an employer shall have access to
 17 and shall review the sex offender registry information under
 18 section 692A.121 available to the general public, the central
 19 registry for child abuse information established under section
 20 235A.14, and the central registry for dependent adult abuse
 21 information established under section 235B.5 for information
 22 regarding the applicant. An employer shall follow the same
 23 procedure upon the renewal of an employee's school bus driver's
 24 license issued by the department of transportation valid
 25 for the operation of a school bus. An employer may charge
 26 an applicant or school bus driver a fee not to exceed the
 27 actual cost for the registry checks conducted pursuant to
 28 this subsection. An employer shall maintain documentation
 29 demonstrating compliance with this subsection.

30 Sec. 4. Section 321.375, subsection 2, Code 2011, is amended
 31 by adding the following new paragraph:

32 NEW PARAGRAPH. *0e.* The school bus driver is listed in
 33 the sex offender registry established under chapter 692A,
 34 the central registry for child abuse information established
 35 under section 235A.14, or the central registry for dependent



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1 adult abuse information established under section 235B.5. A
 2 termination hearing conducted pursuant to this paragraph shall
 3 be limited to the question of whether the school bus driver was
 4 incorrectly listed in the registry.

5 Sec. 5. Section 321.376, subsection 1, Code Supplement
 6 2011, is amended to read as follows:

7 1. The driver of a school bus shall hold a driver's license
 8 issued by the department of transportation valid for the
 9 operation of the school bus and a certificate of qualification
 10 for operation of a commercial motor vehicle issued by a
 11 physician or osteopathic physician licensed pursuant to
 12 chapter 148, physician's assistant, advanced registered nurse
 13 practitioner, or chiropractor or any other person identified
 14 by federal and state law as authorized to perform physical
 15 examinations, and shall successfully complete an approved
 16 course of instruction in accordance with subsection 2. A
 17 person holding a temporary restricted license issued under
 18 chapter 321J shall be prohibited from operating a school bus.

19 1A. The department of education shall refuse to issue an
 20 authorization to operate a school bus to any person who, after
 21 notice and opportunity for hearing, is determined to have
 22 ~~committed any of the acts proscribed~~ met any of the grounds
 23 listed under section 321.375, subsection 2. The department of
 24 education shall take adverse action against any person who,
 25 after notice and opportunity for hearing, is determined to have
 26 ~~committed any of the acts proscribed~~ met any of the grounds
 27 listed under section 321.375, subsection 2. Such action may
 28 include a reprimand or warning of the person or the suspension
 29 or revocation of the person's authorization to operate a school
 30 bus. A hearing pursuant to section 321.375, subsection 2,
 31 paragraph "0e", shall be limited to the question of whether the
 32 person was incorrectly listed in the registry. The department
 33 of education shall recommend, and the state board of education
 34 shall adopt under chapter 17A, rules and procedures for issuing
 35 and suspending or revoking authorization to operate a school



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1 relating to adverse action taken pursuant to the bill, the
2 hearing is to be limited to the question of whether a person
3 was incorrectly listed in one of the registries. Such adverse
4 action may include termination of employment or refusal to
5 issue or revocation of authorization to operate a school bus
6 by the department of education.

7 The bill grants employers and prospective employers access
8 to the state central registry for child abuse information
9 and the state central registry for dependent adult abuse
10 information for the purposes provided in the bill.

11 The bill may include a state mandate as defined in Code
12 section 25B.3. The bill requires that the state cost of
13 any state mandate included in the bill be paid by a school
14 district from state school foundation aid received by the
15 school district under Code section 257.16. The specification
16 is deemed to constitute state compliance with any state mandate
17 funding-related requirements of Code section 25B.2. The
18 inclusion of this specification is intended to reinstate the
19 requirement of political subdivisions to comply with any state
20 mandates included in the bill.



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Senate Study Bill 3004 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to construction contractor registration
2 fees collected by the labor commissioner and making an
3 appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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je/sc



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1 Section 1. Section 91C.9, subsection 1, Code 2011, is
2 amended to read as follows:
3 1. A contractor registration revolving fund is created in
4 the state treasury. The revolving fund shall be administered
5 by the commissioner and shall consist of moneys collected
6 by the commissioner as fees. The commissioner shall remit
7 all fees collected pursuant to this chapter to the revolving
8 fund. The moneys in the revolving fund are appropriated to and
9 shall be used by the commissioner to pay the actual costs and
10 expenses necessary to perform the duties of the commissioner
11 and the division of labor as described in chapter 73A and this
12 chapter. All salaries and expenses properly chargeable to the
13 revolving fund shall be paid from the revolving fund.

14 EXPLANATION
15 This bill appropriates construction contractor registration
16 fees collected by the labor commissioner to the labor
17 commissioner to pay for the cost of implementing Code chapter
18 73A relating to public contracts and bonds. The appropriation
19 of such funds to the labor commissioner to pay for the cost
20 of implementing Code chapter 91C relating to construction
21 contractor registration is maintained.



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Senate Study Bill 3005 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to unemployment insurance employer charges and
2 claimant misrepresentation regarding benefit overpayments,
3 providing a penalty, and including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5187DP (7) 84
je/rj



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1 Section 1. Section 96.3, subsection 7, paragraph b,
 2 subparagraph (1), Code 2011, is amended to read as follows:
 3 (1) (a) If the department determines that an overpayment
 4 has been made, the charge for the overpayment against the
 5 employer's account shall be removed and the account shall
 6 be credited with an amount equal to the overpayment from
 7 the unemployment compensation trust fund and this credit
 8 shall include both contributory and reimbursable employers,
 9 notwithstanding section 96.8, subsection 5. The employer
 10 shall not be relieved of charges if benefits are paid because
 11 the employer failed to respond timely or adequately to the
 12 department's request for information relating to the payment
 13 of benefits. This prohibition against relief of charges shall
 14 apply to both contributory and reimbursable employers.
 15 (b) However, provided the benefits were not received as the
 16 result of fraud or willful misrepresentation by the individual,
 17 benefits shall not be recovered from an individual if the
 18 employer did not participate in the initial determination to
 19 award benefits pursuant to section 96.6, subsection 2, and
 20 an overpayment occurred because of a subsequent reversal on
 21 appeal regarding the issue of the individual's separation
 22 from employment. ~~The employer shall not be charged with the~~
 23 ~~benefits.~~
 24 Sec. 2. Section 96.16, subsection 4, Code 2011, is amended
 25 to read as follows:
 26 4. *Misrepresentation.*
 27 a. An individual who, by reason of the nondisclosure or
 28 misrepresentation by the individual or by another of a material
 29 fact, has received any sum as benefits under this chapter
 30 while any conditions for the receipt of benefits imposed by
 31 this chapter were not fulfilled in the individual's case, or
 32 while the individual was disqualified from receiving benefits,
 33 shall, in the discretion of the department, either be liable
 34 to have the sum deducted from any future benefits payable to
 35 the individual under this chapter or shall be liable to repay

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1 to the department for the unemployment compensation fund, a
2 sum equal to the amount so received by the individual. If
3 the department seeks to recover the amount of the benefits by
4 having the individual pay to the department a sum equal to that
5 amount, the department may file a lien with the county recorder
6 in favor of the state on the individual's property and rights
7 to property, whether real or personal. The amount of the lien
8 shall be collected in a manner similar to the provisions for
9 the collection of past-due contributions in section 96.14,
10 subsection 3.

11 b. The department shall assess a penalty equal to fifteen
12 percent of the amount of a fraudulent overpayment. The penalty
13 shall be collected in the same manner as the overpayment. The
14 penalty shall be added to the amount of any lien filed pursuant
15 to paragraph "a" and shall not be deducted from any future
16 benefits payable to the individual under this chapter. Funds
17 received for overpayment penalties shall be deposited in the
18 unemployment trust fund.

19 Sec. 3. APPLICABILITY. The section of this Act relating
20 to relief of charges applies to any overpayment determination
21 issued on or after July 1, 2012. The section of this Act
22 providing a penalty relating to fraudulent overpayment applies
23 to any fraudulent overpayment issued on or after July 1, 2012.

24 EXPLANATION

25 This bill prohibits the department of workforce development
26 from relieving an employer of charges against the employer's
27 account for an overpayment of unemployment compensation
28 benefits if the overpayment occurred because the employer
29 failed to respond timely or adequately to the department's
30 request for information relating to the payment of the
31 benefits.

32 The bill removes the prohibition against charging an
33 employer's for an overpayment of unemployment compensation
34 benefits when the overpayment is not recovered from the
35 claimant because the employer did not participate in an initial



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1 determination to award benefits and the overpayment occurred
2 because of a subsequent reversal on appeal regarding the issue
3 of the claimant's separation from employment.

4 The bill establishes a penalty on individuals who receive
5 unemployment compensation benefits through fraud. The penalty
6 is equal to 15 percent of the amount of the overpayment and is
7 to be collected in the same manner as the overpayment but shall
8 not be collected from any future benefits.

9 The bill applies to any overpayment determination or
10 fraudulent overpayment issued on or after July 1, 2012.



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Senate Study Bill 3006 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to child labor requirements administered by
2 the labor commissioner, making penalties applicable, and
3 including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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je/sc



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1 Section 1. Section 92.1, Code 2011, is amended to read as
2 follows:

3 **92.1 Street occupations — migratory labor.**

4 1. ~~No~~ A person under ~~ten~~ twelve years of age shall not be
5 employed or permitted to work with or without compensation
6 at any time within this state in street occupations of
7 peddling, ~~shoe polishing~~, the distribution or sale of
8 newspapers, magazines, periodicals or circulars, nor in any
9 other occupations in any street or public place. ~~The labor~~
10 ~~commissioner shall, when ordered by a judge of the juvenile~~
11 ~~court, issue a work permit as provided in this chapter to a~~
12 ~~person under ten years of age.~~

13 2. ~~No person under twelve years of age shall be employed~~
14 ~~or permitted to work with or without compensation at any time~~
15 ~~within this state in connection with migratory labor, except~~
16 ~~that the labor commissioner may upon sufficient showing by a~~
17 ~~judge of the juvenile court, issue a work permit as provided in~~
18 ~~this chapter to a person under twelve years of age.~~

19 Sec. 2. Section 92.2, Code 2011, is amended to read as
20 follows:

21 **92.2 Over ten twelve and under sixteen years of age.**

22 1. A person over ~~ten~~ twelve and under sixteen years of age
23 cannot be employed, with or without compensation, in street
24 occupations ~~or migratory labor~~ as defined in section 92.1,
25 unless the person holds a child labor work permit issued
26 pursuant to this chapter ~~and the school the person attends has~~
27 ~~certified that the person is regularly attending school and~~
28 ~~the potential employment will not interfere with the person's~~
29 ~~progress in school. A written agreement, as defined in section~~
30 ~~92.11, subsection 1, shall not be required for the issuance of~~
31 ~~a work permit under this section.~~

32 ~~a. Notwithstanding section 92.7, a person with a permit to~~
33 ~~engage in migratory labor shall only work between 5:00 a.m. and~~
34 ~~7:30 p.m. from Labor Day through June 1, and between 5:00 a.m.~~
35 ~~and 9:00 p.m. for the remainder of the year.~~



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1 ~~b.~~ 2. Notwithstanding section 92.7, a person with a permit
2 to engage engaged in street occupations shall only work between
3 4:00 a.m. and 7:30 p.m. when local public schools are in
4 session and between 4:00 a.m. and 8:30 p.m. for the remainder
5 of the year.

6 ~~2. The requirements of section 92.10 shall not apply to~~
7 ~~a person, firm, or corporation employing a person engaged in~~
8 ~~street occupations pursuant to this section.~~

9 Sec. 3. Section 92.3, Code 2011, is amended to read as
10 follows:

11 **92.3 Under fourteen — permitted occupations.**

12 ~~No~~ A person under fourteen years of age shall not be employed
13 or permitted to work with or without compensation in any
14 occupation, except in the street trade occupations ~~or migratory~~
15 ~~labor occupations~~ specified in section 92.1. ~~Any migratory~~
16 ~~laborer twelve to fourteen years of age may not work prior to~~
17 ~~or during the regular school hours of any day of any private~~
18 ~~or public school which teaches general education subjects and~~
19 ~~which is available to such child.~~

20 Sec. 4. Section 92.4, subsection 4, Code 2011, is amended by
21 striking the subsection.

22 Sec. 5. Section 92.8, subsection 19, Code 2011, is amended
23 to read as follows:

24 19. Occupations involving exposure to ~~lead fumes or its~~
25 ~~compounds, or to dangerous or poisonous dyes or hazardous~~
26 chemicals.

27 Sec. 6. Section 92.10, Code 2011, is amended to read as
28 follows:

29 **92.10 Permit on file.**

30 Except as provided in section 92.2, a person under sixteen
31 years of age shall not be employed or permitted to work with or
32 without compensation unless the person, firm, or corporation
33 employing such person receives and keeps on file accessible
34 to any officer charged with the enforcement of this chapter,
35 a work permit issued as provided in this chapter, and keeps a



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1 complete list of the names and ages of all such persons under
2 sixteen years of age employed. An employer may complete and
3 file a child labor work permit for an employee sixteen years of
4 age or older.

5 ~~Certificates of age shall be issued for persons sixteen and~~
6 ~~seventeen years of age and for all other persons eighteen and~~
7 ~~over upon request of the person's prospective employer.~~

8 Sec. 7. Section 92.11, Code 2011, is amended by striking the
9 section and inserting in lieu thereof the following:

10 **92.11 Issuance and revocation of child labor work permits.**

11 1. The labor commissioner shall develop and post on the
12 division of labor services' internet site all of the following:

13 a. A child labor work permit form as provided by this
14 section.

15 b. Information about the hours and occupation limitations as
16 provided by this chapter.

17 c. An affidavit that may be completed by a licensed
18 physician when no other proof of age is available.

19 2. Using the form created by the labor commissioner, the
20 child shall complete the child's name, age, address, date
21 of birth, place of birth, and gender, and shall sign the
22 form. The child shall provide to the employer evidence of age
23 consisting of one of the following forms of proof in descending
24 order of preference:

25 a. A certified copy of the child's birth certificate legally
26 filed with a registrar of vital statistics or other officer
27 charged with the duty of recording births.

28 b. A passport.

29 c. Official documentation issued by the state or federal
30 government that includes the child's age.

31 d. An affidavit on a form available from the labor
32 commissioner signed by a licensed physician stating how old the
33 physician believes the child to be.

34 3. A parent, guardian, or custodian of the child shall
35 complete the parent's, guardian's, or custodian's name,



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1 address, and telephone number, and shall sign the form.
2 4. The employer shall complete the business name, address,
3 and telephone number. The employer shall review the relevant
4 limitations on hours and occupations as set forth in this
5 chapter. The employer shall personally view the evidence of
6 the child's age and shall make a copy of the proof of age and
7 keep it on file. The employer shall sign the child labor work
8 permit including certification of each of the following:
9 a. The employer has viewed and copied the child's proof of
10 age.
11 b. The employer has read and understands the hours and
12 occupation limitations pertaining to the child.
13 c. The employer agrees not to employ the child in a manner
14 inconsistent with the hours and occupation limitations.
15 d. The information on the child labor work permit is true
16 and accurate.
17 e. The employer understands that criminal and civil
18 penalties may result from violations of this chapter.
19 5. The employer shall make at least three copies of the
20 completed child labor work permit. The employer shall provide
21 one copy of the completed child labor work permit to the child
22 and one copy to the parent, guardian, or custodian. The
23 employer shall retain at least one copy of the completed child
24 labor work permit.
25 6. The employer shall file the original, completed child
26 labor work permit with the labor commissioner. The child may
27 begin work upon filing of the permit. The labor commissioner
28 may contact the employer regarding correcting deficiencies in
29 the child labor work permit. If the employer does not make
30 needed corrections within seven days, the labor commissioner
31 may initiate revocation proceedings.
32 7. The labor commissioner may revoke a child labor work
33 permit upon good cause in accordance with the provisions of
34 chapter 17A.
35 Sec. 8. Section 92.17, subsections 3 and 6, Code 2011, are

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1 amended to read as follows:

2 3. Work in the production of seed, limited to removal of
3 off-type plants, corn tassels and hand-pollinating during the
4 months of June, July, and August by persons fourteen years of
5 age or over, and part-time work in agriculture, ~~not including~~
6 ~~migratory labor.~~

7 6. A juvenile court from ordering a child ~~at least twelve~~
8 ~~years old~~ to complete a work assignment of value to the state
9 or to the public or to the victim of a crime committed by
10 the child, in accordance with section 232.52, subsection 2,
11 paragraph "a".

12 Sec. 9. Section 92.20, subsection 1, Code 2011, is amended
13 to read as follows:

14 1. The parent, guardian, or person in charge of ~~any~~
15 ~~migratory worker or of~~ any child who engages in any street
16 occupation in violation of any of the provisions of this
17 chapter shall be guilty of a serious misdemeanor.

18 Sec. 10. Section 92.22, Code 2011, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 8. The commissioner may file a petition for
21 enforcement concerning a civil penalty that is final pursuant
22 to chapter 17A. The clerk of court, unless otherwise ordered
23 by the court, shall forthwith enter a decree and shall transmit
24 a copy of the decree to the commissioner and the employer named
25 in the petition.

26 Sec. 11. REPEAL. Sections 92.12, 92.13, 92.14, 92.15,
27 92.16, and 92.18, Code 2011, are repealed.

28 Sec. 12. EFFECTIVE DATE. This Act takes effect January 1,
29 2013.

30 **EXPLANATION**

31 This bill makes various changes to child labor requirements
32 administered by the labor commissioner under Code chapter 92.

33 The bill removes all specific references in Code chapter
34 92 to migratory labor, which is defined to include any person
35 who customarily and repeatedly travels from state to state for



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1 the purpose of obtaining seasonal employment. The general
 2 provisions of Code chapter 92 remain applicable to such
 3 activity.

4 The bill raises the age at which a child may engage in street
 5 occupations such as newspaper delivery from 10 to 12 years of
 6 age. The bill removes an exemption for street occupations from
 7 the work permitting process.

8 The bill removes a provision requiring an issuing officer to
 9 issue certificates of age.

10 The bill revises the process for the issuance of work permits
 11 for child labor. The bill removes the responsibility of a
 12 superintendent of schools or other school official to issue a
 13 work permit. Under the bill, a child may begin work upon the
 14 child's employer filing a completed work permit form with the
 15 labor commissioner. The commissioner may contact the employer
 16 regarding any deficiencies in the form, and the employer will
 17 have seven days to make any corrections. The commissioner may
 18 revoke a work permit for good cause in accordance with Code
 19 chapter 17A, the Iowa administrative procedure Act. The bill
 20 sets out the information that must be included on a work permit
 21 form, including identifying information, contact information,
 22 and proof of age. The bill specifies that certain parts of a
 23 work permit form are to be filled out by the child; the child's
 24 parent, guardian, or custodian; and the child's employer. The
 25 bill requires an employer to verify the child's age, and to
 26 review and agree to obey the requirements of Code chapter 92.
 27 The bill removes from the information required on a work permit
 28 form the child's work hours and duties, height, weight, hair
 29 color, eye color, and last grade completed. The bill allows an
 30 employer to fill out a work permit for an employee 16 years of
 31 age or older.

32 Code chapter 92 provides that it is not to be construed to
 33 prohibit a juvenile court from ordering a child at least 12
 34 years old to complete a work assignment of value to the state
 35 or to the public or to the victim of a crime committed by the

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1 child. The bill removes this age limitation.

2 The bill allows the labor commissioner to file a petition
3 for enforcement for a civil penalty if the penalty is final
4 pursuant to Code chapter 17A and to promptly receive an
5 enforcement decree.

6 The bill makes additional technical changes to Code chapter
7 92.

8 The bill takes effect January 1, 2013.



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Senate Study Bill 3007 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to athletic events regulated by the
2 labor commissioner, providing for fees, and making an
3 appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 90A.2, subsection 3, Code 2011, is
2 amended to read as follows:

3 3. Each application for a license shall be accompanied by a
4 one hundred dollar application fee and a surety or cash bond in
5 the sum of five thousand dollars, payable to the state of Iowa,
6 which shall be conditioned upon the payment of the tax and any
7 penalties imposed pursuant to this chapter.

8 Sec. 2. NEW SECTION. 90A.3A Participant and official
9 registration.

10 1. A participant in or official for a professional boxing
11 match or a mixed martial arts match shall register with the
12 commissioner every two years. Registration does not constitute
13 the right to participate in a match.

14 2. The commissioner shall establish by rule the
15 requirements, fees, and procedures for issuance, denial,
16 suspension, revocation, and renewal of registrations. The
17 fees shall be based on the costs of administering this
18 chapter, including time spent by personnel of the division of
19 labor services of the department of workforce development in
20 performing duties and any travel expenses incurred.

21 3. A contestant in a professional boxing match shall be
22 deemed in compliance with this section if the contestant
23 holds a current, valid identification card issued pursuant
24 to section 90A.3 or if the contestant is registered in a
25 professional boxing registry certified by the association of
26 boxing commissions.

27 Sec. 3. Section 90A.10, subsection 1, Code 2011, is amended
28 to read as follows:

29 1. Moneys collected pursuant to sections 90A.2, 90A.3,
30 90A.3A, and 90A.9 in excess of the amount of moneys needed to
31 administer this chapter are appropriated and shall be used by
32 the commissioner to award grants to organizations that promote
33 amateur boxing matches in this state.

34 EXPLANATION

35 This bill creates a \$100 application fee for persons



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1 applying for a license to act as a promoter of a professional
2 boxing or wrestling match or mixed martial arts match.
3 The bill creates a registration requirement for participants
4 in and officials for professional boxing matches and mixed
5 martial arts matches. The bill directs the labor commissioner
6 to establish by rule requirements, fees, and procedures for
7 issuance, denial, suspension, revocation, and renewal of
8 registrations.
9 Pursuant to Code section 90A.10, subsection 1, the funds
10 collected pursuant to the bill in excess of funds needed to
11 administer Code chapter 90A are appropriated to the labor
12 commissioner to award grants to organizations that promote
13 amateur boxing matches in the state of Iowa.



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Senate Study Bill 3008 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON DVORSKY)

A BILL FOR

1 An Act relating to financial assistance for purposes of the
2 battleship Iowa, BB-61, making appropriations, and including
3 effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5568XC (3) 84
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1 Section 1. 2011 Iowa Acts, chapter 131, section 82,
 2 subsection 2, is amended to read as follows:
 3 2. ~~If the department of the navy, pursuant to a process~~
 4 ~~outlined in a notice published in the federal register on~~
 5 ~~May 24, 2010, volume 75, number 99, awards possession or~~
 6 ~~conditionally awards possession of the battleship Iowa,~~
 7 ~~BB-61, to a nonprofit group that is eligible to receive the~~
 8 ~~battleship, the department of cultural affairs shall award~~
 9 ~~a grant to the nonprofit group in an amount equal to \$3~~
 10 ~~million in addition to any moneys awarded as a grant from the~~
 11 ~~BB-61 fund. Moneys in the BB-61 fund are appropriated to~~
 12 the department of cultural affairs to be used in accordance
 13 with this section. The department of cultural affairs shall
 14 award a grant to a nonprofit entity that is awarded possession
 15 or conditional possession of the battleship Iowa, BB-61, an
 16 amount equal to \$3,000,000 plus any moneys held in the BB-61
 17 fund created in 2010 Iowa Acts, chapter 1194. The grant
 18 shall be used for the purpose of assisting the nonprofit
 19 entity in making preparations for receiving and berthing the
 20 BB-61, including but not limited to hull and superstructure
 21 preparation and painting, ship repairs and improvements,
 22 transportation and towing of ship, pier and dock preparation
 23 and improvements, and museum development. The grant shall
 24 be awarded and the moneys shall be remitted to the nonprofit
 25 not less than 30 days after the effective date of this 2012
 26 Act. The grant recipient shall file two periodic reports
 27 with both the department of cultural affairs and the state
 28 auditor itemizing how the moneys have been expended. The first
 29 report shall be filed when 50 percent of the moneys have been
 30 expended, and the second report shall be filed when 100 percent
 31 of the moneys have been expended.
 32 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
 33 immediate importance, takes effect upon enactment.

34 EXPLANATION

35 This bill relates to financial assistance for purposes of



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1 the battleship Iowa, BB-61.

2 For the fiscal year 2010-2011, the department of cultural
3 affairs received a \$3 million appropriation for purposes
4 of awarding a grant to a nonprofit group that is awarded
5 possession of the battleship Iowa, BB-61, by the department
6 of the navy. In addition, in 2010 Iowa Acts, chapter 1194, a
7 BB-61 fund was created under the control of the department for
8 purposes of supporting the battleship Iowa committee and for
9 the preservation and relocation of the battleship Iowa, BB-61.

10 The bill amends the purpose of the fiscal year 2010-2011
11 appropriation by providing that the department shall award
12 a grant to a nonprofit group that is awarded possession or
13 conditional possession of the battleship Iowa, BB-61, in an
14 amount equal to \$3 million plus any moneys in the BB-61 fund.
15 The bill provides specific preservation and relocation purposes
16 for which the awarded moneys shall be used. The bill includes
17 reporting requirements.

18 The bill takes effect upon enactment.