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April 5, 2000—April 26, 2000

**THOMAS J. VILSACK, Governor
BRENT SIEGRIST, Speaker of the House
MARY KRAMER, President of the Senate**

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JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 5, 2000

The House met pursuant to adjournment at 8:53 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Bob Bell, pastor of the United Methodist Church, Washington. Alison Petty, a student at Adair-Casey High School sang before the House.

The Journal of Tuesday, April 4, 2000 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnold of Lucas, until his arrival, on request of Teig of Hamilton; Cataldo of Polk on request of Kreiman of Davis; Schrader of Marion on request of Myers of Johnson.

SPECIAL PRESENTATION

Welter of Jones, May of Worth and members of the committee on transportation presented the Honorable John Connors, state representative from Polk County and his wife Marge, a large poster signed by House members and staff in honor of their 55th wedding anniversary.

ADOPTION OF HOUSE RESOLUTION 107

Hoffman of Crawford called up for consideration House Resolution 107, a resolution to honor Shelley Fabares for her contributions to the memory of Donna Reed, and moved its adoption.

Sukup of Franklin in the chair at 9:12 a.m.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENTS CONSIDERED

Nelson-Forbes of Marshall called up for consideration **House File 2533**, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-8714:

H-8714

- 1 Amend House File 2533, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 9, line 18, by striking the figure
- 4 "29,939,000" and inserting the following:
- 5 "30,038,000".
- 6 2. Page 9, line 27, by striking the figure
- 7 "1,397,560" and inserting the following: "1,401,520".
- 8 3. Page 9, line 31, by striking the figure
- 9 "698,780" and inserting the following: "700,760".
- 10 4. Page 9, line 34, by striking the figure
- 11 "698,780" and inserting the following: "600,760".
- 12 5. Page 21, line 12, by striking the word
- 13 "incarcerated" and inserting the following:
- 14 "incarcerated".
- 15 6. Page 22, line 12, by striking the words
- 16 "community service" and inserting the following:
- 17 "Community Service".
- 18 7. Page 25, line 13, by inserting after the word
- 19 "For" the following: "infrastructure under the Iowa
- 20 demonstration construction grant program and".
- 21 8. By renumbering, relettering, or redesignating
- 22 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8714.

Nelson-Forbes of Marshall moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2533)

The ayes were, 92:

Alons	Barry	Baudler	Bell
Blodgett	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Bukta	Carrroll
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Hahn	Hansen	Heaton	Holmes
Holveck	Horbach	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, none.

Absent or not voting, 8:

Arnold	Boal	Cataldo	Frevort
Grundberg	Hoffman	Houser	Schrader

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Boddicker of Cedar called up for consideration **House File 2377**, a bill for an act providing for access to certain child abuse information by the governor and the general assembly, making penalties and remedies applicable, and including an effective date and applicability provision, amended by the Senate, and moved that the House concur in the following Senate amendment H-8672:

H-8672

- 1 Amend House File 2377, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 6, by inserting before the word

- 4 "committee" the following: "child fatality review".
 5 2. Page 1, line 8, by striking the word "death"
 6 and inserting the following: "fatality".
 7 3. Page 1, line 17, by striking the word "death"
 8 and inserting the following: "fatality".
 9 4. Page 1, line 24, by striking the word "deaths"
 10 and inserting the following: "fatalities".
 11 5. Page 1, by striking line 30 and inserting the
 12 following: "each report and allegation of child abuse
 13 involving the child who died."
 14 6. Page 2, line 9, by striking the word "death"
 15 and inserting the following: "fatality".
 16 7. Page 2, line 16, by striking the word "death"
 17 and inserting the following: "fatality".
 18 8. Page 2, line 16, by inserting before the words
 19 ", the committee" the following: "and the appeal
 20 period for the granting of a new trial".
 21 9. Page 2, line 22, by inserting after the word
 22 "report" the following: "and any supplemental
 23 report".
 24 10. Page 2, by striking line 33 and inserting the
 25 following: "report on a child fatality by an ad hoc
 26 child fatality review committee under".
 27 11. Page 3, by inserting after line 4 the
 28 following:
 29 "Sec. ____ Section 232.70, Code 1999, is amended
 30 by adding the following new subsection:
 31 NEW SUBSECTION. 8. Within twenty-four hours of
 32 receiving a report from a mandatory or permissive
 33 reporter, the department shall inform the reporter,
 34 orally or by other appropriate means, whether or not
 35 the department has commenced an assessment of the
 36 allegation in the report."
 37 12. Page 3, by inserting after line 22 the
 38 following:
 39 "Sec. ____ Section 235A.15, subsection 2,
 40 paragraph f, Code Supplement 1999, is amended to read
 41 as follows:
 42 f. ~~The following, but only~~ Only with respect to
 43 disposition data for cases of founded child abuse
 44 subject to placement in the central registry pursuant
 45 to section 232.71D:
 46 ~~(1) To~~ to a person who submits written
 47 authorization from an individual allowing the person
 48 access to data pursuant to this subsection on behalf
 49 of the individual in order to verify whether the
 50 individual is named in a founded child abuse report as

Page 2

- 1 having abused a child.
 2 ~~(2) To an individual who is requesting information~~

3 on a specific case of child abuse which resulted in a
4 child fatality or near fatality."

5 13. By striking page 3, line 32 through page 4,
6 line 5 and inserting the following: "protection
7 system in order to improve the system. After".

8 14. Page 5, by striking lines 28 and 29 and
9 inserting the following:

10 "i. Information, the release of which is a
11 violation of federal law or regulation."

12 15. Page 6, by striking lines 6 through 15 and
13 inserting the following: "other official source. The
14 child abuse information may also include the following
15 related information that the individual is allowed
16 under law to possess: department of human services
17 information described in section 217.30, subsection 1,
18 mental health information as defined in section 228.1,
19 and juvenile court social records and other
20 information in official juvenile court records
21 described in section 232.147. a person who receives
22 confidential child abuse information and related
23 information redisseminated under this subsection".

24 16. Page 7, by inserting after line 14 the
25 following:

26 "Sec. __. STUDY OF ACCESS TO CONFIDENTIAL
27 INFORMATION. The legislative council is requested to
28 establish a study committee for the 2000 interim to
29 review state policy regarding confidential information
30 in the area of child abuse and other human services-
31 related programs. The study shall include
32 consideration of the review of the child abuse program
33 performed by independent experts retained by the
34 department of human services, approaches used in other
35 states, policy regarding privileged information, and
36 access to agency and other information by the office
37 of the citizens' aide."

38 17. Page 7, by striking lines 15 through 20 and
39 inserting the following:

40 "Sec. __. EFFECTIVE DATE – APPLICABILITY. This
41 Act, being deemed of immediate importance, takes
42 effect upon enactment and is applicable to disclosures
43 of information on or after the date of enactment
44 related to cases of child abuse reported prior to, on,
45 or after the effective date of this Act."

46 18. Title page, by striking lines 1 and 2 and
47 inserting the following: "An Act providing for access
48 to certain child abuse information, making penalties
49 and".

50 19. By renumbering, relettering, or redesignating

The motion prevailed and the House concurred in the Senate amendment H-8672.

Boddicker of Cedar moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2377)

The ayes were, 94:

Alons	Barry	Baudler	Bell
Blodgett	Boddicker	Boguess	Bradley
Brauns	Brunkhorst	Bukta	Carroll
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Sukup, Presiding		

The nays were, none.

Absent or not voting, 6:

Arnold	Boal	Cataldo	Frevert
Grundberg	Schrader		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2377 and 2533.**

Jager of Black Hawk called up for consideration **House File 2511**, a bill for an act providing that the course for drinking drivers shall be taught by community colleges and licensed substance abuse programs, requiring participation in substance abuse awareness programs by all persons under the age of twenty-one who drive with a blood alcohol concentration level of .02 or more, and making related changes, amended by the Senate amendment H-8692 as follows:

H-8692

- 1 Amend House File 2511, as passed by the House, as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 123.46, Code 1999, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 3A. a. A peace officer shall
- 8 make a reasonable effort to identify a person under
- 9 the age of eighteen who violates this section, and if
- 10 the person is not referred to juvenile court, the law
- 11 enforcement agency of which the peace officer is an
- 12 employee shall make a reasonable attempt to notify the
- 13 person's custodial parent or legal guardian of the
- 14 violation, whether or not the person is taken into
- 15 custody, unless the officer has reasonable grounds to
- 16 believe that notification is not in the best interests
- 17 of the person or will endanger that person.
- 18 b. The peace officer shall also make a reasonable
- 19 effort to identify the elementary or secondary school
- 20 which the person attends if the person is enrolled in
- 21 elementary or secondary school and to notify the
- 22 superintendent or the superintendent's designee of the
- 23 school which the person attends, or the authorities in
- 24 charge of the nonpublic school which the person
- 25 attends, of the violation. If the person is taken
- 26 into custody, the peace officer shall notify a
- 27 juvenile court officer who shall make a reasonable
- 28 effort to identify the elementary or secondary school
- 29 the person attends, if any, and to notify the
- 30 superintendent of the school district or the
- 31 superintendent's designee, or the authorities in
- 32 charge of the nonpublic school, of the violation. A

33 reasonable attempt to notify the person includes, but
34 is not limited to, a telephone call or notice by
35 first-class mail.
36 Sec. 2. Section 321.560, Code 1999, is amended to
37 read as follows:
38 321.560 PERIOD OF REVOCATION.
39 1. A license to operate a motor vehicle in this
40 state shall not be issued to any person declared to be
41 a habitual offender under section 321.555, subsection
42 1, for a period of not less than two years nor more
43 than six years from the date of the final decision of
44 the department under section 17A.19 or the date on
45 which the district court upholds the final decision of
46 the department, whichever occurs later.
47 a. ~~However, a~~ a temporary restricted permit may be
48 issued pursuant to section 321.215, subsection 2, to a
49 person declared to be a habitual offender under
50 section 321.555, subsection 1, paragraph "c"; ~~pursuant~~

Page 2

1 to section 321.215, subsection 2.
2 b. A temporary restricted permit may be issued
3 pursuant to section 321J.4, subsection 9, to a person
4 declared to be a habitual offender due to a
5 combination of the offenses listed under section
6 321.555, subsection 1, paragraph "b" or "c".
7 2. A license to operate a motor vehicle in this
8 state shall not be issued to any person declared to be
9 a habitual offender under section 321.555, subsection
10 2, for a period of one year from the date of the final
11 decision of the department under section 17A.19 or the
12 date on which the district court upholds the final
13 decision of the department, whichever occurs later.
14 3. The department shall adopt rules under chapter
15 17a which that establish a point system which shall be
16 used to determine the period for which a person who is
17 declared to be a habitual offender under section
18 321.555, subsection 1, shall not be issued a license.
19 4. A person who is determined to be a habitual
20 offender while the person's license is already revoked
21 for being a habitual offender under section 321.555
22 shall not be issued a license to operate a motor
23 vehicle in this state for a period of not less than
24 two years nor more than six years. The revocation
25 period may commence either on the date of the final
26 decision of the department under section 17A.19 or the
27 date on which the district court upholds the final
28 decision of the department, whichever occurs later, or
29 on the date the previous revocation expires.
30 Sec. 3. Section 321J.4, subsection 9, Code
31 Supplement 1999, is amended to read as follows:

32 9. a. A person whose driver's license has either
33 been revoked under this chapter, or revoked or
34 suspended under chapter 321 solely for violations of
35 this chapter, or who has been determined to be a
36 habitual offender under chapter 321 based solely on
37 violations of this chapter or on violations listed in
38 section 321.560, subsection 1, paragraph "b", and who
39 is not eligible for a temporary restricted license
40 under this chapter may petition the court upon the
41 expiration of the minimum period of ineligibility for
42 a temporary restricted license provided for under this
43 section, ~~or section 321J.9, 321J.12, or 321J.20, or~~
44 321.560, for an order to the department to require the
45 department to issue a temporary restricted license to
46 the person notwithstanding section 321.560.
47 b. The petition shall include a current certified
48 copy of the petitioner's official driving record
49 issued by the department.
50 c. Upon the filing of a petition for a temporary

Page 3

1 restricted license under this section, the clerk of
2 the district court in the county where the violation
3 that resulted in the revocation occurred shall send
4 notice of the petition to the department and the
5 prosecuting attorney. The department and the
6 prosecuting attorney shall each be given an
7 opportunity to respond to and request a hearing on the
8 petition.
9 d. The court shall determine if the temporary
10 restricted license is necessary for the person to
11 maintain the person's present employment. However, a
12 temporary restricted license shall not be ordered or
13 issued for a violation of section 321J.2a or to a
14 person under the age of twenty-one whose license is
15 revoked under this section or section 321J.9 or
16 321J.12. If the court determines that the temporary
17 restricted license is necessary for the person to
18 maintain the person's present employment, and that the
19 minimum period of ineligibility for receipt of a
20 temporary license has expired, the court shall order
21 the department to issue to the person a temporary
22 restricted license conditioned upon the person's
23 certification to the court of the installation of
24 approved ignition interlock devices in all motor
25 vehicles that it is necessary for the person to
26 operate to maintain the person's present employment.
27 e. Section 321.561 does not apply to a person
28 operating a motor vehicle in the manner permitted
29 under this subsection.
30 f. If the person operates a motor vehicle which

31 does not have an approved ignition interlock device or
32 if the person tampers with or circumvents an ignition
33 interlock device, in addition to other penalties
34 provided, the person's temporary restricted license
35 shall be revoked.

36 g. A person holding a temporary restricted license
37 issued under this subsection shall not operate a
38 commercial motor vehicle, as defined in section 321.1,
39 on a highway if a commercial driver's license is
40 required for the person to operate the commercial
41 motor vehicle.

42 h. Notwithstanding any provision of this chapter
43 to the contrary, the court may order the department to
44 issue a temporary restricted license to a person
45 otherwise eligible for a temporary restricted license
46 under this subsection, whose period of revocation
47 under this chapter has expired, but who has not met
48 all requirements for reinstatement of the person's
49 driver's license or nonresident operating privileges.

50 Sec. 4. NEW SECTION. 321J.2B PARENTAL AND SCHOOL

Page 4

1 NOTIFICATION – PERSONS UNDER EIGHTEEN YEARS OF AGE.

2 1. A peace officer shall make a reasonable effort
3 to identify a person under the age of eighteen who
4 violates section 321J.2 or 321J.2A, and if the person
5 is not referred to juvenile court, the law enforcement
6 agency of which the peace officer is an employee shall
7 make a reasonable attempt to notify the person's
8 custodial parent or legal guardian of the violation,
9 whether or not the person is taken into custody,
10 unless the officer has reasonable grounds to believe
11 that notification is not in the best interests of the
12 person or will endanger that person.

13 2. The peace officer shall also make a reasonable
14 effort to identify the elementary or secondary school
15 which the person attends if the person is enrolled in
16 elementary or secondary school and to notify the
17 superintendent or the superintendent's designee of the
18 school which the person attends, or the authorities in
19 charge of the nonpublic school which the person
20 attends, of the violation. If the person is taken
21 into custody, the peace officer shall notify a
22 juvenile court officer who shall make a reasonable
23 effort to identify the elementary or secondary school
24 the person attends, if any, and to notify the
25 superintendent of the school district or the
26 superintendent's designee, or the authorities in
27 charge of the nonpublic school, of the violation. A
28 reasonable attempt to notify the person includes, but
29 is not limited to, a telephone call or notice by

30 first-class mail.

31 Sec. 5. Section 321J.22, subsections 2, 4, and 5,
32 Code 1999, are amended to read as follows:

33 2. a. The course provided according to this
34 section shall be offered on a regular basis at each
35 community college as defined in section 260C.2, or by
36 substance abuse treatment programs licensed under
37 chapter 125. However, a community college shall not
38 be required to offer the course if a substance abuse
39 treatment program licensed under chapter 125 offers
40 the course within the merged area served by the
41 community college.

42 b. Enrollment in the courses is not limited to
43 persons ordered to enroll, attend, and successfully
44 complete the course required under sections 321J.2 and
45 321J.17, subsection 2. However, any person under age
46 eighteen who is required to attend the courses for
47 violation of section 321J.2 or 321J.17 must attend a
48 course offered by a substance abuse treatment program
49 licensed under chapter 125.

50 c. The course required by this section shall be:

Page 5

1 taught

2 (1) Taught by the a community colleges college
3 under the supervision of the department of education
4 and approved or by a substance abuse treatment program
5 licensed under chapter 125.

6 (2) Approved by the department of education, in
7 consultation with the community colleges and substance
8 abuse treatment programs licensed under chapter 125.

9 d. The department of education shall establish
10 reasonable fees to defray the expense of obtaining
11 classroom space, instructor salaries, and class
12 materials for courses offered both by community
13 colleges and by substance abuse treatment programs
14 licensed under chapter 125.

15 e. A person shall not be denied enrollment in a
16 course by reason of the person's indigency.

17 4. The department of education and substance abuse
18 treatment programs licensed under chapter 125 shall
19 prepare for their respective courses a list of the
20 locations of the courses taught under this section,
21 the dates and times taught, the procedure for
22 enrollment, and the schedule of course fees. The list
23 shall be kept current and a copy of the list shall be
24 sent to each court having jurisdiction over offenses
25 provided in this chapter.

26 5. The department of education and substance abuse
27 treatment programs licensed under chapter 125 shall
28 maintain enrollment, attendance, successful and

29 nonsuccessful completion data for their respective
30 courses on the persons ordered to enroll, attend, and
31 successfully complete a course for drinking drivers.
32 This data shall be forwarded to the court by both the
33 department of education and substance abuse programs
34 licensed under chapter 125."
35 2. Title page, by striking lines 1 through 6 and
36 inserting the following: "An Act relating to drinking
37 driver restrictions by providing for the issuance of
38 temporary restricted permits or licenses under certain
39 circumstances, by providing that the course for
40 drinking drivers shall be taught by community colleges
41 or licensed substance abuse programs, and by providing
42 for parental and school notification of certain
43 violations by persons under eighteen years of age."

The House stood at ease at 10:15 a.m., until the fall of the gavel.

The House resumed session at 10:17 a.m., Speaker pro tempore Sukup in the chair.

Shoultz of Black Hawk offered the following amendment H-8733, to the Senate amendment H-8692, filed by him from the floor and moved its adoption:

H-8733

- 1 Amend the Senate amendment, H-8692, to House File
- 2 2511, as passed by the House, as follows:
- 3 1. By striking page 4, line 31, through page 5,
- 4 line 34.
- 5 2. Page 5, by striking lines 39 through 41, and
- 6 inserting the following: "circumstances, and by
- 7 providing".

Amendment H-8733 lost.

On motion by Jager of Black Hawk the House concurred in the Senate amendment H-8692.

Jager of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2511)

The ayes were, 85:

Alons	Barry	Baudler	Bell
Blodgett	Boddicker	Bogges	Bradley
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	Dix
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shoultz	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Sukup, Presiding			

The nays were, 10:

Boal	Brauns	Davis	Fallon
Holveck	Horbach	Johnson	Nelson-Forbes
O'Brien	Shay		

Absent or not voting, 5:

Arnold	Cataldo	Doderer	Frevort
Schrader			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

INTRODUCTION OF BILLS

House File 2559, by committee on ways and means, a bill for an act relating to sales tax exemptions for equipment and fuel used in certain activities related to agriculture, providing an effective date, and making provisions retroactively applicable.

Read first time and placed on the **ways and means calendar**.

House File 2560, by committee on ways and means, a bill for an act providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns.

Read first time and placed on the **ways and means calendar**.

House File 2561, by committee on ways and means, a bill for an act providing for interest on delinquent assessments payable to the Iowa egg council.

Read first time and placed on the **ways and means calendar**.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **House File 2511** be immediately messaged to the Senate.

On motion by Jacobs of Polk, the House was recessed at 10:37 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:17 p.m., Gipp of Winneshiek in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 5, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2528, a bill for an act relating to the condemnation of private property for certain public purposes and providing an effective date.

Also: That the Senate has on April 5, 2000, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2079, a bill for an act relating to the prohibition of shipping or importing into the state, or the offering for sale, selling, transporting, distributing, or possessing within the state, of cigarettes and tobacco products which were previously exported from or which are manufactured for use outside the United States, making penalties applicable, and providing an effective date.

Also: That the Senate has on April 5, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2434, a bill for an act relating to the inclusion of territory in urban renewal areas.

Also: That the Senate has on April 5, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2443, a bill for an act relating to compacts or agreements entered into by the Iowa lottery board and commissioner of the lottery.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sukup of Franklin, until his return, on request of Rants of Woodbury.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-nine members present, forty-one absent.

CONSIDERATION OF BILL Unfinished Business Calendar

Senate File 2360, a bill for an act relating to the authority of the department of human services involving state institutions and employee and volunteer background checks, with report of committee recommending passage, was taken up for consideration.

Carroll of Poweshiek offered the following amendment H-8734 filed by him from the floor and moved its adoption:

H-8734

- 1 Amend Senate File 2360, as passed by the Senate, as
- 2 follows:
- 3 1. Page 21, by inserting after line 19 the
- 4 following:
- 5 "DIVISION ____
- 6 SERVICE INFORMATION - OTHER PROVISIONS
- 7 Sec. ____ Section 225C.20, Code 1999, is amended

8 to read as follows:

9 225C.20 RESPONSIBILITIES OF COUNTIES FOR
10 INDIVIDUAL CASE MANAGEMENT SERVICES.

11 Individual case management services funded under
12 medical assistance shall be provided by the department
13 except when a county or a consortium of counties
14 contracts with the department to provide the services.
15 a county or consortium of counties may contract to be
16 the provider at any time and the department shall
17 agree to the contract so long as the contract meets
18 the standards for case management adopted by the
19 department. The county or consortium of counties may
20 subcontract for the provision of case management
21 services so long as the subcontract meets the same
22 standards. a county board of supervisors may change
23 the provider of individual case management services at
24 any time. If the current or proposed contract is with
25 the department, the county board of supervisors shall
26 provide written notification of a ~~proposed change to~~
27 ~~the department on or before August 15 and written~~
28 ~~notification of an approved change on or before~~
29 ~~November 15 in the fiscal year which precedes the~~
30 ~~fiscal year in which the change at least ninety days~~
31 ~~before the date the change will take effect.~~

32 Sec. __. Section 331.440A, subsection 1,
33 paragraph b, Code Supplement 1999, is amended to read
34 as follows:

35 b. "Pilot project areas" means the pilot project
36 created under this section involving the ~~three-county~~
37 ~~county~~ or multicounty single entry point process
38 administrative areas designated in accordance with
39 this section.

40 Sec. __. Section 331.440A, subsection 3, Code
41 Supplement 1999, is amended to read as follows:

42 3. PROJECT ESTABLISHED. The department of human
43 services shall establish a pilot project for
44 decategorizing the public funding for adult mental
45 health, mental retardation, and developmental
46 disabilities services in accordance with this section.
47 The pilot project shall include the three-county
48 single entry point process administrative areas
49 designated for decategorization planning under 1997
50 Iowa Acts, chapter 169, section 13, Washington county,

Page 2

1 and Webster county. Under the pilot project, a
2 projected funding amount for a fiscal year shall be
3 developed for each of the ~~three-administrative~~ pilot
4 project areas, from the funding sources designated in
5 this section. The projected funding amount for a
6 fiscal year, manner of payment, and other provisions

7 of the pilot project shall be delineated in contracts
 8 between the department and the counties involved in
 9 the pilot project.

10 Sec. __. Section 331.440A, subsection 7,
 11 paragraph a, subparagraph (1), Code Supplement 1999,
 12 is amended to read as follows:

13 (1) At least one service consumer, one service
 14 provider, and one county supervisor from each of the
 15 ~~three~~ pilot project areas, designated by the governor.

16 Sec. __. INFORMATION. The department of human
 17 services shall develop data that tracks the county of
 18 residence for all individuals who received mental
 19 health or developmental disabilities services funded
 20 by medical assistance and for which the nonfederal
 21 share was paid by a county. In addition, the
 22 department shall provide this data for individuals who
 23 received such services and for which the state paid
 24 the nonfederal share. Initially, the data shall be
 25 reported for all or part, as available, of fiscal
 26 years 1998-1999 and 1999-2000. The aggregate data,
 27 along with other pertinent information, shall be
 28 submitted as soon as is practicable to the governor,
 29 general assembly, and any task force created by the
 30 legislative council to study mental health and
 31 developmental disabilities services.

32 Sec. __. EFFECTIVE DATE. This division of this
 33 Act, being deemed of immediate importance, takes
 34 effect upon enactment."

35 2. Title page, by striking lines 1 through 3 and
 36 inserting the following: "An Act relating to state
 37 and local administrative and employment provisions
 38 involving human services and providing an effective
 39 date."

40 3. By renumbering as necessary.

Amendment H-8734 was adopted.

Carroll of Poweshiek moved that the bill be read a last time now
 and placed upon its passage which motion prevailed and the bill was
 read a last time.

On the question "Shall the bill pass?" (S.F. 2360)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Cohoon
Connors	Cormack	Davis	Dix

Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Foege	Ford
Garman	Greimann	Greiner	Grundberg
Hahn	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Gipp, Presiding

The nays were, none.

Absent or not voting, 8:

Cataldo	Eddie	Fallon	Frevrt
Hansen	Klemme	Schrader	Sukup

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE MESSAGES CONSIDERED

Senate File 2434, by committee on ways and means, a bill for an act relating to the inclusion of territory in urban renewal areas.

Read first time and referred to committee on **ways and means**.

Senate File 2443, by Iverson and Gronstal, a bill for an act relating to compacts or agreements entered into by the Iowa lottery board and commissioner of the lottery.

Read first time and referred to committee on **state government**.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2360** be immediately messaged to the Senate.

The House stood at ease at 1:35 p.m., until the fall of the gavel.

The House resumed session at 3:55 p.m., Barry of Harrison in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bell of Jasper and Frevert of Palo Alto on request of Myers of Johnson.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-four members present, sixteen absent.

SENATE AMENDMENT CONSIDERED

Dix of Butler called up for consideration **House File 2317**, a bill for an act relating to the regulation of the sale of viatical settlements, amended by the Senate, and moved that the House concur in the following Senate amendment H-8579:

H-8579

- 1 Amend House File 2317, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "DIVISION I
- 6 MOTOR VEHICLE SERVICE CONTRACTS
- 7 Section 1. Section 321I.1, subsection 1, Code
- 8 1999, is amended to read as follows:
- 9 1. "Commissioner" means the commissioner of
- 10 insurance as provided in section 505.1 or the deputy
- 11 administrator appointed under section 502.601.
- 12 Sec. 2. Section 321I.1, Code 1999, is amended by
- 13 adding the following new subsection:
- 14 **NEW SUBSECTION. 6A.** "Record" means information
- 15 stored or preserved in any medium, including in an
- 16 electronic or paper format. a record includes but is
- 17 not limited to documents, books, publications,
- 18 accounts, correspondence, memoranda, agreements,
- 19 computer files, film, microfilm, photographs, and
- 20 audio or visual tapes.

21 Sec. 3. Section 321I.2, subsection 2, Code 1999,
22 is amended to read as follows:

23 2. The issuer of a reimbursement insurance policy
24 shall not cancel a reimbursement insurance policy
25 unless a written notice has been received by the
26 ~~insurance division~~ commissioner and by each applicable
27 provider, including automobile dealers and third-party
28 administrators, ~~which~~. The notice shall fix the date
29 of cancellation at a date no earlier than ten days
30 after receipt of the notice by the ~~insurance division~~
31 commissioner and by the applicable provider. The
32 notice may be made in person or by mail and a post
33 office department receipt of certified or registered
34 mailing shall be deemed proof of receipt of the
35 notice.

36 Sec. 4. Section 321I.3, subsection 2, Code 1999,
37 is amended to read as follows:

38 2. In addition to any other required filings, a
39 ~~true and correct~~ an accurate copy of the service
40 contract and the provider's reimbursement insurance
41 policy, the consent to service of process on the
42 commissioner, and such other information as the
43 commissioner requires, shall be filed annually with
44 the commissioner no later than the first day of
45 August. If the first day of August falls on a weekend
46 or a holiday, the date for filing shall be the next
47 business day. In addition to the annual filing, the
48 provider shall promptly file copies of any amended
49 documents if material amendments have been made in the
50 materials on file with the ~~division~~ commissioner. If

Page 2

1 an annual filing is made after the first of August and
2 sales have occurred during the period when the
3 provider was in noncompliance with this section, the
4 ~~division~~ commissioner shall assess an additional
5 filing fee that is two times the amount normally
6 required for an annual filing. a fee shall not be
7 charged for interim filings made to keep the materials
8 filed with the division current and accurate. The
9 annual filing shall be accompanied by a filing fee
10 determined by the commissioner which shall be
11 sufficient to defray the costs of administering this
12 chapter.

13 Sec. 5. Section 321I.3, Code 1999, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 3. a. A motor vehicle service
16 contract provider shall promptly file the following
17 information with the insurance commissioner:

18 (1) A change in the name or ownership of the
19 provider.

20 (2) The termination of the provider's business.
21 b. The provider is not required to submit a fee as
22 part of this filing.

23 Sec. 6. Section 321I.10, Code 1999, is amended to
24 read as follows:

25 321I.10 MISREPRESENTATIONS OF STATE APPROVAL.

26 ~~It is unlawful for a~~ a motor vehicle service
27 contract provider to shall not represent or imply in
28 any manner that the provider has been sponsored,
29 recommended, or approved or that the provider's
30 abilities or qualifications have in any respect been
31 passed upon by the ~~securities bureau, the insurance~~
32 ~~division, or the state of Iowa, including the~~
33 commissioner, the insurance division, or the
34 division's securities bureau.

35 Sec. 7. Section 321I.11, Code 1999, is amended by
36 adding the following new subsection:

37 **NEW SUBSECTION.** 5A. A motor vehicle service
38 contract provider shall not repair a motor vehicle
39 covered by a motor vehicle service contract with any
40 of the following:

41 a. Used parts, unless the provider receives prior
42 written authorization by the vehicle owner.

43 b. Rebuilt parts, unless the parts are rebuilt
44 according to national standards recognized by the
45 insurance division.

46 Sec. 8. Section 321I.12, subsection 1, unnumbered
47 paragraph 1, Code 1999, is amended to read as follows:

48 A motor vehicle service contract provider shall
49 keep accurate ~~accounts, books, and records~~ concerning
50 transactions regulated under this chapter.

Page 3

1 Sec. 9. Section 321I.12, subsection 1, paragraph
2 a, unnumbered paragraph 1, Code 1999, is amended to
3 read as follows:

4 A motor vehicle service contract provider's
5 ~~accounts, books, and records~~ shall include all of the
6 following:

7 Sec. 10. Section 321I.12, subsection 1, paragraphs
8 b and c, Code 1999, are amended to read as follows:

9 b. A motor vehicle service contract provider shall
10 retain all required ~~accounts, books, and records~~
11 pertaining to a service contract holder for at least
12 two years after the specified period of coverage has
13 expired. a provider discontinuing business in this
14 state shall maintain its records until the provider
15 furnishes the commissioner satisfactory proof that the
16 provider has discharged all obligations to contract
17 holders in this state.

18 c. Motor vehicle service contract providers shall

19 ~~make all accounts, books, and records concerning~~
20 ~~transactions regulated under the chapter available to~~
21 ~~the commissioner for the purpose of examination.~~
22 ~~Sec. 11. Section 321I.14, subsections 1, 2, and 4,~~
23 ~~Code 1999, are amended to read as follows:~~
24 1. ~~The administrator of this chapter~~ commissioner
25 ~~may take actions which are necessary or appropriate~~
26 ~~for the protection of service contract holders or to~~
27 ~~administer for the effective administration of this~~
28 ~~chapter. The administrator~~ commissioner ~~may make~~
29 ~~private and public investigations and examinations as~~
30 ~~the administrator~~ commissioner ~~deems necessary to~~
31 ~~determine whether any person has violated or is about~~
32 ~~to violate this chapter or a rule or order adopted or~~
33 ~~issued pursuant to this chapter.~~
34 2. ~~For the purpose of~~ In ~~an investigation or~~
35 ~~proceeding under this chapter, the administrator~~
36 ~~commissioner~~ or any officer designated by the
37 ~~administrator~~ commissioner ~~may administer oaths and~~
38 ~~affirmations, subpoena witnesses and compel their~~
39 ~~attendance, take evidence, and require the production~~
40 ~~of books, papers, correspondence, memoranda,~~
41 ~~agreements, or other documents or records which the~~
42 ~~administrator~~ commissioner ~~deems relevant or material~~
43 ~~to an inquiry, all of which may be enforced in~~
44 ~~accordance with chapter 17A.~~
45 4. ~~If an investigation provides reasonable~~
46 ~~evidenece~~ Upon the commissioner's determination ~~that a~~
47 ~~person violated~~ provider has engaged, is engaging, or
48 ~~is about to engage in any act or practice constituting~~
49 ~~a violation~~ of this chapter or a rule adopted pursuant
50 ~~to this chapter, the commissioner may issue an a~~

Page 4

1 summary order directed at directing ~~the person to~~
2 ~~cease and desist from engaging in the act or practice~~
3 ~~resulting in the violation or to take other~~
4 ~~affirmative action as in the judgment of the~~
5 ~~commissioner is necessary to comply with the~~
6 ~~requirements of this chapter.~~
7 a. If a hearing is not timely requested, the
8 summary order becomes final by operation of law. The
9 order shall remain effective from the date of issuance
10 until the date the order becomes final by operation of
11 law or is overturned by a presiding officer or court
12 following a request for hearing. A person who has
13 been issued a summary order under this subsection may
14 contest the order by filing a request for a contested
15 case proceeding as provided in chapter 17a and in
16 accordance with rules adopted by the commissioner.
17 However, the person shall have at least thirty days

18 from the date that the order is issued in order to
19 file the request. Section 17A.18a is inapplicable to
20 a summary order issued under this subsection.
21 b. A person violating a summary order issued under
22 this subsection shall be deemed in contempt of that
23 order. The commissioner may petition the district
24 court to enforce the order as certified by the
25 commissioner. The district court shall adjudge the
26 person in contempt of the order if the court finds
27 after hearing that the person is not in compliance
28 with the order. The court shall assess a civil
29 penalty against the person in an amount not less than
30 three thousand dollars but not greater than ten
31 thousand dollars per violation, and may issue further
32 orders as it deems appropriate.

33 Sec. 12. Section 321I.15, Code 1999, is amended to
34 read as follows:

35 321I.15 AUDITS.

36 The commissioner may examine or cause to be
37 examined the ~~books, papers, records, memoranda, or~~
38 ~~documents~~ of a motor vehicle service contract provider
39 for the purpose of verifying compliance with this
40 chapter. The commissioner may require, by a subpoena,
41 the attendance of the provider, or the provider's
42 representative, and any other witness whom the
43 commissioner deems necessary or expedient, and the
44 production of ~~books, papers, records, memoranda, or~~
45 ~~documents~~ relating in any manner to compliance with
46 this chapter if a provider or witness fails or refuses
47 to produce the documents for examination when
48 requested by the commissioner.

49 Sec. 13. Section 321I.16, Code 1999, is amended to
50 read as follows:

Page 5

1 321I.16 VIOLATIONS – PENALTIES.

2 1. a. Except as provided in paragraph "b", all of
3 the following shall apply:

4 (1) A violation of this chapter or a rule adopted
5 pursuant to this chapter is a violation of section
6 714.16, subsection 2, paragraph "a". The remedies and
7 penalties provided by section 714.16, including but
8 not limited to injunctive relief and civil penalties,
9 apply to violations of this chapter.

10 (2) A person who willfully and knowingly violates
11 this chapter or a rule adopted pursuant to this
12 chapter is, upon conviction, guilty of a class "D"
13 felony.

14 b. A motor vehicle service contract provider who
15 fails to file documents and information with the
16 commissioner as required pursuant to section 321I.3

17 may be subject to a civil penalty. The amount of the
 18 civil penalty shall not be more than four hundred
 19 dollars plus two dollars for each motor vehicle
 20 service contract that the person executed prior to
 21 satisfying the filing requirement. However, a person
 22 who fails to file information regarding a change in
 23 the provider's name or the termination of the
 24 provider's business as required pursuant to section
 25 3211.3 is subject to a civil penalty of not more than
 26 five hundred dollars.

27 2. If the commissioner believes that grounds exist
 28 for the criminal prosecution of ~~persons subject to~~
 29 ~~this chapter~~ a motor vehicle service contract provider
 30 ~~for violations of violating~~ this chapter or any other
 31 law of this state, the commissioner may forward to the
 32 attorney general or the county attorney the grounds
 33 for the belief, including all evidence in the
 34 commissioner's possession, ~~in order that the attorney~~
 35 ~~general or the county attorney may proceed with the~~
 36 ~~matter as for action~~ deemed appropriate by the
 37 attorney general or county attorney. At the request
 38 of the attorney general, the county attorney shall
 39 appear and prosecute the action when brought in the
 40 county served by the county attorney.

41 3. ~~A person who willfully and knowingly violates~~
 42 ~~this chapter or a rule adopted pursuant to this~~
 43 ~~chapter is, upon conviction, guilty of a class "D"~~
 44 ~~felony.~~

45 Sec. 14. Section 3211.9, Code 1999, is repealed.

46 Sec. 15. DIRECTIONS TO THE CODE EDITOR. The Code
 47 editor is directed to transfer chapter 321I to or near
 48 chapter 523J, and correct internal references as
 49 necessary.

50

DIVISION II

Page 6

1 IOWA UNIFORM SECURITIES ACT
 2 Sec. 16. Section 502.304, subsection 1, unnumbered
 3 paragraph 1, Code Supplement 1999, is amended to read
 4 as follows:
 5 The administrator may by order deny, suspend, or
 6 revoke a registration or may censure, impose a civil
 7 penalty upon, or bar an applicant, registrant, branch
 8 manager, assistant branch manager, supervisor, or any
 9 officer, director, partner, or person occupying a
 10 similar status or performing similar functions for a
 11 registrant. a person barred under this subsection may
 12 be prohibited by the administrator from employment
 13 with a registered broker-dealer or investment adviser.
 14 The administrator may restrict the person barred from
 15 engaging in any activity for which registration is

16 required. Any action by the administrator under this
17 subsection may be taken if the order is found to be in
18 the public interest and it is found that the applicant
19 or registrant or, in the case of a broker-dealer or
20 investment adviser, a partner, an officer, or a
21 director, a person occupying a similar status or
22 performing similar functions, or a person directly or
23 indirectly controlling the broker-dealer or investment
24 adviser, or a branch manager, assistant branch
25 manager, or supervisor:

26 Sec. 17. Section 502.604, subsection 1, Code
27 Supplement 1999, is amended to read as follows:

28 1. Issue ~~an~~ a summary order directed at the person
29 requiring the person to cease and desist from engaging
30 in such act or practice or to take other affirmative
31 action as in the judgment of the administrator is
32 necessary to comply with the requirements of this
33 chapter.

34 a. If a hearing is not timely requested, the
35 summary order becomes final by operation of law. The
36 order shall remain effective from the date of issuance
37 until the date the order becomes final by operation of
38 law or is overturned by a presiding officer or court
39 following a request for hearing. A person who has
40 been issued a summary order under this subsection may
41 contest the order by filing a request for a contested
42 case proceeding as provided in chapter 17a and in
43 accordance with rules adopted by the administrator.
44 However, the person shall have at least thirty days
45 from the date that the order is issued in order to
46 file the request. Section 17A.18a is inapplicable to
47 a summary order issued under this subsection.

48 b. A person violating a summary order issued under
49 this subsection shall be deemed in contempt of that
50 order. The administrator may petition the district

Page 7

1 court to enforce the order as certified by the
2 administrator. The district court shall adjudge the
3 person in contempt of the order, if the court finds
4 after hearing that the person is not in compliance
5 with the order. The court shall assess a civil
6 penalty against the person in an amount not less than
7 three thousand dollars but not greater than ten
8 thousand dollars per violation, and may issue further
9 orders as it deems appropriate.

10 Sec. 18. Section 502.605, subsection 1, Code 1999,
11 is amended to read as follows:

12 1. a. Any Except as provided in paragraph "b", a
13 person who willfully and knowingly violates any
14 provision of this chapter, or any rule or order under

15 this chapter, shall be ~~is~~ guilty of a class "D"
16 felony.

17 b. A person who willfully and knowingly violates
18 section 502.401, 502.402, or 502.403, or section
19 502.408, subsection 1 or 2, resulting in a loss of
20 more than ten thousand dollars is guilty of a class
21 "C" felony.

22 Sec. 19. Section 502.609, subsection 1, unnumbered
23 paragraph 1, Code 1999, is amended to read as follows:

24 Every applicant for registration under this
25 chapter, and every issuer which proposes to offer a
26 security in this state, unless exempt under section
27 502.202 or 502.203 and the administrator by rule or
28 order waives the filing, shall file with the
29 administrator, in such form as the administrator by
30 rule prescribes, an irrevocable consent appointing the
31 administrator or the administrator's successor in
32 office to be such person's attorney to receive service
33 of any lawful process in any noncriminal suit, action
34 or proceeding against such person or the successor,
35 executor or administrator of such person which arises
36 under this chapter or any rule or order hereunder
37 after the consent has been filed, with the same
38 validity as if served personally on the person filing
39 the consent. The consent need not be filed by a
40 person who has filed a consent in connection with a
41 previous registration or notice filing which is then
42 in effect. Service may be made by leaving a copy of
43 the process in the office of the administrator, but it
44 is not effective unless the plaintiff, including the
45 administrator when acting as such, does the following:

46 DIVISION III

47 BUSINESS OPPORTUNITY PROMOTIONS

48 Sec. 20. Section 523B.1, Code Supplement 1999, is
49 amended by adding the following new subsection:

50 NEW SUBSECTION. 10A. "Record" means the same as

Page 8

1 defined in section 321I.1.

2 Sec. 21. Section 523B.2, subsection 2, paragraph
3 b, subparagraph (2), Code Supplement 1999, is amended
4 to read as follows:

5 (2) A disclosure document prepared pursuant to the
6 federal trade commission rule entitled "Disclosure
7 relating to disclosure requirements and prohibitions
8 concerning franchising and business opportunity
9 ventures", as adopted by rule of the administrator in
10 accordance with 16 C.F.R. § 436 (1979). The
11 administrator may by rule adopt any amendment to the
12 disclosure document prepared pursuant to 16 C.F.R. §
13 436 (1979) that has been adopted by the federal trade

14 ~~commission.~~

15 Sec. 22. Section 523B.2, subsection 2, Code
16 Supplement 1999, is amended by adding the following
17 new paragraph:

18 NEW PARAGRAPH. c. The seller shall disclose to
19 the administrator in the disclosure document or
20 otherwise any sales or offers made in this state prior
21 to registration.

22 Sec. 23. Section 523B.2, subsection 4, Code
23 Supplement 1999, is amended to read as follows:

24 4. EFFECTIVE DATE. A registration automatically
25 becomes effective upon the expiration of the fifteenth
26 thirtieth full business day after the complete filing
27 is received by the administrator, provided that ~~no~~ an
28 order has not been issued or a proceeding is not
29 pending under subsection 10. The administrator may by
30 order waive or reduce the time period prior to
31 effectiveness, provided that a complete filing has
32 been made. The administrator may by order defer the
33 effective date until the expiration of the ~~fifteenth~~
34 thirtieth full business day after the filing of an
35 amendment with the administrator.

36 Sec. 24. Section 523B.2, subsection 9, paragraph
37 c, Code Supplement 1999, is amended by adding the
38 following new subparagraph:

39 NEW SUBPARAGRAPH. (8) The rights and
40 responsibilities of the parties regarding the
41 marketing of a business opportunity, including but not
42 limited to all of the following:

43 (a) Whether the seller assigns the purchaser a
44 territory in which to sell a business opportunity.

45 (b) Whether the seller assists the purchaser in
46 finding locations in which to sell a business
47 opportunity.

48 (c) Whether the purchaser is solely responsible
49 for marketing a business opportunity.

50 Sec. 25. Section 523B.8, subsection 1, Code 1999,

Page 9

1 is amended to read as follows:

2 1. ~~a. If it appears to the administrator~~ Upon the
3 administrator's determination that a person has
4 engaged, is engaging, or is about to engage in any act
5 or practice constituting a violation of this chapter
6 or a rule or order adopted or issued under this
7 chapter, the administrator may issue ~~an~~ a summary
8 order directed at directing the person requiring the
9 person to cease and desist from engaging in the act or
10 practice or to take other affirmative action as in the
11 judgment of the administrator is necessary to comply
12 with the requirements of this chapter.

13 b. The If a hearing is not timely requested, the
14 summary order becomes final by operation of law. The
15 order shall remain effective from the date of issuance
16 until the date the order becomes final by operation of
17 law or is overturned by a presiding officer or court
18 following a request for hearing. A person named in
19 the order may, within fourteen days of the date of the
20 order, file a written who has been issued a summary
21 order under this subsection may contest it by filing a
22 request for a hearing. The hearing shall be held in
23 accordance with contested case proceeding as provided
24 in chapter 17a and in accordance with the rules
25 adopted by the administrator. However, the person
26 shall have at least thirty days from the date that the
27 order is issued in order to file the request. Section
28 17A.18a is inapplicable to a summary order issued
29 under this subsection.

30 c. A person violating a summary order issued under
31 this subsection shall be deemed in contempt of that
32 order. The administrator may petition the district
33 court to enforce the order as certified by the
34 administrator. The district court shall adjudge the
35 person in contempt of the order if the court finds
36 after hearing that the person is not in compliance
37 with the order. The court shall assess a civil
38 penalty against the person in an amount not less than
39 three thousand dollars but not greater than ten
40 thousand dollars per violation, and may issue further
41 orders as it deems appropriate.

42 Any A consent agreement between the administrator
43 and the seller may be filed in the miscellaneous
44 docket of the clerk of the district court.

45 Sec. 26. Section 523B.8, subsection 2, paragraph
46 b, Code 1999, is amended to read as follows:

47 b. For the purpose of an investigation or
48 proceeding under this chapter, the administrator or an
49 officer designated by the administrator may administer
50 oaths and affirmations, subpoena witnesses, compel the

Page 10

1 attendance of witnesses, take evidence and require the
2 production of books, papers, correspondence,
3 memoranda, agreements, or other documents or records
4 which the administrator deems relevant or material to
5 the inquiry.

6
7 DIVISION IV
8 RESIDENTIAL SERVICE CONTRACTS

8 Sec. 27. Section 22.7, Code Supplement 1999, is
9 amended by adding the following new subsection:
10 NEW SUBSECTION. 39. Information obtained by the
11 commissioner of insurance in the course of an

12 investigation as provided in section 502.603, 523B.8,
13 or 523C.23.

14 Sec. 28. Section 523C.1, Code 1999, is amended by
15 adding the following new subsection:
16 NEW SUBSECTION. 6A. "Record" means the same as
17 defined in section 321I.1.

18 Sec. 29. Section 523C.7, subsection 4, Code 1999,
19 is amended to read as follows:

20 4. To the extent necessary to administer the
21 provisions of this chapter, the commissioner may,
22 after notice and hearing, institute a residential
23 service contract form approval or form review fee as
24 ~~the commissioner shall by.~~ If the commissioner
25 establishes a fee, the amount of the fee shall be set
26 by rule set adopted pursuant to chapter 17A. The fee,
27 ~~if imposed,~~ may be by dollar amount or based upon a
28 percentage of the sale value of the contract.
29 However, the fee shall not exceed fifty thousand
30 dollars.

31 Sec. 30. Section 523C.19, Code 1999, is amended to
32 read as follows:

33 523C.19 CEASE AND DESIST ORDERS.

34 1. If an investigation provides reasonable
35 evidence Upon the commissioner's determination that a
36 person violated any provision has engaged, is
37 engaging, or is about to engage in any act or practice
38 constituting a violation of this chapter or any rule
39 adopted pursuant to this chapter, the commissioner may
40 issue an order directed at directing the person to
41 cease and desist from engaging in the act or practice
42 resulting in the violation or to take other
43 affirmative action as in the judgment of the
44 commissioner is necessary to comply with the
45 requirements of this chapter.

46 2. If a hearing is not timely requested, the
47 summary order becomes final by operation of law. The
48 order shall remain effective from the date of issuance
49 until the date the order becomes final by operation of
50 law or is overturned by a presiding officer or court

Page 11

1 following a request for hearing. a person who has
2 been issued a summary order under this section may
3 contest it by filing a request for a contested case
4 proceeding as provided in chapter 17a and in
5 accordance with rules adopted by the commissioner.
6 However, the person shall have at least thirty days
7 from the date that the order is issued in order to
8 file the request. Section 17A.18a is inapplicable to
9 a summary order issued under this subsection.

10 3. A person violating a summary order issued under

11 this subsection shall be deemed in contempt of that
12 order. The commissioner may petition the district
13 court to enforce the order as certified by the
14 commissioner. The district court shall adjudge the
15 person in contempt of the order if the court finds
16 after hearing that the person is not in compliance
17 with the order. The court shall assess a civil
18 penalty against the person in an amount not less than
19 three thousand dollars but not greater than ten
20 thousand dollars per violation, and may issue further
21 orders as it deems appropriate.

22 Sec. 31. NEW SECTION. 523C.23 INVESTIGATIONS AND
23 SUBPOENAS.

24 1. a. In enforcing this chapter, the commissioner
25 may conduct a public or private investigation in order
26 to do any of the following:

27 (1) Determine whether a person has violated or is
28 about to violate a provision of this chapter or a rule
29 or order under this chapter.

30 (2) Aid in the enforcement of this chapter or in
31 the prescribing of rules and forms under this chapter.

32 b. In carrying out this subsection, the
33 commissioner may do all of the following:

34 (1) Conduct the investigation within or outside of
35 this state.

36 (2) Require or allow a person to file a statement
37 in writing regarding the facts or circumstances
38 concerning a matter to be investigated. The
39 commissioner may require that the statement be made
40 under oath.

41 (3) Apply to the district court for the issuance
42 of an order requiring a person's appearance before the
43 commissioner or the attorney general. The person may
44 also be required to produce documentary evidence
45 germane to the subject of the investigation. The
46 failure to obey an order under this subsection
47 constitutes contempt of court.

48 c. Information obtained in the course of an
49 investigation is confidential as provided in section
50 22.7. However, upon a determination that disclosure

Page 12

1 of the information is necessary or appropriate in the
2 public interest or for the protection of consumers,
3 the commissioner may do any of the following:

4 (1) Share information obtained during the course
5 of the investigation with another regulatory authority
6 or government agency.

7 (2) Publish information obtained during the course
8 of the investigation which concerns a violation of
9 this chapter or a rule or order under this chapter.

10 2. Except as provided in section 523C.19, a
 11 proceeding instituted under this chapter shall be
 12 conducted pursuant to chapter 17a and rules adopted by
 13 the commissioner pursuant to chapter 17A.

14 3. In an investigation or proceeding conducted
 15 under this chapter, the commissioner or any designee
 16 of the commissioner may administer oaths and
 17 affirmations, subpoena witnesses, compel their
 18 attendance, take evidence, and require the production
 19 of any records which the commissioner deems relevant
 20 or material to the inquiry.

21 4. A person is not excused from attending and
 22 testifying or from producing a document or record
 23 before the commissioner or in obedience to a subpoena
 24 of the commissioner or an officer designated by the
 25 commissioner, or in a proceeding instituted by the
 26 commissioner, on the grounds that the testimony or
 27 evidence, documentary or otherwise, required of the
 28 person may tend to incriminate or subject the person
 29 to a penalty or forfeiture. However, a person shall
 30 not be prosecuted or subjected to any penalty or
 31 forfeiture due to a transaction or matter about which
 32 the person is compelled, after claiming privilege
 33 against self-incrimination, to testify or produce
 34 evidence, documentary or otherwise. The person
 35 testifying, however, is not exempt from prosecution
 36 and punishment for perjury or contempt committed while
 37 testifying.

38 DIVISION V

39 RETIREMENT CARE CONTRACTS

40 Sec. 32. Section 523D.13, Code 1999, is amended to
 41 read as follows:

42 523D.13 COMPLIANCE ORDERS.

43 1. Upon the commissioner's determination that a
 44 provider has violated a provision has engaged, is
 45 engaging, or is about to engage in any act or practice
 46 constituting a violation of this chapter or a rule
 47 adopted pursuant to this chapter, the commissioner may
 48 issue an a summary order requiring a directing the
 49 provider to cease and desist from an unlawful engaging
 50 in the act or practice resulting in the violation or

Page 13

1 to take other affirmative action as in the judgment of
 2 the commissioner is necessary to comply with the
 3 requirements of this chapter.

4 2. The person named in the order may, within
 5 fourteen days after receipt of the order, file a
 6 written request for a hearing. The hearing shall be
 7 held in accordance with chapter 17A. If a hearing is
 8 not requested, the order shall become permanent. If a

9 hearing is not timely requested, the summary order
10 becomes final by operation of law. The order shall
11 remain effective from the date of issuance until the
12 date the order becomes final by operation of law or is
13 overturned by a presiding officer or court following a
14 request for hearing. a person who has been issued a
15 summary order under this section may contest it by
16 filing a request for a contested case proceeding as
17 provided in chapter 17a and in accordance with rules
18 adopted by the commissioner. However, the person
19 shall have at least thirty days from the date that the
20 order is issued in order to file the request. Section
21 17A.18a is inapplicable to a summary order issued
22 under this section.

23 3. A person violating a summary order issued under
24 this section shall be deemed in contempt of that
25 order. The commissioner may petition the district
26 court to enforce the order as certified by the
27 commissioner. The district court shall adjudge the
28 person in contempt of the order if the court finds
29 after hearing that the person is not in compliance
30 with the order. The court shall assess a civil
31 penalty against the person in an amount not less than
32 three thousand dollars but not greater than ten
33 thousand dollars per violation, and may issue further
34 orders as it deems appropriate.

35 DIVISION VI

36 PROBATE TRANSFER ON DEATH

37 Sec. 33. Section 633.801, subsection 6, Code 1999,
38 is amended to read as follows:

39 6. "Security" means a security as defined in
40 section 502.102. For purposes of this chapter,
41 "security" includes, but is not limited to, a
42 certificated security, an uncertificated security, and
43 a security account.

44 DIVISION VII

45 VIATICAL SETTLEMENT CONTRACTS".

46 2. Page 2, line 20, by inserting after the word
47 "who" the following: "owns a life insurance policy or
48 certificate which covers the life of an individual
49 who".

50 3. Title page, by striking lines 1 and 2 and

Page 14

1 inserting the following:
2 "An Act relating to entities and subject matter
3 under the regulatory authority of the insurance
4 division, including motor vehicle service contracts,
5 securities, business opportunities, residential
6 service contracts, retirement care contracts, transfer
7 on death probate provisions, viatical settlement

- 8 contracts; and establishing penalties and making
 9 penalties applicable."
 10 4. By renumbering, relettering, or redesignating
 11 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8579.

Dix of Butler moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2317)

The ayes were, 94:

Alons	Arnold	Baudler	Blodgett
Boal	Boddicker	Boggess	Bradley
Brauns	Brunkhorst	Bukta	Carroll
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Barry, Presiding		

The nays were, none.

Absent or not voting, 6:

Bell	Cataldo	Frevert	Gipp
Schrader	Sukup		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF HOUSE RESOLUTION 108

T. Taylor of Linn called up for consideration House Resolution 108, a resolution to honor Cedar Rapids Gazette Statehouse reporter and senior editor Ken Sullivan, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2553, a bill for an act relating to the designation, valuation, and taxation of property in a horizontal property regime and including an effective date, was taken up for consideration.

SENATE FILE 2426 SUBSTITUTED FOR HOUSE FILE 2553

Drake of Pottawattamie asked and received unanimous consent to substitute Senate File 2426 for House File 2553.

Senate File 2426, a bill for an act relating to the designation, valuation, and taxation of property in a horizontal property regime and including an effective date, was taken up for consideration.

Shultz of Black Hawk offered the following amendment H-8731 filed by him from the floor and moved its adoption:

H-8731

- 1 Amend Senate File 2426, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "Sec. ____ Section 499B.4, Code 1999, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 10. If an existing structure is
- 8 to be converted after the effective date of this Act,
- 9 a maximum property tax percentage shall be determined
- 10 and specified for each unit to be converted. The
- 11 "maximum property tax percentage" for a unit equals
- 12 the percentage of the average monthly gross rent

13 charged for the previous two years for that unit that
14 is paid as property taxes."

15 2. Page 2, by inserting after line 19 the
16 following:

17 "Sec. ____, NEW SECTION. 499B.21 REDUCTION IN
18 GROSS RENT – PENALTY.

19 1. In the case of an existing structure that is
20 converted to a horizontal property regime after the
21 effective date of this Act, any reduction in property
22 taxes levied on an apartment resulting from such
23 conversion shall be passed on to the tenant by means
24 of a reduction in gross rent. The reduction in gross
25 rent required under this subsection shall only apply
26 to the first fiscal year in which the reduction in
27 property tax first occurs. The amount of the
28 reduction in gross rent shall result in the percentage
29 of gross rent paid in property taxes to be equal to
30 the maximum property tax percentage specified pursuant
31 to section 499B.4, subsection 10.

32 2. The landlord shall provide notice to the tenant
33 at the beginning of the fiscal year for which a
34 reduction in rent is to occur. The notice shall state
35 that the reduction in rent is due to the reduction in
36 property taxes payable by the landlord as a result of
37 the conversion of the property to a horizontal
38 property regime. The notice shall also state that the
39 law requires this reduction in rent for only one
40 fiscal year.

41 3. If gross rent is not reduced in violation of
42 this section, the excess gross rent shall be returned,
43 along with interest at the rate of two percent per
44 month, to the renter or to the city or county building
45 inspector, as appropriate, if the renter is
46 unavailable. a suit for return of excess gross rent
47 may be brought by the renter or the appropriate local
48 building inspector on behalf of the renter."

Amendment H-8731 lost.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2426)

The ayes were, 90:

Alons	Arnold	Baudler	Blodgett
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Bukta	Carroll

Chiodo	Cphoon	Connors	Cormack
Davis	Dix	Dolecheck	Dotzler
Drake	Eddie	Falck	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shoultz
Siegrist, Spkr.	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Welter	Whitead
Wise	Barry, Presiding		

The nays were, 6:

Doderer	Drees	Fallon	Kreiman
Weigel	Witt		

Absent or not voting, 4:

Bell	Cataldo	Frevert	Schrader
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2317** and **Senate File 2426**.

House Joint Resolution 2013, a joint resolution nullifying amendments to administrative rules of the department of revenue and finance concerning the classification of condominiums for property tax purposes and providing an effective date, was taken up for consideration.

**SENATE JOINT RESOLUTION 2005 SUBSTITUTED FOR
HOUSE JOINT RESOLUTION 2013**

Drake of Pottawattamie asked and received unanimous consent to substitute Senate Joint Resolution 2005 for House Joint Resolution 2013.

Senate Joint Resolution 2005, a joint resolution nullifying amendments to administrative rules of the department of revenue and finance concerning the classification of condominiums for property tax purposes and providing an effective date, was taken up for consideration.

Drake of Pottawattamie moved that the joint resolution be read a last time now and placed upon its adoption which motion prevailed and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 2005)

The ayes were, 91:

Alons	Arnold	Blodgett	Boal
Boddicker	Bogges	Bradley	Brauns
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	Davis
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shoultz
Siegrist, Spkr.	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Barry,	
		Presiding	

The nays were, 3:

Doderer Fallon Witt

Absent or not voting, 6:

Baudler Bell Cataldo Dix
Frevort Schrader

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 118

Thomas of Clayton called up for consideration House Concurrent Resolution 118, a concurrent resolution requesting the office of the attorney general to establish an operating while intoxicated (OWI) task force to review the clarity, complexity, and functionality of current operating while intoxicated Code provisions and to make recommendations to the general assembly, and moved its adoption.

The motion prevailed and the resolution was adopted.

Unfinished Business Calendar

Senate File 2313, a bill for an act relating to motor vehicles, including driver licensing, the use of child restraints and safety belts for children, and the designation of vehicles as authorized emergency vehicles, making a penalty applicable, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Welter of Jones offered the following amendment H-8368 filed by the committee on transportation and moved its adoption:

H-8368

- 1 Amend Senate File 2313, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 8.
- 4 2. By renumbering as necessary.

The committee amendment H-8368 was adopted.

Heaton of Henry offered the following amendment H-8486 filed by him and moved its adoption:

H-8486

- 1 Amend Senate File 2313, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 28, by striking the figure "\$
- 4 350(b)," and inserting the following: "§ 350(b) or 18
- 5 U.S.C. § 2721".

Amendment H-8486 was adopted.

Heaton of Henry offered the following amendment H-8669 filed by him and moved its adoption:

H-8669

- 1 Amend Senate File 2313, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by inserting after line 13 the
- 4 following;
- 5 "Sec. ____ Section 321.188, subsection 1,
- 6 paragraph c, Code Supplement 1999, is amended to read
- 7 as follows:
- 8 c. Successfully pass knowledge tests and driving
- 9 skills tests which the department shall require by
- 10 rule. The rules adopted shall substantially comply
- 11 with the federal minimum testing and licensing
- 12 requirements in 49 C.F.R. part 383, subparts E, G, and
- 13 H as adopted by rule by the department. Except as
- 14 required under 49 C.F.R. part 383, subpart E, G, or H,
- 15 a commercial driver's license is renewable without a
- 16 driving skills test within one year after its
- 17 expiration date.
- 18 Sec. ____ Section 321.196, unnumbered paragraph 1,
- 19 Code 1999, is amended to read as follows:
- 20 Except as otherwise provided, a driver's license,
- 21 other than an instruction permit, chauffeur's
- 22 instruction permit, or commercial driver's instruction
- 23 permit issued under section 321.180, expires, at the
- 24 option of the applicant, two or four years from the
- 25 licensee's birthday anniversary occurring in the year
- 26 of issuance if the licensee is between the ages of
- 27 seventeen years eleven months and seventy years on the
- 28 date of issuance of the license. If the licensee is
- 29 under the age of seventeen years eleven months or age
- 30 seventy or over, the license is effective for a period
- 31 of two years from the licensee's birthday anniversary
- 32 occurring in the year of issuance. Except as required

33 in section 321.188, and except for a motorcycle
34 instruction permit issued in accordance with section
35 321.180 or 321.180B, a driver's license is renewable
36 without written examination or penalty within a period
37 of sixty days after its expiration date and without a
38 driving test within a period of one year after its
39 expiration date. A person shall not be considered to
40 be driving with an invalid license during a period of
41 sixty days following the license expiration date.
42 However, for a license renewed within the sixty-day
43 period, the date of issuance shall be considered to be
44 the previous birthday anniversary on which it expired.
45 Applicants whose licenses are restricted due to vision
46 or other physical deficiencies may be required to
47 renew their licenses every two years. For the
48 purposes of this section the birthday anniversary of a
49 person born on February 29 shall be deemed to occur on
50 March 1. The department in its discretion may

Page 2

1 authorize the renewal of a valid driver's license
2 other than a commercial driver's license upon
3 application without an examination provided that the
4 applicant satisfactorily passes a vision test as
5 prescribed by the department, files a vision report in
6 accordance with section 321.186a which shows that the
7 applicant's visual acuity level meets or exceeds those
8 required by the department, or is eligible for renewal
9 by mail pursuant to rules adopted by the department.
10 The department may assess an applicant a fee of no
11 more than two dollars for administration and mailing
12 expenses for providing for renewal of the applicant's
13 driver's license by mail."
14 2. By renumbering as necessary.

Amendment H-8669 was adopted.

Heaton of Henry offered the following amendment H-8560 filed by him and moved its adoption:

H-8560

1 Amend Senate File 2313, as passed by the Senate, as
2 follows:
3 1. Page 6, line 1, by striking the word and
4 figure "and 2," and inserting the following: "through
5 3,".
6 2. Page 6, by inserting after line 19 the
7 following:
8 "3. This section does not apply to peace officers

9 acting on official duty. This section also does not
 10 apply to the transportation of children in 1965 model
 11 year or older vehicles, ~~or~~ authorized emergency
 12 vehicles, or motor homes, except when a child is
 13 transported in a motor home's passenger seat situated
 14 directly to the driver's right. This section does not
 15 apply to the transportation of a child who has been
 16 certified by a physician licensed under chapter 148,
 17 150, or 150a as having a medical, physical, or mental
 18 condition which prevents or makes inadvisable securing
 19 the child in a child restraint system, safety belt or
 20 safety harness."

Amendment H-8560 was adopted.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8547 filed by him on March 27, 2000.

Eddie of Buena Vista offered amendment H-8565 filed by him and Heaton of Henry as follows:

H-8565

- 1 Amend Senate File 2313, as passed by the Senate, as
- 2 follows:
- 3 1. Page 8, by inserting after line 3 the
- 4 following:
- 5 "Sec. ____ Section 321G.18, Code 1999, is amended
- 6 to read as follows:
- 7 321G.18 NEGLIGENCE.
- 8 The owner and operator of an all-terrain vehicle or
- 9 snowmobile are liable for any injury or damage
- 10 occasioned by the negligent operation of the all-
- 11 terrain vehicle or snowmobile. The owner of an all-
- 12 terrain vehicle or snowmobile shall be liable for any
- 13 such injury or damage only if the owner was the
- 14 operator of the all-terrain vehicle or snowmobile at
- 15 the time the injury or damage occurred or if the
- 16 operator had the owner's consent to operate the all-
- 17 terrain vehicle or snowmobile at the time the injury
- 18 or damage occurred."
- 19 2. Title page, line 2, by inserting after the
- 20 word "children," the following: "owner liability for
- 21 damages,".
- 22 3. By renumbering as necessary.

Shoultz of Black Hawk rose on a point of order that amendment H-8565 was not germane.

The Speaker ruled the point well taken and amendment H-8565 not germane.

Eddie of Buena Vista asked for unanimous consent to suspend the rules to consider amendment H-8565.

Objection was raised.

Eddie of Buena Vista moved to suspend the rules to consider amendment H-8565.

A non-record roll call was requested.

The ayes were 52, nays 27.

The motion to suspend the rules prevailed.

On motion by Eddie of Buena Vista, amendment H-8565 was adopted.

Brauns of Muscatine in the chair at 6:25 p.m.

Speaker Siegrist in the chair at 6:30 p.m.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2313)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson

Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 5:

Bell	Cataldo	Connors	Frevert
Schrader			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2313** be immediately messaged to the Senate.

HOUSE RECEDED

Thomson of Linn called up for consideration **Senate File 2079**, a bill for an act relating to the prohibition of shipping or importing into the state, or the offering for sale, selling, transporting, distributing, or possessing within the state, of cigarettes and tobacco products which were previously exported from or which are manufactured for use outside the United States, making penalties applicable, and providing an effective date, amended by the House and moved that the House recede from its amendment.

A non-record roll call was requested.

The ayes were 53, nays 33.

The motion prevailed and the House receded.

Thomson of Linn moved that the bill be read a last time now and placed upon its passage which motin prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2079)

The ayes were, 93:

Alons	Arnold	Baudler	Blodgett
Boal	Boddicker	Boggess	Bradley
Brauns	Brunkhorst	Bukta	Carroll
Chiodo	Cohoon	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shey	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 1:

Shoultz

Absent or not voting, 6:

Barry	Bell	Cataldo	Connors
Frevert	Schrader		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that

the following bills be immediately messaged to the Senate: **House Concurrent Resolution 118** and **Senate File 2079**.

SENATE AMENDMENTS CONSIDERED

Dolecheck of Ringgold called up for consideration **House File 2198**, a bill for an act directing the department of education to conduct a feasibility study of reorganization and sharing incentives for school districts, amended by the Senate, and moved that the House concur in the following Senate amendment H-8716:

H-8716

- 1 Amend House File 2198, as passed by the House as
- 2 follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "incentives." the following: "As a component of the
- 5 study, the department shall invite the Iowa high
- 6 school athletic association and the Iowa girls high
- 7 school athletic union to submit for consideration any
- 8 information or advice for the elimination of sports-
- 9 related barriers to reorganization."
- 10 2. Page 1, line 5, by inserting after the word
- 11 "include" the following: ", but shall not be limited
- 12 to,".
- 13 3. Page 1, line 7, by striking the words "shall
- 14 include".
- 15 4. Page 1, line 8, by inserting after the word
- 16 "identified" the following: "; shall gather and
- 17 report data relating to reorganization efforts since
- 18 1979, listing the school districts that utilized
- 19 reorganization or sharing incentives such as whole
- 20 grade sharing, shared classes or teachers, shared
- 21 superintendents, and shared mathematics, science, and
- 22 language courses, the current status of school
- 23 districts that received reorganization or sharing
- 24 incentives, the costs of the incentives, the school
- 25 districts that consolidated, and how incentives were
- 26 used by the school districts; shall study the
- 27 feasibility of providing sharing incentives to
- 28 encourage transportation partnering; shall determine
- 29 the efficacy and the cost effectiveness of the
- 30 incentives; shall study the feasibility of providing
- 31 school infrastructure funding as a reorganization
- 32 incentive; and shall identify actions that may be
- 33 taken by the state, the department of education, area
- 34 education agencies, and stakeholders that have proven
- 35 in the past to assist school district reorganization
- 36 and whole grade sharing efforts".

- 37 5. By renumbering, relettering, or redesignating
38 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8716.

Dolecheck of Ringgold moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2198)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggers
Bradley	Brauns	Brunkhorst	Bukta
Carrroll	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 5:

Bell	Cataldo	Connors	Frevort
Schrader			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Alons of Sioux called up for consideration **House File 2429**, a bill for an act relating to the publication and recordkeeping duties of county officers by providing for the maintenance of permanent records by electronic means and the determination of publication rates, amended by the Senate, and moved that the House concur in the following Senate amendment H-8728:

H-8728

1 Amend House File 2429, as passed by the House, as
2 follows:
3 1. By striking page 1, line 21 through page 2,
4 line 2 and inserting the following:
5 "Sec. __. Section 618.11, Code 1999, is amended
6 by striking the section and inserting in lieu thereof
7 the following:
8 618.11 FEES FOR PUBLICATION.
9 The compensation, when not otherwise fixed, for the
10 publication in a newspaper of any notice, order,
11 citation, or other publication required or allowed by
12 law shall be at a rate of thirty-four cents for one
13 insertion and twenty-three cents for each subsequent
14 insertion for each line of eight-point type two inches
15 in length, or its equivalent. Beginning June 1, 2001,
16 and each June 1 thereafter, the state printing
17 administrator shall calculate a new rate for the
18 following fiscal year as prescribed in this section,
19 and shall publish this rate as a notice in the Iowa
20 administrative bulletin prior to the first day of the
21 following calendar month. The new rate shall be
22 effective on the first day of the calendar month
23 following its publication. The rate shall be
24 calculated by applying the percentage change in the
25 consumer price index for all urban consumers for the
26 last available twelve-month period published in the
27 federal register by the federal department of labor,
28 bureau of labor statistics, to the existing rate as an
29 increase or decrease in the rate rounded to the
30 nearest one-tenth of a cent. The calculation and
31 publication of the rate by the state printing
32 administrator shall be exempt from the provisions of
33 chapters 17A and 25B."

The motion prevailed and the House concurred in the Senate amendment H-8728.

Alons of Sioux moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2429)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Chiodo	Cphoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 5:

Bell	Cataldo	Connors	Frevort
Schrader			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

Senate File 2302, a bill for an act relating to programs and public health issues under the purview of the Iowa department of public

health and the appropriation of certain fees to the department, previously deferred on April 4, 2000.

Ford of Polk moved to suspend the rules to reconsider amendment H-8719 to Senate File 2302, previously ruled not germane, found on pages 1215 and 1216 of the House Journal.

Roll call was requested by Ford of Polk and Murphy of Dubuque.

On the question "Shall the rules be suspended to reconsider amendment H-8719?" (S.F. 2302)

The ayes were, 39:

Bukta	Chiodo	Cphoon	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Greimann	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Shoultz	Stevens	Taylor, D.
Taylor, T.	Thomas	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 56:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Nelson-Forbes	Raecker	Rants
Rayhons	Shey	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Mr. Speaker
			Siegrist

Absent or not voting, 5:

Bell	Cataldo	Connors	Frevort
Schrader			

The motion to suspend the rules lost.

Davis of Wapello offered amendment H-8583 filed by Davis, et al., as follows:

H-8583

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by striking lines 23 through 28.
- 4 2. By striking page 10, line 35, through page 11,
- 5 line 5.
- 6 3. By renumbering as necessary.

Davis of Wapello offered the following amendment H-8721, to amendment H-8583, filed by Nelson-Forbes of Marshall and moved its adoption:

H-8721

- 1 Amend the amendment, H-8583, to Senate File 2302,
- 2 as amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking line 3, and inserting the
- 5 following:
- 6 "___ Page 10, line 28, by inserting after the
- 7 word "investigation." the following: "However, the
- 8 medical examiner shall not conduct any activity
- 9 pursuant to this subsection, relating to a homicide or
- 10 other criminally suspicious death, without
- 11 coordinating such activity with the county medical
- 12 examiner, and without obtaining approval of the
- 13 investigating law enforcement agency, the county
- 14 attorney, or any other prosecutorial or law
- 15 enforcement agency of the jurisdiction to conduct such
- 16 activity."
- 17 2. By renumbering as necessary.

Amendment H-8721 was adopted.

On motion by Davis of Wapello amendment H-8583, as amended, was adopted.

Blodgett of Cerro Gordo offered amendment H-8237 filed by him and requested division as follows:

H-8237

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-8237A

- 3 1. Page 10, line 31, by striking the word "shall"
- 4 and inserting the following: "to".

H-8237B

- 5 2. Page 11, line 5, by inserting after the word
- 6 "by" the following: "the".

On motion by Blodgett of Cerro Gordo amendment H-8237A was adopted, placing amendment H-8237B out of order.

Osterhaus of Jackson offered the following amendment H-8723 filed by him and moved its adoption:

H-8723

- 1 Amend Senate File 2302, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 13 the
- 4 following:
- 5 "Sec. __. Section 124.204, subsection 4, Code
- 6 1999, is amended by adding the following new
- 7 paragraphs:
- 8 NEW PARAGRAPH. ad. Alpha-ethyltryptamine. Some
- 9 trade or other names: etryptamine; Monase; a-ethyl-
- 10 1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; alpha-
- 11 ET; and AET.
- 12 NEW PARAGRAPH. ae. 4-Bromo-2,5-
- 13 dimethoxyphenethylamine. Some trade or other names:
- 14 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-
- 15 desmethyl DOB; 2C-B, Nexus.
- 16 Sec. __. Section 124.204, subsection 6, Code
- 17 1999, is amended by adding the following new
- 18 paragraphs:
- 19 NEW PARAGRAPH. f. Aminorex. Some other names:
- 20 aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-
- 21 dihydro-5-phenyl-2-oxazolamine.
- 22 NEW PARAGRAPH. g. Methcathinone. Some other
- 23 names: 2-(methylamino)-propiofenone; alpha-
- 24 (methylamino)propiofenone; 2-(methylamino)-1-
- 25 phenylpropan-1-one; alpha-N-methylaminopropiofenone;
- 26 monomethylpropion; ephedrone; N-methylcathinone;
- 27 methylcathinone; AL-464; AL-422; AL-463; and UR1432.

- 28 Sec. ____ Section 124.204, subsection 9,
29 paragraphs c, d, and e, Code 1999, are amended by
30 striking the paragraphs.
- 31 Sec. ____ Section 124.206, subsection 2, paragraph
32 a, unnumbered paragraph 1, Code 1999, is amended to
33 read as follows:
- 34 Opium and opiate, and any salt, compound,
35 derivative, or preparation of opium or opiate,
36 excluding apomorphine, ~~dextrophan~~ thebaine-derived
37 butorphanol, dextrorphan, nalbuphine, nalmeferne,
38 naloxone, and naltrexone, and their respective salts,
39 but including the following:
- 40 Sec. ____ Section 124.206, subsection 3, Code
41 1999, is amended by adding the following new
42 paragraph:
- 43 NEW PARAGRAPH. aa. Remifentanyl.
- 44 Sec. ____ Section 124.206, subsection 7, paragraph
45 b, Code 1999, is amended by striking the paragraph.
- 46 Sec. ____ Section 124.208, subsection 3, Code
47 1999, is amended by adding the following new
48 paragraph:
- 49 NEW PARAGRAPH. 1. Ketamine, its salts, isomers,
50 and salts of isomers. Some other names for ketamine:

Page 2

- 1 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone.
2 Sec. ____ Section 124.208, subsection 6,
3 paragraphs b, e, and i, Code 1999, are amended to read
4 as follows:
- 5 b. Chlorotestosterone (4-chlortestosterone).
6 e. Dihydrotestosterone (4-dihydrotestosterone).
7 i. ~~Formebolone~~ Formebolone (formebolone).
- 8 Sec. ____ Section 124.208, Code 1999, is amended
9 by adding the following new subsection:
- 10 NEW SUBSECTION. 8. HALLUCINOGENIC SUBSTANCES.
11 Dronabinol (synthetic) in sesame oil and encapsulated
12 in a soft gelatin capsule in a United States Food and
13 Drug Administration approved product. Some other
14 names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-
15 tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d]
16 pyran-1-ol, or (-)-delta-9-(trans)-
17 tetrahydrocannabinol.
- 18 Sec. ____ Section 124.210, subsection 2, paragraph
19 b, Code 1999, is amended to read as follows:
- 20 b. Dextropropoxyphene (alpha-(+)-4-
21 dimethylamindiphenyl-3-methyl-2-
22 propionybutane) (alpha-(+)-4-dimethylamino-1,2-
23 diphenyl-3-methyl-2-propionybutane).
- 24 Sec. ____ Section 124.210, subsection 3, Code
25 1999, is amended by adding the following new
26 paragraph:

- 27 NEW PARAGRAPH. aw. Zaleplon.
 28 Sec. ____ Section 124.210, subsection 5, Code
 29 1999, is amended by adding the following new
 30 paragraphs:
 31 NEW PARAGRAPH. k. Modafinil.
 32 NEW PARAGRAPH. l. Sibutramine.
 33 Sec. ____ Section 124.210, subsection 6, Code
 34 1999, is amended by adding the following new
 35 paragraph:
 36 NEW PARAGRAPH. b. Butorphanol (including its
 37 optical isomers).
 38 Sec. ____ Section 124B.2, subsection 1, paragraphs
 39 a, c, g, and i, Code 1999, are amended to read as
 40 follows:
 41 a. Anthranilic acid, its esters, and its salts.
 42 c. Ephedrine, its salts, optical isomers, and
 43 salts of optical isomers Ethylamine and its salts.
 44 g. N-acetylanthranilic acid, its esters, and its
 45 salts.
 46 i. Phenylacetic acid, its esters, and its salts.
 47 Sec. ____ Section 124B.2, subsection 1, Code 1999,
 48 is amended by adding the following new paragraphs:
 49 NEW PARAGRAPH. m. Methylamine and its salts.
 50 NEW PARAGRAPH. n. Propionic anhydride.

Page 3

- 1 NEW PARAGRAPH. o. Insosafrole.
 2 NEW PARAGRAPH. p. Safrole.
 3 NEW PARAGRAPH. q. Piperonal.
 4 NEW PARAGRAPH. r. N-methylephedrine, its salts,
 5 optical isomers, and salts of optical isomers.
 6 NEW PARAGRAPH. s. N-methylpseudoephedrine, its
 7 salts, optical isomers, and salts of optical isomers.
 8 NEW PARAGRAPH. t. Hydriodic acid.
 9 NEW PARAGRAPH. u. Benzaldehyde.
 10 NEW PARAGRAPH. v. Nitroethane."
 11 2. By renumbering as necessary.

Amendment H-8723 was adopted.

Nelson-Forbes of Marshall asked and received unanimous consent to reconsider the committee amendment H-8479 found on page 1214 of the House Journal.

Nelson-Forbes of Marshall asked and received unanimous consent to withdraw amendment H-8741, to the committee amendment H-8479, filed by her, Van Engelenhoven of Mahaska and Murphy of Dubuque from the floor.

Nelson-Forbes of Marshall offered the following amendment H-8742, to the committee amendment H-8479, filed by her, Van Engelenhoven of Mahaska, and Murphy of Dubuque from the floor and moved its adoption:

H-8742

- 1 Amend the amendment, H-8479, to Senate File 2302,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 9 through 12, and
- 5 inserting the following: "marry, thirty thirty-five
- 6 dollars, which includes payment for one certified copy
- 7 of the original certificate of marriage, to be issued
- 8 following filing of the original certificate of
- 9 marriage, four dollars of which shall be retained by
- 10 the county pursuant to subsection 5. For issuing an".
- 11 2. Page 1, by inserting after line 30, the
- 12 following:
- 13 " ____ Page 11, by inserting after line 20, the
- 14 following:
- 15 "Sec. ____ EFFECTIVE DATE. The sections of this
- 16 Act amending section 331.605, subsection 6, and
- 17 enacting section 595.16A, take effect January 1,
- 18 2001." "
- 19 3. Title page, line 3, by inserting after the
- 20 word "department" the following: "and providing an
- 21 effective date".

Amendment H-8742 was adopted.

On motion by Nelson-Forbes of Marshall the committee amendment H-8479, as amended, was adopted.

Nelson-Forbes of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2302)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck

Foege	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 5:

Drees	Fallon	Ford	O'Brien
Taylor, T.			

Absent or not voting, 5:

Bell	Cataldo	Connors	Frevort
Schrader			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 5, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 723, a bill for an act prohibiting the mistreatment of persons and animals and providing for penalties.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2198, 2429 and Senate File 2302.**

MOTIONS TO RECONSIDER
(Senate Joint Resolution 2005)

I move to reconsider the vote by which Senate Joint Resolution 2005 was adopted by the House on April 5, 2000.

DRAKE of Pottawattamie

I move to reconsider the vote by which Senate Joint Resolution 2005 was adopted by the House on April 5, 2000.

WEIGEL of Chickasaw

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 5, 2000. Had I been present, I would have voted "aye" on House Files 2377, 2511, 2533 and House Resolution 107.

ARNOLD of Lucas

I was necessarily absent from the House chamber on April 5, 2000. Had I been present, I would have voted "aye" on House Files 2377 and 2533.

BOAL of Polk

I was necessarily absent from the House chamber on April 4, 2000. Had I been present, I would have voted "aye" on House Files 2362, 2373 and Senate Files 2113 and 2252.

LARSON of Linn

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the

Governor for his approval on this 5th day of April, 2000: House Files 2254, 2279, 2422, 2435 and 2438.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 5, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2085, an act relating to health certificate requirements for breeding bulls and making penalties applicable.

House File 2316, an act relating to the regulation of health organizations for purposes of solvency and establishing a measure for the risk-based capital of a health organization.

House File 2365, an act providing for review of deaths of children under the age of eighteen by the child death review team.

Senate File 2031, an act relating to violations of the sex offender registry requirements and providing an effective date.

Senate File 2156, an act relating to the use of blue lights on authorized emergency vehicles.

Senate File 2200, an act providing for the establishment of protected cells by domestic insurers.

Senate File 2315, an act relating to the motor vehicle lemon law, making an administrative fine applicable, and providing an effective date.

Senate File 2349, an act prohibiting a processor from contracting for the care and feeding of swine in this state, making penalties applicable, and providing an effective date.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighteen senior students from Woodbine Community School, Woodbine, accompanied by Cody Adams. By Barry of Harrison.

One hundred twenty senior students from Clear Lake High School, Clear Lake, accompanied by Mike Callanan and Beth Anne Schumacher. By Blodgett of Cerro Gordo.

Thirteen students from Partnership High School, Tama, accompanied by Gaynelle Conner and Patti Cline. By Horbach of Tama.

Ten third through fifth grade students from West Elementary School, Knoxville, accompanied by Principal Sid Graham. By Schrader of Marion.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\743 Colin Ward, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\744 Michael O'Leary, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\745 Allison Boardman, Dubuque – For winning the 13th Annual Telegraph-Herald and Scripps Howard National Spelling Bee Contest.
- 2000\746 Joel Prochaska, Dubuque – For receiving 2nd place in the 13th Annual Telegraph-Herald and Scripps Howard National Spelling Bee Contest.
- 2000\747 Jason Reicks, New Hampton – For winning the 171 lb. class of the Class 2-A Division of the State Wrestling Tournament.
- 2000\748 Gertrude and Louis Kurash, New Hampton – For celebrating their 60th wedding anniversary.
- 2000\749 Robert Longmuir, New Hampton – For receiving the Bernie Saggau Award of Merit.
- 2000\750 Shawna Kelley, Dubuque – For winning first place in the Multimedia Section of the 25th Annual Iowa Educational Media Association Student Media Festival.

- 2000\751 A. J. Kennedy, Dubuque – For winning first place in the Multimedia Section of the 25th Annual Iowa Educational Media Association Student Media Festival.
- 2000\752 Jeremy Stecklein, Dubuque – For winning first place in the Multimedia Section of the 25th Annual Iowa Educational Media Association Student Media Festival.
- 2000\753 Josh Vondran, Dubuque – For winning first place in the Multimedia Section of the 25th Annual Iowa Educational Media Association Student Media Festival.
- 2000\754 Sara Ede, Dubuque – For winning first place in the Multimedia Section of the 25th Annual Iowa Educational Media Association Student Media Festival.
- 2000\755 Lynn Callahan, Dubuque – For winning first place in the Multimedia Section of the 25th Annual Iowa Educational Media Association Student Media Festival.
- 2000\756 West High School, Sioux City – For winning the National Dance Squad Championship.
- 2000\757 Ruth and Joe Pullen, Indianola – For celebrating their 50th wedding anniversary.
- 2000\758 Darlene and Joe Boriskey, Tama – For celebrating their 50th wedding anniversary.
- 2000\759 Mississippi Walleye Club, Dubuque – For its support and protection of the natural resources of the Upper Mississippi River system and for its sponsorship of "Kids Day" on June 3, 2000 in Dubuque.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2431

Ways and Means: Blodgett, Chair; Larson and Osterhaus.

Senate File 2443

State Government: Bradley, Chair; Larkin and Martin.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports

that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 482), providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 4, 2000.

Committee Bill (Formerly House File 2493), relating to sales tax exemptions for equipment and fuel used in certain activities related to agriculture, providing an effective date, and making provisions retroactively applicable.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2000.

Committee Bill (Formerly House Study Bill 591), providing for interest on delinquent assessments payable to the Iowa egg council.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2000.

AMENDMENTS FILED

H—8730	S.F.	2429	Ford of Polk
H—8732	S.F.	2429	Ford of Polk
H—8735	S.F.	419	Bradley of Clinton
H—8736	S.F.	419	Bradley of Clinton
H—8737	S.F.	2267	Carroll of Poweshiek
H—8738	S.F.	2241	Ford of Polk
H—8739	H.F.	2528	Senate Amendment
H—8740	S.F.	2126	Rayhons of Hancock
H—8743	S.F.	2267	Kreiman of Davis
H—8744	S.F.	2443	Fallon of Polk
H—8745	S.F.	2267	Wise of Lee
H—8746	H.F.	723	Senate Amendment
H—8747	S.F.	2443	Brunkhorst of Bremer
H—8748	S.F.	2395	Jacobs of Polk

On motion by Rants of Woodbury the House adjourned at 7:47 p.m., until 8:45 a.m., Thursday, April 6, 2000.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day – Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 6, 2000

The House met pursuant to adjournment at 9:18 a.m., Carroll of Poweshiek in the chair.

Prayer was offered by Reverend William Kerns, pastor of Lucas Presbyterian Church, Lucas.

The Journal of Wednesday, April 5, 2000 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk on request of Kreiman of Davis; Frevert of Palo Alto on request of Myers of Johnson; Huseman of Cherokee, until his arrival, on request of Weidman of Cass.

INTRODUCTION OF BILL

House File 2562, by committee on ways and means, a bill for an act relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 5, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 656, a bill for an act relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

Also: That the Senate has on April 5, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2491, a bill for an act providing for the production of life science products, and providing for penalties.

Also: That the Senate has on April 5, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2513, a bill for an act providing for secured transactions under the uniform commercial code, by adopting new Article 9, eliminating conflicting provisions, and providing an effective date.

Also: That the Senate has on April 5, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2092, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective dates.

Also: That the Senate has on April 5, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2312, a bill for an act relating to pseudorabies control, making penalties applicable, for implementation, and providing an effective date.

Also: That the Senate has on April 5, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2366, a bill for an act relating to the purchase, possession, and sale of cigarettes and tobacco products and providing penalties.

Also: That the Senate has on April 5, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2436, a bill for an act relating to the services provided by a credit union service organization.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2312, by committee on agriculture, a bill for an act relating to pseudorabies control, making penalties applicable, for implementation, and providing an effective date.

Read first time and **passed on file.**

Senate File 2436, by committee on ways and means, a bill for an act relating to the services provided by a credit union service organization.

Read first time and referred to committee on **ways and means.**

SENATE AMENDMENT CONSIDERED

Hahn of Muscatine called up for consideration **Senate File 2371**, a bill for an act relating to the establishment of a water quality initiative program by the department of agriculture and land stewardship and the department of natural resources, defining and providing for the use of credible data for quality control and assurance procedures, and providing for other properly related matters, and providing an applicability date, amended by the House, further amended by the Senate amendment H-8727 as follows:

H-8727

- 1 Amend the House amendment, S-5239, to Senate File
- 2 2371, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 "___ Page 1, line 21, by inserting before the
- 7 word "water" the following: "improved".
- 8 ___ Page 1, line 21, by inserting after the word
- 9 "quality." the following: "The state department of
- 10 transportation and the department of natural resources
- 11 shall collaborate to provide for the preservation of
- 12 topsoil, erosion control, water impoundment during
- 13 highway construction and reconstruction, and
- 14 restoration and management of roadside right-of-way
- 15 for prairie restoration, wildlife habitat, and erosion
- 16 control.""
- 17 2. Page 1, by striking lines 10 through 12 and
- 18 inserting the following:
- 19 "___ Page 2, line 14, by striking the word
- 20 "pilot,"
- 21 3. Page 1, by striking line 13.
- 22 4. Page 1, by inserting after line 31 the
- 23 following:
- 24 "___ Page 3, line 25, by striking the word "is"
- 25 and inserting the following: "are".
- 26 ___ Page 4, line 2, by striking the word

27 "practical" and inserting the following:
 28 "practicable".
 29 5. Page 1, by striking line 32.
 30 6. Page 1, by inserting after line 43 the
 31 following:
 32 " _____. Page 4, line 30, by striking the word
 33 "genre" and inserting the following: "genres"."
 34 7. Page 2, by inserting after line 16 the
 35 following:
 36 " _____. Page 6, line 17, by striking the word
 37 "the".
 38 " _____. Page 6, by striking lines 20 through 25."
 39 8. Page 2, by striking lines 21 through 25.
 40 9. Page 2, by striking lines 28 through 36 and
 41 inserting the following:
 42 "Sec. _____. Section 161C.2, subsection 1, Code
 43 1999, is amended to read as follows:
 44 1. a. Each soil and water conservation district,
 45 alone and whenever practical in conjunction with other
 46 districts, shall carry out district-wide and multiple-
 47 district projects to support water protection
 48 practices in the district or districts, including
 49 projects to protect this state's groundwater and
 50 surface water from point and nonpoint sources of

Page 2

1 contamination, including but not limited to
 2 contamination by agricultural drainage wells,
 3 sinkholes, sedimentation, or chemical pollutants.
 4 b. Any work project with an estimated cost of
 5 twenty-five thousand dollars or more shall be
 6 undertaken as a public contract as provided in
 7 chapters 73a and 573. The local contracting
 8 organization shall designate a contracting officer and
 9 shall establish procedures to manage the contract,
 10 approve bills for payment, and review proposed change
 11 orders or amendments to the contract."
 12 10. Page 2, by inserting before line 37 the
 13 following:
 14 " _____. Page 7, by striking lines 4 through 6 and
 15 inserting the following: "procedures. Data dated
 16 more than five years before the department's date of
 17 listing or other determination under section 455B.194,
 18 subsection 1, shall be presumed not to be credible
 19 data unless the department identifies compelling
 20 reasons as to why the data is credible."
 21 _____. Page 8, line 1, by inserting before the word
 22 "plan" the following: "site specific".
 23 11. Page 2, by inserting after line 43 the
 24 following:
 25 " _____. Page 8, lines 17 and 18, by striking the

26 words "to a reasonable certainty"."
27 12. Page 3, by inserting after line 15 the
28 following:
29 "___ . Page 9, line 32, by inserting after the
30 word "permits" the following: "or stormwater permits
31 issued pursuant to section 455B.103A"."
32 13. Page 3, by inserting after line 17 the
33 following:
34 "___ . Page 10, line 11, by inserting after the
35 word "determined" the following: "unless the
36 department, after taking into consideration the use of
37 the water of the state and the severity of the
38 pollutant, identifies compelling reasons as to why the
39 water of the state should not have a low priority"."
40 14. Page 3, by inserting after line 20 the
41 following:
42 "___ . Page 10, line 15, by inserting after the
43 word "further" the following: "investigative"."
44 15. Page 3, by inserting after line 29 the
45 following:
46 "___ . Page 10, by striking lines 21 through 25
47 and inserting the following: "placement on any
48 section 303(d) list. When developing a section 303(d)
49 list, the department is not required to use all data,
50 but the department shall assemble and evaluate all

Page 3

1 existing and readily available water quality-related
2 data and information. The department shall provide
3 documentation to the regional administrator of the
4 federal environmental protection agency to support the
5 state's determination to list or not to list its
6 waters.""
7 16. By renumbering, relettering, or redesignating
8 and correcting internal references as necessary.

Hahn of Muscatine moved to concur in the Senate amendment H-8727, to the House amendment.

A non-record roll call was requested.

The ayes were 48, nays 22.

The motion prevailed and the House concurred in the Senate amendment H-8727, to the House amendment.

Hahn of Muscatine moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be

read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2371)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Carroll,			
Presiding			

The nays were, none.

Absent or not voting, 7:

Bell	Cataldo	Frevert	Grundberg
Huseman	Rants	Siegrist, Spkr.	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Brauns of Muscatine asked and received unanimous consent that Senate File 2371 be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Jacobs of Polk called up for consideration **House File 2463**, a bill for an act relating to the department of personnel by providing for the duties of the department, the administration of the department, and benefits provided state employees, and providing effective and retroactive applicability dates, amended by the Senate, and moved that the House concur in the following Senate amendment H-8715:

H-8715

1 Amend House File 2463, as passed by the House, as
2 follows:

3 1. Page 2, line 1, by inserting after the word
4 "system" the following: ", except as otherwise
5 required for those employees governed by chapter 262".

6 2. Page 5, line 2, by inserting after the word
7 "data." the following: "For employees governed by
8 chapter 262, the director shall work collaboratively
9 with the state board of regents to collect such
10 information."

11 3. Page 15, by inserting after line 10 the
12 following:

13 "Sec. ____ IOWA PUBLIC EMPLOYEES' RETIREMENT
14 SYSTEM - EMPLOYEE WAGES.

15 1. Notwithstanding section 97B.1A, subsection 26,
16 paragraph "a", subparagraph (2), subparagraph
17 subdivision (d), as enacted in 2000 Iowa Acts, Senate
18 File 2411, "wages" as defined in section 97B.1A,
19 subsection 26, for an eligible employee of an eligible
20 employer shall include allowable employer-paid
21 contributions which are uniformly applied by each
22 eligible employer to all of the employer's eligible
23 employees and are not limited to highly compensated
24 employees as defined in section 414(q) of the Internal
25 Revenue Code.

26 2. For purposes of this section:

27 a. "Allowable employer-paid contributions" means
28 employer-paid contributions that cannot be received by
29 the employee in cash and that are made to plans,
30 programs, or arrangements qualified under section 125
31 of the Internal Revenue Code.

32 b. "Eligible employee" means an employee of an
33 eligible employer who is covered under chapter 97B and
34 was employed by the eligible employer prior to July 1,
35 2000.

36 c. "Eligible employer" means an employer covered
37 by chapter 97B who meets all of the following
38 requirements:

39 (1) The employer included allowable employer-paid

40 contributions in employees' wages continuously from
41 January 1, 1997, through January 1, 2000.

42 (2) The employer includes allowable employer-paid
43 contributions in employees' wages for all eligible
44 employees of the employer on and after July 1, 2000.

45 3. An eligible employer may file a written
46 election with the department of personnel to exclude
47 allowable employer-paid contributions from wages of
48 every eligible employee of the employer and shall
49 cease being an eligible employer for purposes of this
50 section upon filing the election. An election by an

Page 2

1 eligible employer to exclude allowable employer-paid
2 contributions is irrevocable and no retroactive wage
3 adjustment shall be permitted for eligible employees
4 following the election. An eligible employee shall
5 not be permitted to file a written election to exclude
6 allowable employer-paid contributions from that
7 eligible employee's wages."

8 4. Page 15, by inserting after line 11 the
9 following:

10 "1. The amendment to section 19A.9, subsection 12,
11 in section 12 of this Act, being deemed of immediate
12 importance, takes effect upon enactment and is
13 retroactively applicable to January 1, 2000, and is
14 applicable on and after that date."

15 5. Page 15, line 12, by inserting before the word
16 and figure "Section 14" the following: "2."

17 6. By renumbering, relettering, or redesignating
18 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8715.

Jacobs of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2463)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Chiodo	Cphoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie

Falck	Fallon	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raëcker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, none.

Absent or not voting, 8:

Bell	Cataldo	Frevort	Huseman
Mundie	Rants	Siegrist, Spkr.	Van Fossen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Brauns of Muscatine asked and received unanimous consent that **House File 2463** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 683, a bill for an act relating to mediation services related to custody, visitation, and support of a child.

Also: That the Senate has on April 6, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2458, a bill for an act relating to aviation transportation and providing an effective date.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 2395, a bill for an act relating to the creation of an information technology department and making related changes, with report of committee recommending amendment and passage, was taken up for consideration.

The House stood at ease at 10:10 a.m., until the fall of the gavel.

The House resumed session at 11:12 a.m., Carroll of Poweshiek in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2518, a bill for an act relating to probate and trust law, including certain notification provisions, certain distributions to minors, the effect of dissolution of marriage on will provisions, powers of attorney, and making certain amendments to the Iowa trust code.

Also: That the Senate has on April 6, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 228, a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks.

Also: That the Senate has on April 6, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2113, a bill for an act relating to the licensing of individuals engaged in the healing art of massage therapy.

Also: That the Senate has on April 6, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2369, a bill for an act relating to the sharing of juvenile court social records or child abuse records pursuant to an interagency agreement.

Also: That the Senate has on April 6, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2442, a bill for an act relating to the taxation of garages and other appurtenances located on mobile home sites.

Also: That the Senate has on April 6, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 108, a concurrent resolution recognizing the accomplishments of John Fletcher Lacey and commemorating the one-hundredth-year anniversary of the Lacey Act.

Also: That the Senate has on April 6, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 113, a concurrent resolution establishing a special commission to study and make recommendations concerning the impact of current and future state replacement funds paid to local governments to mitigate the effects of the elimination of the property tax on industrial machinery, equipment, and computers.

MICHAEL E. MARSHALL, Secretary

The House resumed consideration of Senate File 2395.

Jacobs of Polk offered amendment H-8405 filed by the committee on state government as follows:

H-8405

- 1 Amend Senate File 2395, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by inserting after line 20 the
- 4 following:
- 5 "___."Value-added services" means government
- 6 information which requires special sorts or
- 7 formatting, or other action to provide such
- 8 information, access to government information which is
- 9 responsive to special requests for multiple government
- 10 records in customized formats, or routine batch
- 11 processing requests for information databases that
- 12 would permit a recipient to obtain and commercially
- 13 market available government information."
- 14 2. Page 12, line 24, by striking the word
- 15 "director" and inserting the following: "governor".
- 16 3. Page 14, lines 10 and 11, by striking the
- 17 words "access, including enhanced access," and
- 18 inserting the following: "access".

- 19 4. Page 14, line 13, by striking the words
20 "enhanced access" and inserting the following:
21 "value-added services".
22 5. Page 14, line 14, by striking the word
23 "accessing" and inserting the following: "creating
24 and organizing".
25 6. Page 14, by striking lines 16 through 19.

Jacobs of Polk offered the following amendment H-8749, to the committee amendment H-8405, filed by her from the floor and moved its adoption:

H-8749

- 1 Amend the amendment, H-8405, to Senate File 2395,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 8, by inserting after the word
5 "information," the following: "or to provide".
6 2. Page 1, by striking lines 10 through 13 and
7 inserting the following: "records in customized
8 formats.""

Amendment H-8749 was adopted.

On motion by Jacobs of Polk the committee amendment H-8405, as amended, was adopted.

Falck of Fayette asked and received unanimous consent to withdraw the following amendments:

- Amendment H-8561 filed by him on March 27, 2000.
Amendment H-8617 filed by him on March 28, 2000.
Amendment H-8618 filed by him on March 28, 2000.
Amendment H-8619 filed by him on March 28, 2000.
Amendment H-8648 filed by him on March 29, 2000.
Amendment H-8651 filed by him on March 29, 2000.
Amendment H-8661 filed by him on March 29, 2000.

Jacobs of Polk offered amendment H-8748 filed by her and requested division as follows:

H-8748

- 1 Amend Senate File 2395, as amended, passed, and
2 reprinted by the Senate, as follows:

H-8748A

- 3 1. Page 4, line 18, by inserting after the figure
4 "8D.3" the following: ", with respect to information
5 technology that is unique to the Iowa communications
6 network".
- 7 2. Page 5, line 4, by inserting after the word
8 "Developing" the following: "and implementing".
- 9 3. Page 5, line 8, by inserting after the word
10 "chapter." the following: "The department shall
11 implement information technology standards as
12 established pursuant to this chapter which are
13 applicable to information technology procurements for
14 participating agencies."
- 15 4. Page 5, line 9, by inserting after the word
16 "Recommending" the following: "and implementing".
- 17 5. Page 5, line 24, by inserting after the word
18 "chapter." the following: "The information technology
19 department shall review a request for information
20 technology submitted by a participating agency for
21 purposes of determining whether such request meets the
22 applicable standards established pursuant to this
23 chapter. Upon a determination that the request meets
24 such standards, the information technology shall be
25 procured for the participating agency by the
26 department of general services. Nothing in this
27 chapter shall be construed to prohibit or limit a
28 participating agency from entering into an agreement
29 or contract for information technology with a
30 qualified private entity."
- 31 6. Page 6, by striking lines 3 through 6 and
32 inserting the following:
33 "3. SERVICE CHARGES. The department shall render
34 a statement to a participating agency or other
35 governmental entity for a reasonable and necessary
36 amount for information technology provided by the
37 department to such agency or entity. An amount
38 indicated on a statement rendered to a participating
39 agency or other governmental entity shall be paid by
40 such agency or entity in a manner determined by the
41 department of revenue and finance. Amounts charged
42 and paid pursuant to this".
- 43 7. Page 6, line 9, by striking the words "as
44 fees".
- 45 8. Page 8, by striking lines 21 and 22 and
46 inserting the following:
47 "(1) The director of the information technology
48 department."
- 49 9. Page 8, line 29, by striking the words "chief
50 operating officer" and inserting the following:

Page 2

1 "executive director".

2 10. Page 8, line 30, by striking the words "chief

3 operating officer's" and inserting the following:

4 "executive director's".

5 11. Page 9, line 26, by inserting after the word

6 "shall" the following: "annually".

7 12. Page 9, line 27, by inserting after the word

8 "council" the following: "other than the director of

9 the information technology department".

10 13. Page 10, by inserting after line 34 the

11 following:

12 "2A. WAIVER. The information technology council,
13 upon the written request of a participating agency and
14 for good cause shown, may grant a waiver from a
15 requirement otherwise applicable to a participating
16 agency relating to an information technology standard
17 established by the information technology council."

18 14. Page 12, line 9, by inserting after the word

19 "governor." the following: "An administrator shall

20 report to the director regarding the day-to-day

21 operations of the division headed by the

22 administrator, and the performance of the

23 administrator's duties."

H-8748B

24 15. Page 12, line 24, by striking the word

25 "director" and inserting the following: "governor".

H-8748A

26 16. Page 12, line 29, by inserting after the word

27 "made." the following: "The administrator shall

28 report to the director regarding the day-to-day

29 operations of the bureau and the performance of the

30 administrator's duties."

31 17. Page 13, by striking lines 27 through 30 and

32 inserting the following: "purpose of guiding such

33 procurements. Such standards, unless waived by the

34 council, shall apply to all information technology

35 procurements for participating agencies."

36 18. Page 14, by inserting after line 1 the

37 following:

38 "Sec. . NEW SECTION. 14B.108 PROCUREMENT OF
39 INFORMATION TECHNOLOGY.

40 1. Notwithstanding the provisions of this section,

41 the information technology department and the

42 department of general services shall enter into an

43 interagency agreement regarding the division of

44 responsibilities between the departments associated

45 with the procurement of information technology which
46 is acceptable to both departments. The interagency
47 agreement shall be subject to renegotiation at least
48 every two years, unless an earlier time is provided
49 for in the interagency agreement. If the departments
50 are unable to agree on the terms of an interagency

H-8748A

Page 3

1 agreement or upon a failure of either department to
2 satisfy the terms of the agreement, the departments
3 shall inform the department of management that an
4 agreement has not been reached or that one of the
5 departments has failed to satisfy the terms of the
6 agreement. The department of management, upon receipt
7 and review of such information, may direct the
8 information technology department to proceed with the
9 procurement of information technology as provided in
10 subsections 2 through 5.

11 2. a. Standards established by the council,
12 unless waived pursuant to section 14B.104, shall apply
13 to all information technology procurements for
14 participating agencies.

15 b. A participating agency shall submit a request
16 to the department for the procurement of any
17 information technology. The department, prior to any
18 acquisition of such information technology, shall make
19 a determination whether the requested information
20 technology complies with the information technology
21 standards established by the information technology
22 council.

23 The information technology department, at the
24 request of a participating agency other than a
25 participating agency that is granted independent
26 procurement authority, shall acquire the information
27 technology for the participating agency requesting
28 such information technology if it is determined to be
29 compliant with the standards established by the
30 information technology council.

31 A participating agency that is granted independent
32 procurement authority, upon a determination by the
33 information technology department that a proposed
34 information technology acquisition complies with the
35 information technology standards established by the
36 information technology council, may proceed with such
37 acquisition. The information technology department
38 shall provide advice to such participating agency
39 regarding the procurement of such information
40 technology, including any opportunity to aggregate
41 such purchases with other participating agencies.

42 c. If a determination is made that the information
43 technology does not comply with such standards, the
44 department shall disapprove the request and such
45 information technology shall not be procured unless a
46 waiver is granted pursuant to section 14B.104.
47 3. The information technology department, by rule,
48 may implement a prequalification procedure for
49 contractors which the department has entered or
50 intends to enter into agreements regarding the

H-8748A

Page 4

1 procurement of information technology.
2 4. Notwithstanding the provisions of chapter 18,
3 the department may procure information technology as
4 provided in this section. The department may
5 cooperate with other governmental entities in the
6 procurement of information technology in an effort to
7 make such procurements in a cost-effective, efficient
8 manner as provided in this section. The department,
9 as deemed appropriate and cost-effective, may procure
10 information technology using any of the following
11 methods:
12 a. Cooperative procurement agreement. The
13 department may enter into a cooperative procurement
14 agreement with another governmental entity for the
15 purpose of pooling funds for the purchase of
16 information technology, whether such information
17 technology is for the use of the department or
18 multiple governmental entities. The cooperative
19 procurement agreement shall clearly specify the
20 purpose of the agreement and the method by which such
21 purpose will be accomplished. Any power exercised
22 under such agreement shall not exceed the power
23 granted to any party to the agreement.
24 b. Negotiated contract. The department may enter
25 into an agreement for the purchase of information
26 technology if any of the following applies:
27 (1) The contract price, terms, and conditions are
28 pursuant to the current federal supply contract, and
29 the purchase order adequately identifies the federal
30 supply contract under which the procurement is to be
31 made.
32 (2) The contract price, terms, and conditions are
33 no less favorable than the contractor's current
34 federal supply contract price, terms, and conditions;
35 the contractor has indicated in writing a willingness
36 to extend such price, terms, and conditions to the
37 department; and the purchase order adequately
38 identifies the contract relied upon.

- 39 (3) The contract is with a vendor which has a
40 current exclusive or nonexclusive price agreement with
41 the state for the information technology to be
42 procured, and such information technology meets the
43 same standards and specifications as the items to be
44 procured and both of the following apply:
45 (a) The quantity purchased does not exceed the
46 quantity which may be purchased under the applicable
47 price agreement.
48 (b) The purchase order adequately identifies the
49 price agreement relied upon.
50 c. Contracts let by another government entity.

H-8748A

Page 5

- 1 The department, on its own behalf or on the behalf of
2 another participating agency, may procure information
3 technology under a contract let by another state
4 agency or political subdivision of this state, or
5 approve such procurement in the same manner by a
6 participating agency.
7 d. Reverse auction.
8 (1) The department may enter into an agreement for
9 the purchase of information technology utilizing a
10 reverse auction process. Such process shall result in
11 the purchase of information technology from the vendor
12 submitting the lowest responsible bid amount for the
13 information technology to be acquired. The
14 department, in establishing a reverse auction process
15 shall do all of the following:
16 (a) Determine the specifications and requirements
17 of the information technology to be acquired.
18 (b) Identify and provide notice to potential
19 vendors concerning the proposed acquisition.
20 (c) Establish prequalification requirements to be
21 met by a vendor to be eligible to participate in the
22 reverse auction.
23 (d) Conduct the reverse auction in a manner as
24 deemed appropriate by the department, and consistent
25 with rules adopted by the department.
26 (2) Prior to conducting a reverse auction, the
27 department shall establish a threshold amount which
28 shall be the maximum amount which the department is
29 willing to pay for the information technology to be
30 acquired.
31 (3) The department shall enter into an agreement
32 with a vendor who is the lowest responsible bidder
33 which meets the specifications or description of the
34 information technology to be procured, or the
35 department may reject all bids and begin the process

36 again. In determining the lowest responsible bidder,
 37 the department may consider various factors,
 38 including, but not limited to, the past performance of
 39 the vendor relative to quality of product or service,
 40 the past experience of the department in relation to
 41 the product or service, the relative quality of
 42 products or services, the proposed terms of delivery,
 43 and the best interest of the state.

44 e. Competitive bidding. The department may enter
 45 into an agreement for the purchase of information
 46 technology in the same manner as provided under
 47 section 18.6, with respect to the department of
 48 general services.

49 f. In addition to the competitive bidding
 50 procedure provided for under paragraph "e", the

H-8748A

Page 6

1 information technology department may enter into an
 2 agreement for the purchase, disposal, or other
 3 disposition of information technology in any other
 4 manner provided under chapter 18, in the same manner
 5 and subject to the same limitations as the department
 6 of general services. The information technology
 7 department, by rule, shall provide for such
 8 procedures.

9 5. The department shall adopt rules pursuant to
 10 chapter 17a to implement the procurement methods
 11 provided for in subsections 2 through 4."

12 19. Page 16, line 35, by inserting after the word
 13 "shall" the following: "annually".

14 20. Page 17, by striking lines 19 through 21 and
 15 inserting the following: "technically compatible.

16 The".

17 21. Page 19, by inserting after line 6 the
 18 following:

19 "Sec. ___. IOWA COMMUNICATIONS NETWORK STATUS. It
 20 is the intent of the general assembly that the general
 21 assembly, during the 2002 regular session, review the
 22 operations of the Iowa communications network and the
 23 information technology department for the purpose of
 24 determining whether the oversight and administration
 25 of the network should be under the authority of the
 26 department."

27 22. Page 19, by inserting after line 25 the
 28 following:

29 "Sec. ___. EFFECTIVE DATE. This Act, being deemed
 30 of immediate importance, takes effect upon enactment."

31 23. Title page, line 2, by inserting after the
 32 word "changes" the following: "and providing an

33 effective date".

34 24. By renumbering, relettering, or redesignating
35 and correcting internal references as necessary.

Jacobs of Polk offered the following amendment H-8760, to amendment H-8748A, filed by her from the floor and moved its adoption:

H-8760

1 Amend the amendment, H-8748, to Senate File 2395,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 6, by striking lines 14 through 16 and
5 inserting the following:
6 " ____ Page 17, line 21, by inserting after the
7 word "agency," the following: "However, the
8 commission is subject to the general operations
9 practices and procedures which are generally
10 applicable to other state agencies.
11 PARAGRAPH DIVIDED."

Amendment H-8760 was adopted.

On motion by Jacobs of Polk amendment H-8748A, as amended, was adopted, placing amendment H-8748B out of order.

Jacobs of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2395)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin

Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shultz
Siegrist, Spkr.	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Weigel	Welter	Whitead
Wise	Carroll, Presiding		

The nays were, 3:

Fallon	Warnstadt	Witt
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Absent or not voting, 3:

Cataldo	Frevert	Huseman
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Ways and Means Calendar

Senate File 2424, a bill for an act updating the Iowa Code references to the Internal Revenue Code, amending the earned income credit, amending requirements for nonresident taxpayers, providing tax benefits to military personnel in hazardous duty areas, and providing effective and retroactive applicability dates, with report of committee recommending passage, was taken up for consideration.

Richardson of Warren offered amendment H-8635 filed by him as follows:

H-8635

- 1 Amend Senate File 2424, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, by inserting after line 19 the
- 4 following:
- 5 "Sec. ____ Section 426A.11, subsection 2, Code
- 6 Supplement 1999, is amended to read as follows:
- 7 2. The property, not to exceed one thousand eight
- 8 hundred fifty-two dollars in taxable value of an
- 9 honorably separated, retired, furloughed to a reserve,

10 placed on inactive status, or discharged veteran, as
11 ~~defined in section 35.1.~~ For the purposes of this
12 subsection, "veteran" means any resident of this state
13 who served on active duty in the armed forces of the
14 United States at any time after November 11, 1918, and
15 was discharged under honorable conditions.

16 Sec. __. Section 426A.12, subsections 1, 2, and
17 3, Code Supplement 1999, are amended to read as
18 follows:

19 1. The spouse, or surviving spouse remaining
20 unmarried, of a veteran, as defined in section ~~35.1~~
21 426A.11, subsection 2, where they are living together
22 or were living together at the time of the death of
23 the veteran.

24 2. The parent whose spouse is deceased and who
25 remains unmarried, of a veteran, as defined in section
26 ~~35.1~~ 426A.11, subsection 2, whether living or
27 deceased, where the parent is, or was at the time of
28 death of the veteran, dependent on the veteran for
29 support.

30 3. The minor child, or children owning property as
31 tenants in common, of a deceased veteran, as defined
32 in section ~~35.1~~ 426A.11, subsection 2.

33 Sec. __. Section 426A.12, unnumbered paragraph 2,
34 Code Supplement 1999, is amended to read as follows:

35 No more than one tax exemption shall be allowed
36 under this section or section 426A.11 in the name of a
37 veteran, as defined in section ~~35.1~~ 426A.11,
38 subsection 2.

39 Sec. __. STATE MANDATE FUNDING. The military
40 service tax exemptions and credits provided in this
41 Act shall be funded pursuant to chapter 426a to the
42 extent of six dollars and ninety-two cents per
43 thousand dollars of the assessed value of the exempt
44 property."

45 2. Title page, line 4, by inserting after the
46 word "areas," the following: "defining veteran for
47 purposes of the military service property tax
48 exemption,".

49 3. By renumbering as necessary.

Holmes of Scott rose on a point of order that amendment H-8635 was not germane.

The Speaker ruled the point well taken and amendment H-8635 not germane.

Holmes of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2424)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Cataldo	Frevert	Huseman
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 2331, a bill for an act relating to the interest a member of the board of directors of a school corporation may have in a contract with the director's school corporation, with report of committee recommending passage, was taken up for consideration.

Boal of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2331)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, none.

Absent or not voting, 4:

Cataldo	Frevert	Huseman	Siegrist, Spkr.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion by Rants of Woodbury, the House was recessed at 11:54 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:08 p.m., Speaker Siegrist in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-three members present, thirty-seven absent.

SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House forty-two high school students from the Ukraine accompanied by Randy Martin, a teacher at Rockwell City-Lytton High School. They are the guests of Mundie of Webster, Drees of Carroll, Kettering of Sac and O'Brien of Boone. A teacher from the Ukraine briefly addressed the House regarding the students' experiences while visiting here.

The House rose and expressed its welcome.

SENATE AMENDMENT CONSIDERED

Shey of Linn called up for consideration **House File 2513**, a bill for an act providing for secured transactions under the uniform commercial code, by adopting new Article 9, eliminating conflicting provisions, and providing an effective date, amended by the Senate amendment H-8754 as follows:

H-8754

- 1 Amend House File 2513, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 25, by inserting after line 3 the
- 4 following:
- 5 "___ an assignment of a claim or right to receive
- 6 any of the following:
- 7 (1) compensation for injuries or sickness as
- 8 provided in 26 U.S.C. § 104(a)(1) or (2).
- 9 (2) benefits under a special needs trust as
- 10 provided in 42 U.S.C. § 1396p(d)(4)."
- 11 2. Page 74, line 16, by striking the word "A" and
- 12 inserting the following: "Except as provided in
- 13 subsection 10, a".
- 14 3. Page 74, by striking lines 21 and 22, and
- 15 inserting the following:
- 16 "10. AGRICULTURAL LIENS PREVAIL. The provisions
- 17 of this Article regarding agricultural liens prevail
- 18 over any inconsistent provisions of subsection 9."
- 19 4. Page 89, lines 30 and 31, by striking the

20 words "or any office duly authorized by the office of
21 secretary of state,".
22 5. Page 108, by striking lines 25 through 27, and
23 inserting the following: "2. The forms shall be
24 consistent with those set forth in the final official
25 text of the 1999 revisions to Article 9 of the Uniform
26 Commercial Code promulgated by the American law
27 institute and the national conference of commissioners
28 on uniform state laws."
29 6. Page 108, by striking lines 32 through 35, and
30 inserting the following: "section 554.9516,
31 subsection 2. The forms shall be consistent with
32 those set forth in the final official text of the 1999
33 revisions to Article 9 of the Uniform Commercial Code
34 promulgated by the American law institute and the
35 national conference of commissioners on uniform state
36 laws."
37 7. Page 112, line 1, by striking the word
38 "record" and inserting the following: "fee".
39 8. Page 173, by inserting after line 28, the
40 following:
41 "Sec. ____ Section 570.1, Code 1999, is amended to
42 read as follows:
43 570.1 LIEN CREATED – PROPERTY SUBJECTED.
44 1. a landlord shall have a lien for the rent upon
45 all crops grown upon the leased premises, and upon any
46 other personal property of the tenant which has been
47 used or kept thereon during the term and which is not
48 exempt from execution.
49 2. In order to perfect a lien in farm products as
50 defined in section 554.9102, which is created under

Page 2

1 this section, a landlord must file a financing
2 statement as required by section 554.9308, subsection
3 2. Except as provided in chapters 571, 572, 579A,
4 579B, and 581, a perfected lien in the farm products
5 has priority over a conflicting security interest or
6 lien, including a security interest or lien that was
7 perfected prior to the creation of the lien under this
8 section, if the lien created in this section is
9 perfected on either of the following dates:
10 a. Prior to July 1, 2001.
11 b. When the debtor takes possession of the leased
12 premises or within twenty days after the debtor takes
13 possession of the leased premises,
14 a financing statement filed to perfect a lien in
15 the farm products must include a statement that it is
16 filed for the purpose of perfecting a landlord's lien.
17 Within twenty days after a landlord who has filed a
18 financing statement receives a written demand,

19 authenticated as provided in Article 9 of chapter 554,
 20 from a tenant, the landlord shall file a termination
 21 statement, if the lien in the farm products has
 22 expired or if the tenant is no longer in possession of
 23 the leased premises and has performed all obligations
 24 under the lease."
 25 9. By renumbering, relettering, or redesignating
 26 and correcting internal references as necessary.

Murphy of Dubuque offered the following amendment H-8771, to the Senate amendment H-8754, filed by him from the floor and moved its adoption:

H-8771

1 Amend the Senate amendment H-8754, to House File
 2 2513, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 2, by inserting after line 24, the
 5 following:
 6 "____. Page 175, by inserting after line 34, the
 7 following:
 8 "DIVISION IV
 9 IMPLEMENTATION
 10 Sec. ____ IMPLEMENTATION CONTINGENT UPON
 11 APPROPRIATION. The provisions of this Act affecting
 12 the duties and authority of the office of secretary of
 13 state shall only be implemented if and when the
 14 general assembly appropriates at least three hundred
 15 fifty thousand dollars to the office of secretary of
 16 state for the purposes of implementing this Act."
 17 ____ Page 175, line 35, by striking the words
 18 "DIVISION IV" and inserting the following: "DIVISION
 19 V".
 20 ____ Title page, line 3, by inserting after the
 21 word "provisions," the following: "providing for the
 22 implementation of the Act, "."
 23 2. By renumbering as necessary.

Amendment H-8771 lost.

On motion by Shey of Linn the House concurred in the Senate amendment H-8754.

Shey of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2513)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Thomas
Thomson	Tyrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Siegrist

The nays were, none.

Absent or not voting, 4:

Cataldo	Frevert	Mundie	Teig
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILLS
Unfinished Business Calendar

House File 2490, a bill for an act relating to the control of pseudorabies, making penalties applicable, and providing an effective date, was taken up for consideration.

Greiner of Washington asked and received unanimous consent to withdraw amendment H-8638 filed by Greiner of Washington, et al., on March 28, 2000.

Greiner of Washington offered the following amendment H-8767 filed by her from the floor and moved its adoption:

H-8767

1 Amend House File 2490 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 166D.2, Code 1999, is amended
 5 by adding the following new subsections:
 6 NEW SUBSECTION. 7A. "Cleanup plan" means a herd
 7 cleanup plan or feeder pig cooperater herd cleanup
 8 plan as provided in section 166D.8.
 9 NEW SUBSECTION. 8A. "Cull swine" means mature
 10 swine fed for purposes of direct slaughter. However,
 11 "cull swine" does not include swine kept for purposes
 12 of breeding or reproduction.
 13 NEW SUBSECTION. 19A. "Fixed concentration point"
 14 means a concentration point which is a permanent
 15 location where swine are assembled for purposes of
 16 sale and movement to a slaughtering establishment as
 17 provided in section 166D.12.
 18 NEW SUBSECTION. 26A. "Isowean feeder pig" means a
 19 feeder pig that weighs twenty pounds or less.
 20 NEW SUBSECTION. 44A. "Stage II county" means a
 21 county designated by the department as in stage II of
 22 the national pseudorabies eradication program.
 23 Sec. 2. Section 166D.2, subsections 2, 11, 17, 19,
 24 38, and 42, Code 1999, are amended to read as follows:
 25 2. "Approved premises" means a dry lot facility
 26 located in an area with confirmed cases of
 27 pseudorabies infection, which is ~~authorized~~ certified
 28 by the department to receive, hold, or and feed and
 29 move or relocate infected swine, ~~exposed animals, or~~
 30 ~~swine of unknown status as provided in section~~
 31 ~~166D.10B. The premises and all swine on the premises~~
 32 ~~shall be considered under quarantine. However, swine~~
 33 ~~may be moved to slaughter under a transportation~~
 34 ~~certificate or may be moved to another pseudorabies~~
 35 ~~approved premises under a certificate of inspection.~~
 36 11. "Differentiable vaccine" means a vaccine which
 37 has a licensed companion differentiable test, and
 38 includes a modified-live differentiable vaccine.
 39 17. "Feeder pig" means an immature swine fed for
 40 purposes of direct slaughter which is weighs one
 41 hundred pounds or less than slaughter weight.

42 19. "Feeder swine" means ~~a porcine animal~~ swine
43 fed for purposes of direct slaughter, including feeder
44 pigs; ~~and cull sows, and boars~~ swine. However,
45 "feeder swine" does not include ~~animals~~ swine kept for
46 purposes of breeding or reproduction.
47 38. "Quarantined herd" means a herd in which
48 pseudorabies infected or exposed swine are bred,
49 reared, or fed under the supervision and control of
50 the department, as provided in section 166D.9. Swine

Page 2

1 ~~in a quarantined herd may be moved only to an approved~~
2 ~~premises for feeding or to a recognized slaughtering~~
3 ~~establishment for slaughter. Either movement may be~~
4 ~~completed through a concentration point in compliance~~
5 ~~with section 166D.12.~~

6 42. "Restricted movement" means swine which are
7 ~~quarantined until directly moved to slaughter~~ moved or
8 relocated as provided in section 166D.10A.

9 Sec. 3. Section 166D.2, subsections 4, 5, and 34,
10 Code 1999, are amended by striking the subsections.

11 Sec. 4. Section 166D.2, subsection 32, paragraph
12 c, Code 1999, is amended by striking the paragraph.

13 Sec. 5. Section 166D.3, unnumbered paragraph 1,
14 Code 1999, is amended to read as follows:

15 A state pseudorabies advisory committee is
16 established. The committee shall consist of not more
17 than seven members who shall be appointed by the Iowa
18 pork producers association. At least four members of
19 the committee must be actively engaged in swine
20 production. The members shall serve staggered terms
21 of two years, except that the initial board members
22 shall serve unequal terms. a person appointed to fill
23 a vacancy for a member shall serve only for the
24 unexpired portion of the term. a member is eligible
25 for reappointment for three successive terms. A
26 majority of the board constitutes a quorum and an
27 affirmative vote of the majority of members is
28 necessary for substantive action taken by the board.
29 The majority shall not include any member who has a
30 conflict of interest and a statement by a member of a
31 conflict of interest shall be conclusive for this
32 purpose. A vacancy in the membership does not impair
33 the right of a quorum to exercise all rights and
34 perform all duties of the board. The advisory
35 committee shall:

36 Sec. 6. Section 166D.3, subsection 1, Code 1999,
37 is amended by striking the subsection.

38 Sec. 7. Section 166D.7, subsection 1, paragraph a,
39 Code 1999, is amended to read as follows:

40 a. The herd shall be certified when all breeding

41 swine have reacted negatively to a test. The herd
42 must have been free from infection for thirty days
43 prior to testing. At least ninety percent of swine in
44 the herd must have been on the premises as a part of
45 the herd for at least sixty days prior to testing, or
46 swine in the herd must have been moved or relocated
47 directly from another qualified negative herd. To
48 remain certified, the herd must be retested and
49 recertified as provided by the department. The herd
50 shall be recertified when each month the greater of

Page 3

1 five head of swine or at least ten percent of the
2 herd's breeding swine react negatively to a test.
3 Sec. 8. Section 166D.7, subsection 2, Code 1999,
4 is amended by striking the subsection.
5 Sec. 9. Section 166D.7, subsection 3, paragraphs a
6 and b, Code 1999, are amended to read as follows:
7 a. The herd shall be certified when a statistical
8 sampling of the herd is determined to be noninfected.
9 b. ~~To~~ In order to remain certified the herd must
10 be retested and recertified as provided by the
11 department. The herd must be recertified annually.
12 The herd shall be recertified when a statistical
13 sampling of the herd is determined to be noninfected
14 within twelve months from initial certification or the
15 most recent recertification.
16 A herd shall not be certified or recertified, if
17 the herd is located within a county which is
18 designated by the department as in stage II of the
19 national pseudorabies eradication program, unless the
20 herd is vaccinated with a modified-live differentiable
21 vaccine pursuant to section 166D.11 and as required by
22 the department.
23 Sec. 10. Section 166D.7, subsection 4, paragraph
24 a, Code 1999, is amended to read as follows:
25 a. The herd shall be certified when one hundred
26 percent of breeding swine have reacted negatively to a
27 test. The herd must have been free from infection for
28 thirty days prior to testing. At least ninety percent
29 of swine in the herd must have been on the premises as
30 a part of the herd for at least sixty days prior to
31 testing, or swine in the herd must have been directly
32 moved directly or relocated from a qualified negative
33 herd or qualified differentiable negative herd. A
34 differentiable vaccine must be administered at
35 intervals in accordance with the package insert for
36 that vaccine. To remain certified, the herd must be
37 retested and recertified as provided by the
38 department. The herd shall be recertified when either
39 of the following occurs:

40 ~~(1) Each eighty to one hundred five each thirty~~
41 ~~days at least twenty-five percent of the herd's~~
42 ~~breeding swine react negatively to a test.~~
43 ~~(2) Each month at least ten percent of the herd's~~
44 ~~breeding swine react negatively to a test.~~
45 Sec. 11. Section 166D.8, Code 1999, is amended to
46 read as follows:
47 166D.8 INFECTED HERDS.
48 An infected herd ~~in a program area which is not~~
49 quarantined under section 166D.9, shall either adopt a
50 herd cleanup plan, or a feeder pig cooperator herd

Page 4

1 cleanup plan, or shall be quarantined.
2 1. a. A herd cleanup plan ~~may include any or a~~
3 ~~combination of the following:~~
4 ~~(1) The segregation of progeny with restricted~~
5 ~~movement. The herd cleanup plan must include the~~
6 ~~location of the premises that will receive the~~
7 ~~progeny. The receiving premises shall be quarantined.~~
8 ~~(2) The test shall apply to a herd, if feeder pigs~~
9 ~~are not moved from the herd. The plan shall provide~~
10 ~~for one of the following:~~
11 ~~(1) The testing of all swine capable of being~~
12 ~~accurately diagnosed with pseudorabies and the removal~~
13 ~~of infected swine from the herd.~~
14 ~~(3) (2) Depopulation.~~
15 b. ~~Notwithstanding paragraph "a", breeding swine~~
16 ~~in an infected herd shall be tested and the infected~~
17 ~~breeding swine shall be removed from the infected herd~~
18 ~~in accordance with procedures and by dates established~~
19 ~~by rules adopted by the department. a herd cleanup~~
20 ~~plan must be implemented as follows:~~
21 ~~(1) If the plan provides for the testing and~~
22 ~~removal of swine, all breeding swine must be tested~~
23 ~~with a differentiable test and react negatively to the~~
24 ~~test within fifteen days after the herd is classified~~
25 ~~by the department as infected. All breeding swine~~
26 ~~reacting positively to the test must be removed as~~
27 ~~provided in this section. At least thirty days after~~
28 ~~removal of the breeding swine reacting positively, all~~
29 ~~remaining breeding swine must be tested and react~~
30 ~~negatively to the test. Subsequent testing and~~
31 ~~removal must be conducted as provided in this~~
32 ~~subparagraph until all breeding swine react~~
33 ~~negatively. When all breeding swine are tested and~~
34 ~~react negatively to the test, the department shall~~
35 ~~classify the herd as a noninfected herd.~~
36 ~~(2) The herd cleanup plan may provide for the~~
37 ~~relocation of feeder pigs or cull swine. If the plan~~
38 ~~provides for the relocation of feeder pigs, the plan~~

39 must provide for the segregation of feeder pigs and
40 identify in writing the approved premises where feeder
41 pigs or cull swine may be relocated upon approval by
42 the department.

43 2. a. A feeder pig cooperator herd cleanup plan
44 ~~may be adopted if shall apply to a herd, if feeder~~
45 pigs are moved from the herd. The plan shall include
46 all the requirements for a herd cleanup plan. In
47 order to be subject to a feeder pig cooperator herd
48 cleanup plan all of the following conditions are must
49 be satisfied:

50 a. (1) There must have been no clinical signs of

Page 5

1 pseudorabies during the past thirty days.

2 b. (2) The production operation must be capable of
3 segregating offspring at weaning into facilities
4 separate and apart from the remainder of the herd.

5 e. b. ~~An approved feeder pig cooperator herd plan~~
6 ~~must be implemented. The feeder pig cooperator herd~~
7 cleanup plan must include the location of may provide
8 for the movement or relocation of feeder pigs or cull
9 swine. If the feeder pig cooperator herd cleanup plan
10 provides for the movement or relocation of feeder pigs
11 or cull swine, the plan must identify in writing the
12 approved premises that will receive the progeny where
13 the feeder pigs or cull swine may be moved or
14 relocated as provided in section 166D.10B. The
15 receiving premises shall be quarantined.

16 3. ~~Infected herds in a program area which have not~~
17 ~~adopted an official herd cleanup plan or feeder pig~~
18 ~~cooperator herd plan shall be quarantined.~~

19 4. 3. Costs of program testing and vaccination
20 shall may be paid as provided in section 166D.5
21 166D.11.

22 4. An infected herd outside a program area shall
23 either adopt a herd cleanup plan or a feeder pig
24 cooperator herd plan with restricted movement. An
25 infected herd not subject to such a cleanup plan shall
26 be quarantined within thirty fifteen days of becoming
27 a known infected herd shall be quarantined. An
28 infected herd which is not subject to a herd cleanup
29 plan or a feeder pig cooperator herd plan is a
30 quarantined herd.

31 5. Swine which is part of a herd subject to a
32 cleanup plan shall only be moved or relocated as
33 required pursuant to section 166D.10. If the location
34 where the herd is kept is an approved premises as
35 provided in section 166D.10B, the cleanup plan shall
36 include terms and conditions for being certified as an
37 approved premises.

38 Sec. 12. Section 166D.9, subsections 1 and 2, Code
39 1999, are amended by striking the subsections and
40 inserting in lieu thereof the following:

41 1. Swine which is part of a quarantined herd shall
42 only be moved by restricted movement in accordance
43 with section 166D.10A.

44 Sec. 13. Section 166D.9, subsection 4, paragraphs
45 c and d, Code 1999, are amended to read as follows:

46 c. The epidemiologist must either conduct two
47 successive statistical samplings at least ninety days
48 apart, or conduct statistical samplings according to
49 rules adopted by the department which are consistent
50 with the national pseudorabies eradication program,

Page 6

1 which reveal no infection within the new breeding
2 swine.

3 d. The epidemiologist must either conduct two
4 successive statistical samplings ninety days apart of,
5 or conduct statistical samplings according to rules
6 adopted by the department which are consistent with
7 the national pseudorabies eradication program, which
8 reveal no infection in the herd's progeny at least
9 four months of age which reveal no infection.

10 Sec. 14. Section 166D.9, subsection 5, Code 1999,
11 is amended by striking the subsection.

12 Sec. 15. Section 166D.10, subsection 1, paragraph
13 b, Code 1999, is amended by adding the following new
14 subparagraph:

15 NEW SUBPARAGRAPH. (4) The swine have a current
16 negative pseudorabies status.

17 Sec. 16. Section 166D.10, subsections 3 through 6,
18 Code 1999, are amended by striking the subsections and
19 inserting in lieu thereof the following:

20 3. Swine from a herd located within this state
21 must be moved or relocated in compliance with this
22 section. If the swine is moved or relocated from a
23 herd located within a county which is designated by
24 the department as in stage II of the national
25 pseudorabies eradication program, the swine shall not
26 be moved or relocated unless in compliance with
27 section 166D.11. Regardless of whether the swine is
28 from a herd located in a stage II county, the
29 following shall govern the movement or relocation of
30 swine within this state:

31 a. For swine from a noninfected herd, a person
32 shall not move swine for breeding purposes, unless one
33 of the following applies:

34 (1) The swine is moved from a qualified negative
35 herd or qualified differentiable negative herd.

36 (2) The swine reacts negatively to a

37 differentiable test, within thirty days prior to
 38 moving the swine.
 39 b. For swine which is exposed or swine from a herd
 40 of unknown status, a person shall not move or relocate
 41 the swine, unless one of the following applies:
 42 (1) The swine reacts negatively to a
 43 differentiable test within thirty days prior to moving
 44 or relocating the swine.
 45 (2) The swine moves by restricted movement to
 46 either a fixed concentration point or slaughtering
 47 establishment.
 48 c. For swine which is from an infected herd, a
 49 person shall not move or relocate the swine, unless
 50 one of the following applies:

Page 7

1 (1) If the swine is part of a cleanup plan, the
 2 following shall apply:
 3 (a) For swine, other than feeder pigs or cull
 4 swine, which is part of a herd subject to a cleanup
 5 plan, a person shall only move swine by restricted
 6 movement to either a fixed concentration point or
 7 slaughtering establishment. a person shall not
 8 relocate the swine.
 9 (b) For a feeder pig or cull swine which is part
 10 of a herd subject to a herd cleanup plan, a person
 11 shall only move the feeder pig or cull swine by
 12 restricted movement to either a fixed concentration
 13 point or slaughtering establishment or relocate the
 14 feeder pig or cull swine by restricted movement to an
 15 approved premises. For a feeder pig or cull swine
 16 which is part of a feeder pig cooperator herd cleanup
 17 plan, a person shall only move the feeder pig or cull
 18 swine by restricted movement to either a fixed
 19 concentration point or slaughtering establishment or
 20 move or relocate the feeder pig or cull swine by
 21 restricted movement to an approved premises. However,
 22 a person shall not move or relocate a feeder pig or
 23 cull swine to an approved premises, unless the
 24 approved premises is identified in a cleanup plan as
 25 provided in section 166D.8, or the department approves
 26 the move or relocation to another approved premises.
 27 a person shall not move or relocate a cull swine to an
 28 approved premises, unless the cull swine reacts
 29 negatively to a test and is vaccinated with a
 30 differentiable vaccine. The test and vaccine must be
 31 administered within thirty days prior to the movement
 32 or relocation to the approved premises. a noninfected
 33 feeder pig is not required to be tested or vaccinated
 34 prior to movement or relocation to an approved
 35 premises, if the feeder pig is vaccinated upon arrival

36 at the approved premises.

37 (c) For swine from a herd kept on an approved
38 premises, a person shall only move or relocate the
39 swine by restricted movement as provided in the
40 cleanup plan governing the herd and terms and
41 conditions of the certification required for the
42 approved premises as provided in section 166D.10B.

43 (2) If the swine is not part of a herd that is
44 subject to a cleanup plan, because the herd is
45 quarantined, a person shall only move the swine by
46 restricted movement to either a fixed concentration
47 point or slaughtering establishment.

48 4. Swine from a herd located outside this state
49 must be moved into and maintained in this state in
50 compliance with this section. a person shall not move

Page 8

1 swine into this state, except as follows:

2 a. For swine from a herd, other than a noninfected
3 herd, the swine must be moved either to a fixed
4 concentration point or slaughtering establishment.

5 b. For swine from a noninfected herd, the swine
6 may be moved to a concentration point or slaughtering
7 establishment. If the swine is not moved to a
8 concentration point or slaughtering establishment, the
9 following shall apply:

10 (1) Unless the person moves the swine into a
11 county designated by the department as in stage II of
12 the national pseudorabies eradication program, the
13 following shall apply:

14 (a) A person shall not move swine into this state
15 for breeding purposes, unless one of the following
16 applies:

17 (i) The swine is moved from a qualified negative
18 herd or qualified differentiable negative herd.

19 (ii) The swine reacts negatively to a
20 differentiable test, within thirty days prior to
21 moving the swine.

22 (b) A person shall not move feeder swine which is
23 moved into this state, unless the feeder swine reacts
24 negatively to a differentiable test within thirty days
25 prior to movement from a herd in this state.

26 (2) If a person moves the swine into a county
27 which is designated by the department as in stage II
28 of the national pseudorabies eradication program, the
29 following shall apply:

30 (a) Except as provided in this subparagraph, the
31 owner of swine shall vaccinate the swine with a
32 modified-live differentiable vaccine, prior to moving
33 swine into the stage II county. a statistical
34 sampling of the swine moved into a herd as provided in

35 this subparagraph shall be tested using a
36 differentiable test within thirty days after the swine
37 is moved to a herd in this state. If a swine reacts
38 positively to the test, the herd is an infected herd.
39 A person is not required to vaccinate swine prior to
40 moving swine into the stage II county or test the
41 swine after the swine has been moved to a herd in the
42 stage II county, if one of the following applies:
43 (i) The swine is part of a herd that cannot be
44 vaccinated under the law of the state or country in
45 which the herd is kept immediately prior to being
46 moved into the stage II county.
47 (ii) The swine is an isowean feeder pig.
48 (iii) The swine is moved either to a fixed
49 concentration point or slaughtering establishment.
50 (b) For swine, which is not vaccinated before

Page 9

1 being moved into a stage II county as provided in this
2 paragraph, the following shall apply:
3 (i) For swine other than swine moved into a herd
4 within a stage II county as an isowean feeder pig, a
5 statistical sampling of the swine moved into the herd
6 shall be tested using a differentiable test within
7 forty-eight hours after the swine moves to a herd in
8 this state. If a swine reacts positively to the test,
9 the herd is an infected herd. If, according to the
10 statistical sampling, the swine moved into the herd
11 reacts negatively to the test, all moved swine must be
12 immediately vaccinated with a differentiable vaccine,
13 as provided in section 166D.11. The swine shall be
14 considered as part of a herd of unknown status, until
15 tested negative and vaccinated.
16 (ii) For swine moved into a herd within a stage II
17 county as an isowean feeder pig, a statistical
18 sampling of the swine moved into the herd shall be
19 tested using a differentiable test when a majority of
20 swine moved together into the herd as isowean feeder
21 pigs reach a weight of more than twenty pounds. If a
22 swine reacts positively to the test, the herd is an
23 infected herd. If, according to the statistical
24 sampling, the swine moved into the herd reacts
25 negatively to the test, all swine moved into the herd
26 must be immediately vaccinated with a differentiable
27 vaccine, as provided in section 166D.11. The
28 department may require that the swine be revaccinated
29 with a differentiable vaccine at a later date. The
30 swine shall be considered as part of a herd of unknown
31 status, until tested negative and vaccinated.
32 5. A person shall not move swine within this
33 state, other than to a fixed concentration point or

34 slaughtering establishment, if the swine is vaccinated
35 with a vaccine other than a differentiable vaccine
36 approved by the department pursuant to section
37 166D.14.

38 6. Known infected swine moved through a fixed
39 concentration point, other than a buying station of a
40 slaughtering establishment, shall only be moved by
41 restricted movement to a slaughtering establishment.

42 7. Swine moved under this section to a
43 slaughtering establishment shall be for the exclusive
44 purpose of slaughtering the swine. Swine moved under
45 this section to a fixed concentration point shall be
46 for the exclusive purpose of immediately moving the
47 swine to a slaughtering establishment. Swine moved or
48 relocated under this section to an approved premises
49 shall be for the exclusive purpose of feeding the
50 swine prior to movement or relocation to another

Page 10

1 approved premises, or movement to either a fixed
2 concentration point or a slaughtering establishment.
3 Sec. 17. NEW SECTION. 166D.10a RESTRICTED
4 MOVEMENT – REQUIREMENTS.

5 1. If swine must be moved or relocated by
6 restricted movement as provided in section 166D.10,
7 the swine shall only be transported by direct
8 movement.

9 2. a. If a person moves or relocates swine
10 subject to restricted movement, the person shall only
11 move the swine to either a fixed concentration point
12 or slaughtering establishment or move or relocate the
13 swine to an approved premises.

14 b. If a person receives swine subject to
15 restricted movement, the person shall only receive the
16 swine at either a fixed concentration point or
17 slaughtering establishment or an approved premises.

18 3. Swine required to be moved or relocated by
19 restricted movement must be accompanied by a
20 restricted movement permit, as provided by rules which
21 must be adopted by the department. The department
22 shall issue a restricted movement permit to the person
23 moving or relocating the swine. The permit shall
24 include information required by the department, which
25 shall at least include a description of the swine, the
26 name and address of the owner, the name and address of
27 the person receiving the swine, the date of movement
28 or relocation, and the seal number as prescribed by
29 the department, if a seal is required. The moved or
30 relocated swine must also be accompanied by a
31 transportation certificate and certificate of
32 inspection, if required in section 166D.10.

33 4. a. Except as provided in this section, a
 34 vehicle moving swine under restricted movement shall
 35 contain a cargo area for the swine which shall be
 36 sealed to prevent access. The seal shall conform with
 37 requirements adopted by the department. Each seal
 38 shall be identified by number as required by the
 39 department. The vehicle shall be sealed by an
 40 accredited veterinarian at the premises where the
 41 swine are kept. The seal shall only be removed by a
 42 departmental official, an accredited veterinarian, an
 43 official of the United States department of
 44 agriculture, or the person authorized by the
 45 department to receive the swine upon arrival at the
 46 fixed concentration point, slaughtering establishment,
 47 or approved premises.
 48 b. The department may adopt rules or issue an
 49 order to provide that a vehicle moving or relocating
 50 feeder swine from a herd which is subject to a cleanup

Page 11

1 plan is not required to be sealed as otherwise
 2 provided in this subsection, if the herd is kept and
 3 moved or relocated in compliance with the cleanup
 4 plan.
 5 Sec. 18. NEW SECTION. 166D.10B APPROVED
 6 PREMISES.
 7 1. A person shall not maintain swine other than
 8 feeder swine or cull swine at an approved premises.
 9 a. A person shall not move or relocate swine to an
 10 approved premises, unless all of the following apply:
 11 (1) The swine is a feeder pig or cull swine.
 12 (2) The swine is not exposed or from a herd of
 13 unknown status.
 14 b. a person shall not receive swine at an approved
 15 premises, unless the swine is one of the following:
 16 (1) The swine is a feeder pig or cull swine.
 17 (2) The swine is not exposed or from a herd of
 18 unknown status.
 19 2. If swine is moved or relocated to an approved
 20 premises, the following shall apply:
 21 a. A cull swine shall not be moved or relocated to
 22 an approved premises, unless the cull swine reacts
 23 negatively to a test and is vaccinated prior to the
 24 movement or relocation, as provided in section
 25 166D.10.
 26 b. A noninfected feeder pig must be vaccinated
 27 upon arrival at the approved premises.
 28 3. Dead swine must be disposed of in accordance
 29 with chapter 167. The dead swine must be held so as
 30 to prevent animals, including wild animals and
 31 livestock, from reaching the dead swine.

32 4. The following shall apply to the location of an
33 approved premises:
34 a. An approved premises shall not be located
35 within one and one-half miles from a noninfected herd,
36 other than a qualified negative herd or qualified
37 differentiable negative herd.
38 b. An approved premises shall not be located
39 within three miles from a qualified negative herd or a
40 qualified differentiable negative herd.
41 c. An approved premises shall not be located in
42 any of the following:
43 (1) A county in stage III of the national
44 pseudorabies eradication program, as designated by the
45 department.
46 (2) A county which has a zero percent prevalence
47 of infection among all herds in the county at any time
48 on or after March 1, 2000, regardless of whether the
49 county subsequently has a greater than zero percent
50 prevalence of infection among all herds in the county.

Page 12

1 5. A feeder pig or a cull swine may be kept at the
2 approved premises only for purposes of feeding and
3 restricted movement as provided in section 166D.10.
4 6. a. The department must certify a location as
5 an approved premises pursuant to rules adopted by the
6 department. The department may adopt rules providing
7 for the renewal, suspension, or termination of a
8 certification. The terms and conditions of the
9 certification shall be part of the cleanup plan
10 required for the herd kept at the location pursuant to
11 section 166D.8. Except as provided in this
12 subsection, a location is certified as an approved
13 premises, as long as all of the following apply:
14 (1) The approved premises complies with the
15 requirements of this section and rules adopted by the
16 department.
17 (2) The owner of the approved premises or the
18 person managing the approved premises provides to the
19 department during normal business hours access to the
20 approved premises and records required by this
21 subparagraph. Records of swine transfers must be kept
22 for at least one year. Records of vaccinations
23 occurring on the approved premises must be maintained
24 by the owner for at least one year after vaccination.
25 The records shall include information about purchases
26 and sales, the names of buyers and sellers, the dates
27 of transactions, and the number of swine involved in
28 each transaction.
29 b. The department shall terminate the
30 certification of an approved premises, if the county

31 in which the approved premises is located has a zero
 32 percent prevalence of infection among all herds in the
 33 county, not counting a herd kept at the approved
 34 premises. The department shall provide for the
 35 suspension or termination of the certification for a
 36 violation of a term or condition of the certification.
 37 When a certification is suspended, terminated, or not
 38 renewed, the location shall remain under a cleanup
 39 plan until released pursuant to the provisions of
 40 section 166D.8.

41 Sec. 19. Section 166D.11, Code 1999, is amended to
 42 read as follows:

43 166D.11 ~~DIFFERENTIABLE VACCINE REQUIRED~~
 44 VACCINATION AND TESTING REQUIREMENTS.

45 ~~Beginning on December 1, 1989, swine other than~~
 46 ~~unvaccinated or differentiable vaccinated swine shall~~
 47 ~~not be sold, marketed, or moved within this state,~~
 48 ~~except to slaughter or to an approved premises by~~
 49 ~~certificate of inspection.~~

50 1. The secretary shall disapprove for a person

Page 13

1 ~~shall not use in this state on and after July 1, 1991,~~
 2 ~~any vaccine that is not a differentiable vaccine.~~

3 2. a. Except as provided in this section, swine
 4 within a county which is designated by the department
 5 as in stage II of the national pseudorabies
 6 eradication program shall be vaccinated with a
 7 modified-live differentiable vaccine. The swine
 8 located in a stage II county shall be vaccinated as
 9 follows:

10 (1) Except as provided in subparagraph (2), the
 11 following applies:

12 (a) Breeding swine shall at a minimum receive
 13 quarterly vaccinations.

14 (b) Feeder swine shall at a minimum receive one
 15 vaccination. The feeder swine shall be vaccinated
 16 when the feeder swine reach eight to twelve weeks of
 17 age or one hundred pounds, whichever occurs earlier.

18 (2) If swine are required to be vaccinated prior
 19 to or after movement, as provided in section 166D.10,
 20 to a stage II county, the swine shall be vaccinated
 21 with a modified-live differentiable vaccine as
 22 otherwise required in that section.

23 b. The department shall adopt rules or issue an
 24 order that exempts swine from being vaccinated with a
 25 modified-live vaccine, as provided in this subsection,
 26 based on any of the following:

27 (1) The swine is part of a qualified negative herd
 28 or a qualified differentiable negative herd.

29 (2) The swine belong to a herd located within a

30 county, if all of the following applies:

31 (a) The county has a history of zero percent
32 prevalence of infection among all herds in the county,
33 regardless of whether the county currently has a
34 higher than zero percent prevalence of infection among
35 all herds in the county.

36 (b) All contiguous counties have a zero percent
37 prevalence of infection among herds in that county, as
38 designated by the department.

39 3. a. The person who owns the swine when the
40 swine is required to be vaccinated under this chapter,
41 shall be solely liable for providing the vaccine and
42 administering the vaccination. A noninfected feeder
43 pig required to be vaccinated upon arrival at an
44 approved premises as provided in section 166D.10B
45 shall be vaccinated at the expense of the owner who
46 moves the feeder pig. If the swine is transported
47 into this state, the owner shall be deemed to be the
48 person who owns the swine immediately prior to
49 transportation.

50 b. This subsection does not prohibit the owner of

Page 14

1 swine from contracting with a person, including a
2 person receiving ownership of swine moved into this
3 state, to provide the vaccination, if the person
4 receives fair compensation for providing the
5 vaccination and the sale price for the swine is not
6 increased because the owner must comply with this
7 subsection.

8 4. The cost, or any segment of the cost, of
9 purchasing a laboratory product used for testing and
10 vaccination provided in this chapter may be paid for
11 by federal or state funds or a combination of both.
12 Federal or state funds shall not be paid to the owner
13 of a vaccinated herd other than the owner of a herd
14 vaccinated with a modified-live differentiable
15 vaccine.

16 Sec. 20. Section 166D.12, Code 1999, is amended by
17 striking the section and inserting in lieu thereof the
18 following:

19 166D.12 CONCENTRATION POINTS.

20 A person shall not move swine through a
21 concentration point, except as provided in this
22 section.

23 1. For swine from a noninfected herd, the swine
24 may be moved through any concentration point. All of
25 the following shall apply:

26 a. Breeding swine must be kept separate and apart
27 from feeder pigs.

28 b. Breeding swine must be sold first.

- 29 2. a. For swine other than swine from a
 30 noninfected herd, the swine shall not be moved through
 31 a concentration point other than a fixed concentration
 32 point, as required by the department. a fixed
 33 concentration point shall be used exclusively for the
 34 following:
- 35 (1) The movement of livestock other than swine.
 36 (2) The immediate movement of swine to a
 37 slaughtering establishment.
- 38 b. A fixed concentration point shall never be used
 39 for the movement of swine other than to a slaughtering
 40 establishment.
- 41 c. A person shall not move swine to or from a
 42 fixed concentration point subject to restricted
 43 movement or receive swine subject to restricted
 44 movement at a fixed concentration point, unless the
 45 swine is moved and received in compliance with section
 46 166D.10A.
- 47 d. Livestock, other than swine, moved to the fixed
 48 concentration point must be kept separate and apart.
- 49 e. If infected swine, exposed swine, or swine from
 50 a herd of unknown status is moved through a fixed

Page 15

1 concentration point, the owner of the fixed
 2 concentration point shall post and maintain a sign on
 3 the premises of the fixed concentration point. The
 4 sign must be posted in a conspicuous place clearly
 5 visible to persons moving livestock through the fixed
 6 concentration point. The notice shall appear in black
 7 letters a minimum of one inch high and in the
 8 following form:

NOTICE

10 THIS FACILITY MAY SELL SWINE WHICH
 11 HAS BEEN EXPOSED TO PSEUDORABIES.
 12 HOWEVER, ALL SWINE ARE MOVED
 13 IMMEDIATELY TO SLAUGHTER.

14 Sec. 21. Section 166D.16, unnumbered paragraph 1,
 15 Code 1999, is amended to read as follows:

16 1. The provisions of this chapter including
 17 departmental rules adopted pursuant to this chapter
 18 shall be administered and enforced by the department.

19 2. ~~a~~ Except as provided in this subsection, a
 20 person violating a provision of this chapter or any
 21 rule adopted pursuant to this chapter shall be subject
 22 to a civil penalty of at least one hundred dollars but
 23 not more than one thousand dollars.

24 a. ~~However, a~~ a person who falsifies a certificate
 25 of inspection issued pursuant to this chapter shall be
 26 subject to a civil penalty of not more than five
 27 thousand dollars for each swine falsified on the

28 certificate. A person shall not be subject to a civil
29 penalty totaling more than twenty-five thousand
30 dollars for falsifying a certificate, regardless of
31 the number of swine falsified on the certificate.

32 b. The person who owns swine when the swine is
33 required to be vaccinated under this chapter shall be
34 subject to a civil penalty of two dollars for each
35 swine which is not vaccinated as required.

36 Sec. 22. Sections 166D.4 and 166D.5, Code 1999,
37 are repealed.

38 Sec. 23. RULEMAKING. The department of
39 agriculture and land stewardship shall adopt rules
40 necessary to implement this Act. Such rules shall be
41 effective immediately upon adoption and filing in the
42 governor's office after publication under notice and
43 after the administrative rules review committee has
44 had an opportunity to review the noticed rules, as
45 provided in chapter 17A.

46 Sec. 24. IMPLEMENTATION. The department shall
47 provide for the implementation of this Act based on a
48 schedule adopted by departmental rules. However, the
49 department shall implement all provisions of this Act
50 by August 1, 2000.

Page 16

1 Sec. 25. EFFECTIVE DATE. This Act, being deemed
2 of immediate importance, takes effect upon enactment."

3 2. Title page, by striking line 2 and inserting
4 the following: "applicable, for implementation, and
5 providing an effective date."

Amendment H-8767 was adopted.

SENATE FILE 2312 SUBSTITUTED FOR HOUSE FILE 2490

Greiner of Washington asked and received unanimous consent to substitute Senate File 2312 for House File 2490.

Senate File 2312, a bill for an act relating to pseudorabies control, making penalties applicable, for implementation, and providing an effective date, was taken up for consideration.

Greiner of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2312)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 1:

Cormack

Absent or not voting, 2:

Cataldo

Frevert

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2490 WITHDRAWN

Greiner of Washington asked and received unanimous consent to withdraw House File 2490 from further consideration by the House.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2348, a bill for an act relating to the loess hills development and conservation authority by creating a hungry canyons alliance and providing membership guidelines for board of directors of the conservation authority and loess hills alliance.

MICHAEL E. MARSHALL, Secretary

Senate File 419, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine, previously deferred on March 21, 2000, was taken up for consideration. (Committee amendment H-8342 pending, found on page 861 of the House Journal)

The House resumed consideration of the committee amendment H-8342.

Bradley of Clinton offered the following amendment H-8735, to the committee amendment H-8342, filed by him and moved its adoption:

H-8735

- 1 Amend the amendment, H-8342, to Senate File 419, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 10, by striking the word "may"
- 5 and inserting the following: "shall".

Amendment H-8735 was adopted.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-8457, to the committee amendment H-8342, filed by him and Greiner of Washington on March 21, 2000.

On motion by Bradley of Clinton the committee amendment H-8342, as amended, was adopted.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-8537 filed by him and Greiner of Washington on March 23, 2000.

Bradley of Clinton asked and received unanimous consent to withdraw amendment H-8736 filed by him on April 5, 2000.

Bradley of Clinton offered the following amendment H-8750 filed by him from the floor and moved its adoption:

H-8750

1 Amend Senate File 419, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 14, by inserting before the word
 4 "This" the following: "For the fiscal year beginning
 5 July 1, 2000, and ending June 30, 2001, the department
 6 shall retain fees collected to administer the program
 7 of certifying veterinary clinics and the fees retained
 8 are appropriated to the department for the purposes of
 9 this subsection. For the fiscal year beginning July
 10 1, 2000, and ending June 30, 2001, notwithstanding
 11 section 8.33, fees which remain unexpended at the end
 12 of the fiscal year shall not revert to the general
 13 fund of the state but shall be available for use for
 14 the following fiscal year to administer the program.
 15 For the fiscal year beginning July 1, 2001, and
 16 succeeding fiscal years, certification fees shall be
 17 deposited in the general fund of the state and are
 18 appropriated to the department to administer the
 19 certification provisions of this subsection."

Amendment H-8750 was adopted.

Bradley of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 419)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunckhorst
Bukta	Carrroll	Chiodo	Cohon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck

Horbach	Houser	Huseman	Huser
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Siegrist

The nays were, none.

Absent or not voting, 4:

Cataldo	Drees	Frevort	Jacobs
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2121, a bill for an act increasing the fine for certain motor vehicle violations relating to railroad crossings, with report of committee recommending amendment and passage, was taken up for consideration.

T. Taylor of Linn asked and received unanimous consent to withdraw the committee amendment H-8029 filed by the committee on transportation on February 14, 2000.

SENATE FILE 2329 SUBSTITUTED FOR HOUSE FILE 2121

T. Taylor of Linn asked and received unanimous consent to substitute Senate File 2329 for House File 2121.

Senate File 2329, a bill for an act increasing the fine for certain motor vehicle violations relating to railroad crossings, was taken up for consideration.

T. Taylor of Linn offered the following amendment H-8652 filed by Drees of Carroll, et al., and moved its adoption:

H-8652

- 1 Amend Senate File 2329, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. NEW SECTION. 321.344B IMMEDIATE
- 6 SAFETY THREAT – PENALTY.
- 7 a violation of section 321.341, 321.342, 321.343,
- 8 or 321.344 which creates an immediate threat to the
- 9 safety of a person or property is a simple misdemeanor
- 10 punishable as a scheduled violation under section
- 11 805.8, subsection 2, paragraph "ac".
- 12 2. Page 1, line 4, by inserting after the word
- 13 "dollars." and inserting the following: "For
- 14 violations of section 321.344B, the scheduled fine is
- 15 two hundred dollars."
- 16 3. Title page, line 1, by striking the words
- 17 "increasing the fine" and inserting the following:
- 18 "enhancing penalties".
- 19 4. Title page, line 1, by striking the word
- 20 "motor".

Amendment H-8652 was adopted.

Blodgett of Cerro Gordo offered the following amendment H-8720 filed by Blodgett, et al., and moved its adoption:

H-8720

- 1 Amend Senate File 2329, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 321.20, subsection 1, Code
- 6 Supplement 1999, as amended by 2000 Iowa Acts, Senate
- 7 File 2147, section 39, as enacted, is amended to read
- 8 as follows:
- 9 1. The full legal name; social security number or,
- 10 if the owner does not have a social security number
- 11 but has a passport, the passport number; driver's
- 12 license number, whether the license was issued by this
- 13 state, another state, another country, or is an
- 14 international driver's license; date of birth; bona
- 15 fide residence; and mailing address of the owner and
- 16 of the lessee if the vehicle is being leased. If the
- 17 owner or lessee is a firm, association, or
- 18 corporation, the application shall contain the
- 19 business address and federal employer identification
- 20 number of the owner or lessee. Up to three owners'
- 21 names may be listed on the application. Information

22 relating to the lessee of a vehicle shall not be
 23 required on an application for registration and a
 24 certificate of title for a vehicle with a gross
 25 vehicle weight rating of ~~twenty-six~~ ten thousand
 26 pounds or more.

27 Sec. ____ Section 321.449, subsection 1, Code
 28 Supplement 1999, is amended by adding the following
 29 new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. The department shall
 31 also adopt rules concerning hours of service for
 32 drivers of vehicles operated for hire and designed to
 33 transport more than eight persons, including the
 34 driver. The rules shall not apply to vehicles offered
 35 to the public for hire that are used principally in
 36 intracity operation and that are regulated by local
 37 authorities pursuant to section 321.236.

38 Sec. ____ Section 322.2, subsection 20, Code 1999,
 39 is amended to read as follows:

40 20. "Selling" includes bartering, exchanging,
 41 delivering, or otherwise dealing in."

42 2. Title page, line 1, by inserting after the
 43 word "Act" the following: "relating to
 44 transportation, by".

45 3. Title page, line 2, by inserting after the
 46 word "crossings" the following: ", modifying vehicle
 47 registration provisions, requiring adoption of rules
 48 for hours of service for certain drivers, and
 49 modifying a definition relating to motor vehicle
 50 dealers".

Page 2

1 4. By renumbering as necessary.

Amendment H-8720 was adopted.

T. Taylor of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2329)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake

Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shay
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Siegrist

The nays were, none.

Absent or not voting, 4:

Cataldo	Drees	Frevert	Jacobs
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 2267, a bill for an act requiring the board of directors of a school district to enter into a compact with parents and guardians by adopting a school promotion policy for grade three level students and providing for related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Carroll of Poweshiek offered amendment H-8409 filed by the committee on education as follows:

H-8409

- 1 Amend Senate File 2267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 256D.1, subsection 1,
- 6 paragraph b, subparagraph (1), Code Supplement 1999,
- 7 is amended to read as follows:
- 8 (1) A school district shall at a minimum

9 biannually inform parents of their individual child's
10 performance on the diagnostic assessments in
11 kindergarten through grade three. If intervention is
12 appropriate, the school district shall ~~inform~~ provide
13 written notice to the parents of the actions the
14 school district intends to take to improve the child's
15 reading skills and provide the parents with strategies
16 to enable the parents to improve their child's skills.
17 If a school district determines that a child is
18 failing to adequately master the school district's
19 reading curriculum, the school district shall
20 establish a compact with the parent of the child which
21 shall include a requirement that the parent meet face-
22 to-face with the child's teacher. However, if the
23 teacher makes a good faith effort to meet face-to-face
24 with the parent but the effort is unsuccessful, the
25 teacher and the school district have no further
26 obligation with respect to face-to-face intervention
27 strategies under this subparagraph. The board of
28 directors of each school district shall adopt a policy
29 indicating adopted pursuant to section 256D.1a shall
30 indicate the methods the school district will use to
31 inform parents of their individual child's
32 performance.

33 Sec. 2. NEW SECTION. 256D.1a STUDENT PROMOTION
34 POLICY – KINDERGARTEN THROUGH GRADE THREE.

35 1. The board of directors of each school district
36 shall adopt a school promotion policy that facilitates
37 collaborations among teachers, parents of the
38 students, and the school district to support student
39 reading proficiency. The student promotion policy
40 adopted shall include, but shall not be limited to,
41 the provisions set forth in this section. By the
42 first day of school, the school district shall notify
43 the parents of students in kindergarten through grade
44 three of the district's student promotion policy.
45 2. A parent of a student in kindergarten through
46 grade three shall be notified in writing if the
47 student is failing to adequately master the school
48 district's reading curriculum. Notices shall include
49 a copy of the school district's student promotion
50 policy and shall be sent by mail. Notices shall be

Page 2

1 written in clear, understandable language. In lieu of
2 notice by mail, the school district may provide a
3 written notice required pursuant to this section to a
4 parent at a parent-teacher conference occurring in the
5 same week in which a notice would have been required
6 to be sent by mail pursuant to this section.
7 3. The individualized education program assigned

8 to a child requiring special education shall determine
9 whether the child is expected to meet the school
10 district's student promotion policy, which must be
11 documented in the student's individualized education
12 program.
13 Sec. 3. Section 256D.3, Code Supplement 1999, is
14 amended by adding the following new subsection:
15 NEW SUBSECTION. 4. The director of the department
16 of education shall conduct a review of school district
17 student promotion policies, the number of kindergarten
18 through grade three level students retained or
19 promoted, and the success of the interventions
20 implemented by school districts to improve the
21 students' reading skills. The director shall submit a
22 report of the findings and recommendations resulting
23 from the review to the senate and house standing
24 committees on education and the joint appropriations
25 subcommittee on education by December 1, 2002, and
26 biennially thereafter."
27 2. Title page, line 3, by inserting after the
28 word "for" the following: "kindergarten through".

Carroll of Poweshiek offered the following amendment H-8737, to the committee amendment H-8409, filed by him and moved its adoption:

H-8737

1 Amend the amendment, H-8409, to Senate File 2267,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 19, by inserting after the word
5 "curriculum" the following: ""in kindergarten through
6 grade three".

Amendment H-8737 was adopted.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8502, to the committee amendment H-8409, filed by Frevvert of Palo Alto on March 22, 2000.

Mascher of Johnson offered the following amendment H-8536, to the committee amendment H-8409, filed by her and moved its adoption:

H-8536

1 Amend the amendment, H-8409, to Senate File 2267,

- 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, by striking lines 5 through 32.
 - 5 2. Page 1, line 34, by striking the words "–
 6 KINDERGARTEN THROUGH GRADE THREE".
 - 7 3. Page 1, line 35, by striking the figure "1."
 - 8 4. Page 1, line 38, by inserting after the word
 9 "student" the following: "achievement."
 - 10 5. By striking page 1, line 39 through page 2,
 11 line 28 and inserting the following:
 12 " _____. Title page, by striking lines 2 through 4
 13 and inserting the following: "adopt a student
 14 promotion policy.""
 - 15 6. By renumbering as necessary.

Sukup of Franklin in the chair at 2:48 p.m.

Amendment H-8536 lost.

Wise of Lee offered the following amendment H-8745, to the committee amendment H-8409, filed by him and moved its adoption:

H-8745

- 1 Amend the amendment, H-8409, to Senate File 2267,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, by inserting after line 32 the
 5 following:
 6 "Sec. _____. Section 256D.1, subsection 1, Code
 7 Supplement 1999, is amended by adding the following
 8 new paragraph:
 9 NEW PARAGRAPH. c. ENCOURAGING IOWA FAMILY READING
 10 NIGHT – INTENT. It is the intent of the general
 11 assembly to encourage each family in Iowa to set aside
 12 Tuesday night, from seven to eight p.m., for reading
 13 by the family. School districts, the department of
 14 education, and the media are encouraged to promote
 15 Iowa family reading night in mailings, on websites,
 16 and in public service announcements, billboards, print
 17 and broadcast media services, and other appropriate
 18 means."
- 19 2. By renumbering as necessary.

Amendment H-8745 was adopted.

Carroll of Poweshiek offered the following amendment H-8441, to the committee amendment H-8409, filed by him and moved its adoption:

H-8441

- 1 Amend the amendment, H-8409, to Senate File 2267,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 42, by striking the words "first
- 5 day" and inserting the following: "end of the first
- 6 week".

Amendment H-8441 was adopted.

Kreiman of Davis offered the following amendment H-8743, to the committee amendment H-8409, filed by him and moved its adoption:

H-8743

- 1 Amend the amendment, H-8409, to Senate File 2267,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 44, by inserting after the word
- 5 "policy," the following: "The school district may
- 6 include with this notification a list of suggested
- 7 reference materials, such as books, computer programs,
- 8 or other study aids, that enable parents to assist the
- 9 school district in educating their children during the
- 10 school year."

Amendment H-8743 was adopted.

On motion by Carroll of Poweshiek the committee amendment H-8409, as amended, was adopted.

Speaker Siegrist in the chair at 3:40 p.m.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2267)

The ayes were, 85:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cphoon	Connors
Cormack	Davis	Dix	Dolecheck

Drake	Eddie	Fallon	Foege
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Raecker	Rants
Rayhons	Reynolds	Richardson	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 10:

Chiodo	Doderer	Dotzler	Falck
Ford	Garman	Greimann	Mascher
Parmenter	Scherrman		

Absent or not voting, 5:

Cataldo	Drees	Frevort	Gipp
Jacobs			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 2121 WITHDRAWN

T. Taylor of Linn asked and received unanimous consent to withdraw House File 2121 from further consideration by the House.

IMMEDIATE MESSAGES

Barry of Harrison asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2513**, and **Senate Files 419, 2267, 2312, 2329 and 2424.**

INTRODUCTION OF BILLS

House File 2563, by committee on ways and means, a bill for an act exempting from the sales and use taxes the gross receipts from all sales of goods and services used in fulfillment of a construction contract for a nonprofit hospital, providing for refunds, and including an effective and retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

House File 2564, by committee on ways and means, a bill for an act establishing a community development program to aid certain neighborhoods and communities and providing tax credits for income tax, franchise tax, and premiums tax for businesses contributing to community development projects and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGE CONSIDERED

Senate File 2442, by committee on ways and means, a bill for an act relating to the taxation of garages and other appurtenances located on mobile home sites.

Read first time and referred to committee on **ways and means**.

MOTION TO RECONSIDER

(Senate File 2331)

I move to reconsider the vote by which Senate File 2331 passed the House on April 6, 2000.

GRUNDBERG of Polk

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 6, 2000. Had I been present, I would have voted "aye" on House File 2513.

TEIG of Hamilton

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 6th day of April, 2000: House Files 2229 and 2538.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Four FFA students from Grinnell, accompanied by Ann Brau. By Carroll of Poweshiek.

Fifteen government students from North High School, Des Moines, accompanied by Sonja Hansen and Barb Getting. By Connors of Polk.

On Wednesday, April 5, 2000 Representative Galen Davis of Wapello recognized Capitol Police Officers Chase Hesse and Kevin Johnson for their heroic efforts and quick thinking in saving the life of Iowa Republican Chairman, Kayne Robinson, who collapsed from cardiac arrest Tuesday at the Statehouse. The two officers used their training with a defibrillator to revive Robinson.

Forty-six fifth and sixth grade DARE students from Independence, accompanied by Sgt. Bill Wolfram, Mrs. Butera and Mrs. Sellers. By Falck of Fayette.

Fifty-three government students from Hempstead High School, Dubuque, accompanied by their teacher Tom Rawson. By Jochum and Murphy of Dubuque.

Thirty-five eighth grade students from Odebolt-Arthur School, Odebolt, accompanied by Steve Walsh. By Kettering of Sac.

A group of seventh grade students from Prarie Valley Middle School, Farnhamville, accompanied by Mary Sersland. By Mundie of Webster.

Thirty second grade students from Irving Elementary, Indianola, accompanied by Mrs. Mosher, Mrs. Bryce, Mrs. Allen and Mr. Nelson. By Richardson of Warren.

Sixteen FFA high school students from Cascade High School, Cascade, accompanied by Steve Stoll and Karen Hosch. By Scherrman of Dubuque

Thirteen FFA students from Okoboji High School, Milford, accompanied by Mr. and Mrs. Martin. By Stevens of Dickinson.

Seven FFA students from Webster City High School, Webster City, accompanied by Mr. Sohm. By Teig of Hamilton.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

AUDITOR OF STATE

The Single Audit Report for fiscal year ending June 30, 1999, pursuant to Chapter 11.25, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\760 Matt Redling, Gilbert – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\761 Martha Wells, Emmetsburg – For being named the Iowa Reading Association's Reading Teacher of the Year.
- 2000\762 Donna and Charles Tabor, Newton – For celebrating their 50th wedding anniversary.

- 2000\763 Josh Whitson, Newton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\764 Cari Cimmiyotti, Stacyville – For winning the Knights of Columbus State Free Throw Championship.
- 2000\765 Jason Harris, Riceville – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 756 Reassigned

Ways and Means: Raecker, Chair; Boal and Richardson.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

Senate File 2443, a bill for an act relating to compacts or agreements entered into by the Iowa lottery board and commissioner of the lottery.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 2000.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2095), providing for the refund to a nonprofit hospital of state sales and use tax paid upon the gross receipts of all sales of goods and services to a construction contractor where the goods and services are used under a construction contract for a nonprofit hospital.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2000.

Committee Bill (Formerly House Study Bill 760), establishing a community development program to aid certain neighborhoods and communities and providing tax credits for income tax, franchise tax, and premiums tax for businesses contributing to community development projects and including an effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2000.

Committee Bill (Formerly House Study Bill 780), relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2000.

RESOLUTIONS FILED

HCR 119, by Welter, Bradley, and Huser, a concurrent resolution requesting the state department of transportation to review federal outdoor advertising bonus program restrictions on signing and advertising adjacent to the interstate highway system and to make recommendations to the general assembly.

Laid over under **Rule 25**.

HR 118, by Nelson-Forbes, Raecker, Rayhons, Huser, Mertz, Jenkins, O'Brien, Cohoon, Witt, Millage, Garman, Foege, Barry, Jacobs, Hoffman, Welter, Dolecheck, Mundie, Boggess, Sukup, Alons, Cormack, Eddie, Greiner, Van Engelenhoven, Arnold, Metcalf, Weidman, Mascher, Bukta, Gipp, Martin, Heaton, Dix, Horbach, Johnson, Tyrrell, Brunkhorst, Davis, Osterhaus, Kuhn, D. Taylor, Wise, Houser, Myers, Doderer, Grundberg, Falck, Thomas, Murphy, Weigel, T. Taylor, Shoultz, Holmes, Hansen, Huseman, Lord, Ford, Klemme, Dotzler, Larkin, Jager, Drake, Sunderbruch, Brauns, Bradley, Hahn, Siegrist, Rants, Reynolds, Jochum, Boal, and Baudler, a resolution congratulating the Iowa State Cyclones Women's Basketball Team.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8751	S.F.	2435	Greimann of Story
H—8752	S.F.	2430	Murphy of Dubuque

H—8753	S.F.	2429	Nelson-Forbes of Marshall
H—8755	H.F.	656	Senate Amendment
H—8756	H.F.	2557	Myers of Johnson
H—8757	H.F.	2491	Senate Amendment
H—8758	S.F.	2435	Foege of Linn
H—8759	H.F.	2560	Houser of Pottawattamie
Reynolds of Van Buren			Mundie of Webster
Drees of Carroll			Barry of Harrison
H—8761	S.F.	2443	Ford of Polk
H—8762	S.F.	2429	Ford of Polk
H—8763	S.F.	2429	Ford of Polk
H—8764	S.F.	2429	Ford of Polk
H—8765	H.J.R.	2006	Shoultz of Black Hawk
H—8766	S.F.	2429	Reynolds of Van Buren
H—8768	S.F.	2126	Van Fossen of Scott
Sukup of Franklin			Chiodo of Polk
Raecker of Polk			Hansen of Pottawattamie
H—8769	S.F.	2430	Baudler of Adair
			Greimann of Story
H—8770	H.C.R.	113	Carroll of Poweshiek
H—8772	H.F.	2491	Alons of Sioux
H—8773	S.F.	2348	Senate Amendment
H—8774	S.F.	2443	Sukup of Franklin
Raecker of Polk			Johnson of Osceola
Garman of Story			Fallon of Polk
Thomson of Linn			Klemme of Plymouth
Carroll of Poweshiek			Dolecheck of Ringgold
Jager of Black Hawk			
H—8775	S.F.	2364	Bradley of Clinton
H—8776	H.F.	2556	Jenkins of Black Hawk
H—8777	H.F.	2558	Van Fossen of Scott
H—8778	H.F.	2555	Metcalf of Polk
H—8779	S.F.	2435	Foege of Linn
H—8780	S.F.	2443	Osterhaus of Jackson

On motion by Barry of Harrison the House adjourned at 4:06 p.m., until 1:00 p.m., Monday, April 10, 2000.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 10, 2000

The House met pursuant to adjournment at 1:05 p.m., Speaker Siegrist in the chair.

Prayer was offered by Father Mark Osterhaus, pastor of St. Matthew's Catholic Church, Cedar Rapids.

The Journal of Thursday, April 6, 2000 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by sixth grade students from Centennial and Willowbrook Elementary schools, accompanied by teachers Chris Hennigan and Jami Aldridge from Centennial Elementary; Diana Griffiths, Fonda Wettestad and Angela Stewart from Willowbrook Elementary, Altoona. They are the guests of the Honorable Geri Huser, state representative from Polk County. Jami Aldridge is the sister-in-law of the Honorable Steve Sukup, Speaker pro tempore from Franklin County.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk on request of Kreiman of Davis; Frevert of Palo Alto on request of Myers of Johnson; Mascher of Johnson, until her arrival, on request of Stevens of Dickinson.

PETITION FILED

The following petition was received and placed on file:

By Weigel of Chickasaw from fifty-five Iowans favoring the establishment of a commission on the status of Asian and Pacific Islander Americans in the state of Iowa, Department of Human Rights.

INTRODUCTION OF BILL

House Joint Resolution 2014, by Rants and Schrader, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Read first time and referred to committee on **administration and rules**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2419, a bill for an act changing the criminal penalties relating to possession, manufacture, or delivery of amphetamines.

Also: That the Senate has on April 6, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2437, a bill for an act relating to disclosure by a postsecondary education institution of information to the parent or guardian of a student.

Also: That the Senate has on April 6, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2418, a bill for an act relating to certification of property taxes by townships and providing an effective date.

Also: That the Senate has on April 6, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2439, a bill for an act relating to the accelerated career education program, providing a tax credit from withholding, creating an accelerated career education grant program and fund, relating to the transfer of job training withholding to the workforce development fund account, and providing an effective date.

Also: That the Senate has on April 6, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2444, a bill for an act relating to the taxation of property used by the Iowa national guard.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2439, by committee on ways and means, a bill for an act relating to the accelerated career education program, providing a tax credit from withholding, creating an accelerated career education grant program and fund, relating to the transfer of job training withholding to the workforce development fund account, and providing an effective date.

Read first time and **passed on file**.

Senate File 2444, by committee on ways and means, a bill for an act relating to the taxation of property used by the Iowa national guard.

Read first time and **passed on file**.

CONSIDERATION OF BILL
Unfinished Business Calendar

Senate File 2143, a bill for an act relating to the eligibility of certain school organizations to conduct games and raffles, with report of committee recommending passage, was taken up for consideration.

Jacobs of Polk offered the following amendment H-8666 filed by her and moved its adoption:

H-8666

- 1 Amend Senate File 2143, as passed by the Senate, as
- 2 follows: -
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 99B.1, Code 1999, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 24. "Unrelated entity" means a
- 8 person that has a separate and distinct state charter
- 9 and tax identification number from any other person,
- 10 and, if the person is an individual, an individual
- 11 that is not related by law or by consanguinity."
- 12 2. Page 1, by inserting after line 14 the
- 13 following:
- 14 "Sec. __. Section 99B.7, Code 1999, is amended by
- 15 adding the following new subsection:
- 16 NEW SUBSECTION. 3A. If a licensee derives ninety

17 percent or more of its total income from conducting
 18 bingo, raffles, or small games of chance, at least
 19 seventy-five percent of the licensee's net receipts
 20 shall be distributed to an unrelated entity for an
 21 educational, civic, public, charitable, patriotic, or
 22 religious use."
 23 3. Title page, line 2, by inserting after the
 24 word "raffles" the following: "and the disposition of
 25 receipts from games and raffles".

Amendment H-8666 was adopted.

O'Brien of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2143)

The ayes were, 68:

Barry	Baudler	Bell	Boal
Boddicker	Bogges	Bradley	Brauns
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Ford	Gipp
Grundberg	Hahn	Hansen	Hoffman
Holmes	Horbach	Houser	Huseman
Huser	Jacobs	Jenkins	Jochum
Kettering	Larkin	Larson	Martin
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	O'Brien
Osterhaus	Rants	Rayhons	Reynolds
Scherrman	Shey	Shoultz	Stevens
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Mr. Speaker
			Siegrist

The nays were, 25:

Alons	Arnold	Carroll	Cormack
Fallon	Foege	Garman	Greimann
Greiner	Heaton	Holveck	Jager
Johnson	Klemme	Kreiman	Kuhn
Lord	Nelson-Forbes	Parmenter	Raecker
Richardson	Sukup	Tyrrell	Van Engelenhoven
Witt			

Absent or not voting, 7:

Blodgett	Cataldo	Frevert	Mascher
Schrader	Sunderbruch	Van Fossen	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENTS CONSIDERED

Metcalf of Polk called up for consideration **House File 475**, a bill for an act concerning nonsubstantive gender-related provisions in the Code, amended by the Senate, and moved that the House concur in the following Senate amendment H-8729:

H-8729

1 Amend House File 475, as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 1 through 6.
 4 2. By striking page 1, line 16, through page 3,
 5 line 19.
 6 3. Page 4, line 4, by striking the figures
 7 "384.84, 425.17".
 8 4. Page 4, line 6, by striking the figure
 9 "562A.8".
 10 5. Page 4, line 10, by striking the figure
 11 "563A.35" and inserting the following: "562A.35".
 12 6. Page 4, line 11, by striking the figure
 13 "562B.9".
 14 7. Page 4, line 14, by striking the figure
 15 "562B.27".
 16 8. Page 4, line 15, by striking the figure
 17 "627.6".
 18 9. Page 4, lines 15 and 16, by striking the word
 19 and figures "679.5, and 808B.5" and inserting the
 20 following: "and 679.5".
 21 10. Page 4, by inserting after line 18 the
 22 following:
 23 "1A. Sections 384.84, 425.17, 562A.8, 562B.9,
 24 562B.18, 562B.27, 627.6, 808B.5, 808B.12, and 808B.13,
 25 Code Supplement 1999, are amended by striking from the
 26 sections the word "landlord" and inserting in lieu
 27 thereof the words: "property lessor"."
 28 11. Page 4, line 19, by striking the figure
 29 "321.47".
 30 12. Page 4, line 21, by striking the figure
 31 "562B.9".
 32 13. Page 4, line 22, by striking the figure

- 33 "562B.27".
 34 14. Page 4, by inserting after line 26 the
 35 following:
 36 "2A. Sections 321.47, 562A.8, 562B.9, and 562B.27,
 37 Code Supplement 1999, are amended by striking from the
 38 sections the word "landlord's" and inserting in lieu
 39 thereof the words "property lessor's"."
 40 15. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8729.

Metcalf of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 475)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foegel
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 7:

Carroll	Cataldo	Frevert	Mascher
Sunderbruch	Van Engelenhoven	Van Fossen	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Fallon of Polk called up for consideration **House File 2528**, a bill for an act relating to the condemnation of private property for certain public purposes and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-8739:

H-8739

1 Amend House File 2528, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 14, by inserting after the word
 4 "owner" the following: "and any contract purchaser".
 5 2. Page 1, line 19, by inserting after the word
 6 "owner" the following: "and any contract purchaser".
 7 3. Page 1, line 22, by inserting after the word
 8 "owner" the following: "and any contract purchaser".
 9 4. Page 1, line 23, by inserting after the word
 10 "owner's" the following: "and contract purchaser's".
 11 5. Page 1, line 34, by inserting after the words
 12 "fund the" the following: "final".
 13 6. Page 2, line 10, by inserting after the word
 14 "owner" the following: "and any contract purchaser".
 15 7. Page 2, line 23, by inserting after the words
 16 "fund the" the following: "final".
 17 8. Page 2, line 31, by inserting after the words
 18 "fund the" the following: "final".
 19 9. Page 3, line 19, by striking the word "should"
 20 and inserting the following: "shall".
 21 10. Page 3, by striking lines 20 through 26, and
 22 inserting the following: "twenty days before the
 23 public hearing is held as referred to in subsection 1.
 24 The published notice shall, at a minimum,".
 25 11. Page 3, line 33, by inserting after the words
 26 "fund the" the following: "final".
 27 12. Page 4, line 5, by striking the words "site
 28 specific" and inserting the following: "final site-
 29 specific".
 30 13. Page 4, line 14, by inserting after the word
 31 "section." the following: "If the acquiring agency is
 32 a person required to obtain a permit under chapter
 33 479, compliance with section 479.5 shall satisfy the
 34 notice requirements of this section."

35 14. By striking page 10, line 29, through page
36 11, line 3.
37 15. Page 11, by inserting before line 4, the
38 following:
39 "Sec. ____ Section 6B.14, unnumbered paragraph 1,
40 Code Supplement 1999, is amended to read as follows:
41 The commissioners shall, at the time fixed in the
42 aforesaid notices, view the land sought to be
43 condemned and assess the damages which the owner will
44 sustain by reason of the appropriation; ~~and they.~~ The
45 commission shall file ~~their~~ its written report, signed
46 by all commissioners, with the sheriff. At the
47 request of the condemner or the condemnee, the
48 commission shall divide the damages into parts to
49 indicate the value of any dwelling, the value of the
50 land and improvements other than a dwelling, and the

Page 2

1 value of any additional damages. The appraisalment and
2 return may be in parcels larger than forty acres
3 belonging to one person and lying in one tract, unless
4 the agent or attorney of the applicant, or the
5 commissioners, have actual knowledge that the tract
6 does not belong wholly to the person in whose name it
7 appears of record; and in case of such knowledge, the
8 appraisalment shall be made of the different portions
9 as they are known to be owned."
10 16. Page 11, line 12, by striking the word
11 "shall" and inserting the following: "may".
12 17. Page 11, line 13, by striking the words
13 "closed session".
14 18. Page 11, line 18, by inserting after the word
15 "commission." the following: "The commission shall
16 keep minutes of all its meetings showing the date,
17 time, and place, the members present, and the action
18 taken at each meeting. The minutes shall show the
19 results of each vote taken and information sufficient
20 to indicate the vote of each member present. The vote
21 of each member present shall be made public at the
22 open session. The minutes shall be public records
23 open to public inspection."
24 19. Page 14, line 4, by inserting after the word
25 "owner" the following: "and any contract purchaser".
26 20. Page 14, line 6, by inserting after the word
27 "owner" the following: "and any contract purchaser".
28 21. Page 14, line 12, by inserting after the word
29 "owner" the following: "or any contract purchaser".
30 22. Page 15, by inserting after line 21, the
31 following:
32 "Sec. ____ Section 479.5, unnumbered paragraphs 3
33 and 6, Code 1999, are amended to read as follows:

34 A pipeline company shall hold informational
 35 meetings in each county in which real property or
 36 property rights will be affected at least thirty days
 37 prior to filing the petition for a new pipeline. A
 38 member of the board or a person designated by the
 39 board shall serve as the presiding officer at each
 40 meeting and shall present an agenda for the meeting
 41 which shall include a summary of the legal rights of
 42 the affected landowners, and shall distribute and
 43 review the statement of individual rights required
 44 under section 6B.2A. No A formal record of the
 45 meeting shall not be required.
 46 The notice shall set forth the name of the
 47 applicant; the applicant's principal place of
 48 business; the general description and purpose of the
 49 proposed project; the general nature of the right-of-
 50 way desired; the possibility that the right-of-way may

Page 3

1 be acquired by condemnation if approved by the
 2 utilities board; a map showing the route of the
 3 proposed project; a description of the process used by
 4 the utilities board in making a decision on whether to
 5 approve a permit including the right to take property
 6 by eminent domain; that the landowner has a right to
 7 be present at such meeting and to file objections with
 8 the board; and a designation of the time and place of
 9 the meeting; and. The notice shall be served by
 10 certified mail with return receipt requested not less
 11 than thirty days previous to the time set for the
 12 meeting; and shall be published once in a newspaper of
 13 general circulation in the county. The publication
 14 shall be considered notice to landowners whose
 15 residence is not known and to each person in
 16 possession of or residing on the property provided a
 17 good faith effort to notify can be demonstrated by the
 18 pipeline company.
 19 Sec. ____ Section 479.7, Code 1999, is amended by
 20 adding the following new unnumbered paragraph:
 21 NEW UNNUMBERED PARAGRAPH. Where a petition seeks
 22 the use of the right of eminent domain over specific
 23 parcels of real property, the board shall prescribe
 24 the notice to be served upon the owners of record and
 25 parties in possession of the property over which the
 26 use of the right of eminent domain is sought. The
 27 notice shall include the statement of individual
 28 rights required pursuant to section 6B.2A."
 29 23. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8739.

Fallon of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2528)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Shoultz
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 7:

Cataldo	Frevert	Houser	Mascher
Schrader	Sunderbruch	Van Fossen	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 475, 2528 and Senate File 2143.**

INTRODUCTION OF BILL

House File 2565, by Rants, a bill for an act relating to tobacco use prevention and control and providing an effective date.

Read first time and referred to committee on **human resources.**

RULES SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend the rules for a meeting of the committee on administration and rules for the consideration of House Joint Resolution 2014 and a meeting of the committee on human resources for the consideration of House File 2565 at 2:00 p.m. today.

On motion by Rants of Woodbury, the House was recessed at 1:50 p.m., until 4:30 p.m.

AFTERNOON SESSION

The House reconvened at 4:53 p.m., Speaker Siegrist in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doderer of Johnson on request of Jochum of Dubuque.

INTRODUCTION OF BILL

House File 2566, by Rants and Schrader, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates.

Read first time and referred to committee on **transportation.**

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-two members present, twenty-eight absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2090, a bill for an act changing the name of the forests and forestry division of the department of natural resources to the forests and prairies division and expanding its responsibilities.

Also: That the Senate has on April 10, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2433, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED

Alons of Sioux called up for consideration **House File 2491**, a bill for an act providing for the production of life science products, and providing for penalties, amended by the Senate amendment H-8757 as follows:

H-8757

- 1 Amend House File 2491, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 10B.4, subsection 2, Code
- 6 1999, is amended by adding the following new
- 7 paragraph:
- 8 NEW PARAGRAPH. g. If the reporting entity is a

9 life science enterprise, as provided in chapter 10C,
10 as that chapter exists on or before June 30, 2004, the
11 total amount of commercial sale of life science
12 products and products other than life science products
13 which are produced from the agricultural land held by
14 the life science enterprise.

15 Sec. 2. NEW SECTION. 10C.1 DEFINITIONS.

16 1. "Actively engaged in farming" means the same as
17 defined in section 10.1.

18 2. "Agricultural commodity" means the same as
19 defined in section 190C.1.

20 3. "Agricultural land" means land suitable for use
21 in farming as defined in section 9H.1.

22 4. "Animal" means a creature belonging to the
23 bovine, caprine, equine, ovine, or porcine species.

24 5. "Corporation" means a domestic or foreign
25 corporation subject to chapter 490, a nonprofit
26 corporation, or a cooperative.

27 6. "Economic development board" or "board" means
28 the economic development board created pursuant to
29 section 15.103.

30 7. "Family farm entity" means the same as defined
31 in section 10.1.

32 8. "Life science enterprise" or "enterprise" means
33 a corporation or limited liability company organized
34 for the purpose of using biotechnological systems or
35 techniques for the production of life science
36 products.

37 9. "Life science product" or "product" means a
38 product derived from an animal by using
39 biotechnological systems or techniques and which
40 includes only the following:

41 a. Embryos or oocytes for use in animal
42 implantation.

43 b. Blood, milk, or urine for use in the
44 manufacture of pharmaceuticals or nutraceuticals.

45 c. Cells, tissue, or organs for use in animal or
46 human transplantation.

47 10. "Limited liability company" means a limited
48 liability company as defined in section 490A.102.

49 Sec. 3. NEW SECTION. 10C.2 PURPOSE.

50 The purpose of this chapter is to promote economic

Page 2

1 growth in this state during this period of
2 revolutionary technological advancement in animal and
3 human health sciences, by providing for the
4 development of industries unrelated to traditional
5 farming, but devoted to the production of life science
6 products derived from animals.

7 Sec. 4. NEW SECTION. 10C.3 ENTERPRISES ENGAGED

8 IN THE CREATION AND DEVELOPMENT OF LIFE SCIENCE
9 PRODUCTS – PROHIBITION AND EXCEPTIONS.

10 Notwithstanding any other provision of law, a life
11 science enterprise may acquire or hold an ownership or
12 leasehold interest in agricultural land, if the
13 economic development board approves a life science
14 enterprise plan as provided in section 15.104. A life
15 science enterprise must acquire or hold the
16 agricultural land pursuant to the plan which may be
17 amended as provided by the board. However, the life
18 science enterprise shall not hold a total of more than
19 three hundred twenty acres of agricultural land. The
20 life science enterprise shall hold the land only for
21 purposes of producing life science products according
22 to the life science enterprise plan. In addition, the
23 life science enterprise shall not acquire or hold
24 agricultural land, if the life science enterprise
25 receives any form of financing from an Iowa
26 agricultural industry finance corporation as provided
27 in chapter 15E. A life science enterprise that
28 complies with this section may hold the interest in
29 the agricultural land, as provided in the plan, for as
30 long as commercial sales of products produced from the
31 agricultural land are subject to the following:

32 1. The sale of life science products must equal at
33 least seventy-five percent of commercial sales of all
34 products produced from the agricultural land during
35 any year that the life science enterprise is required
36 to report under section 10B.4.

37 2. The sale of products other than life science
38 products must equal not more than twenty-five percent
39 of commercial sales of all products produced from the
40 agricultural land during any year that the life
41 science enterprise is required to report under section
42 10B.4.

43 Sec. 5. NEW SECTION. 10C.4 ENFORCEMENT –
44 PENALTIES.

45 1. The office of attorney general or a county
46 attorney shall enforce the provisions of this chapter.

47 2. A life science enterprise violating this
48 chapter shall be assessed a civil penalty of not more
49 than twenty-five thousand dollars. Each day that a
50 violation exists shall constitute a separate offense.

Page 3

1 In addition, the life science enterprise shall divest
2 itself of any land held in violation of this chapter
3 within one year after judgment. The court may
4 determine the method of divesting an interest held by
5 a life science enterprise found to be in violation of
6 this chapter. A financial gain realized by the

7 enterprise which disposes of an interest held in
8 violation of this chapter shall be forfeited to the
9 general fund of the state. All court costs and fees
10 shall be paid by the enterprise holding the interest
11 in violation of this chapter.

12 3. The courts of this state may prevent and
13 restrain violations of this chapter through the
14 issuance of an injunction. The attorney general or a
15 county attorney shall institute suits on behalf of the
16 state to prevent and restrain violations of this
17 chapter.

18 Sec. 6. NEW SECTION. 10C.5 REPEAL.

19 Sections 10C.1 through 10C.4 and this section are
20 repealed July 1, 2004.

21 Sec. 7. NEW SECTION. 10C.6 EXISTING LIFE SCIENCE
22 ENTERPRISES.

23 This section applies on and after July 1, 2004.

24 1. a. A life science enterprise may acquire or
25 hold agricultural land, notwithstanding section 10C.5
26 as that section exists in the 2003 Code or 2003 Code
27 Supplement, if all of the following applies:

28 (1) The life science enterprise acquires the
29 agricultural land on or before June 30, 2004.

30 (2) The enterprise acquires or holds the
31 agricultural land pursuant to chapter 10C as that
32 chapter exists in the 2003 Code or 2003 Code
33 Supplement.

34 (3) The economic development board has approved a
35 life science enterprise plan filed on or before June
36 30, 2004 with the board. The enterprise must acquire
37 or hold the agricultural land pursuant to the plan
38 which may be amended at any time and approved by the
39 board pursuant to section 15.104.

40 b. The life science enterprise must file a report
41 with the secretary of state as provided in section
42 10B.4.

43 2. A person who is a successor in interest to a
44 life science enterprise may acquire or hold
45 agricultural land, notwithstanding section 10C.5 as
46 that section exists in the 2003 Code or 2003 Code
47 Supplement, if all of the following applies:

48 a. The person meets the qualifications of a life
49 science enterprise and acquires or holds the
50 agricultural land as provided in chapter 10C as that

Page 4

1 chapter exists in the 2003 Code or 2003 Code
2 Supplement.

3 b. The person acquires or holds the agricultural
4 land according to the life science enterprise plan
5 filed by the person's predecessor in interest and

6 approved by the economic development board. The plan
7 may be amended at any time and approved by the board
8 pursuant to section 15.104.

9 c. The person has filed a notice with the economic
10 development board as required by the board. The
11 notice shall state that the person is a successor in
12 interest. The notice must be filed with the board
13 within thirty days following the person's acquisition
14 of the interest.

15 d. The person must file a report as a life science
16 enterprise with the secretary of state as provided in
17 section 10B.4.

18 Sec. 8. Section 15.104, Code 1999, is amended by
19 adding the following new subsection:

20 **NEW SUBSECTION. 4A.** Review and approve or
21 disapprove a life science enterprise plan or
22 amendments to that plan as provided in chapter 10C as
23 that chapter exists on or before June 30, 2004, and
24 according to rules adopted by the board. a life
25 science plan shall make a reasonable effort to provide
26 for participation by persons who are individuals or
27 family farm entities actively engaged in farming as
28 defined in section 10.1. The persons may participate
29 in the life science enterprise by holding an equity
30 position in the life science enterprise or providing
31 goods or service to the enterprise under contract.
32 The plan must be filed with the board not later than
33 June 30, 2004. The life science enterprise may file
34 an amendment to a plan at any time. a life science
35 enterprise is not eligible to file a plan, unless the
36 life science enterprise files a notice with the board.
37 The notice shall be a simple statement indicating that
38 the life science enterprise may file a plan as
39 provided in this section. The notice must be filed
40 with the board not later than June 30, 2001. The
41 notice, plan, or amendments shall be submitted by a
42 life science enterprise as provided by the board. The
43 board shall consult with the department of agriculture
44 and land stewardship during its review of a life
45 science plan or amendments to that plan. The plan
46 shall include information regarding the life science
47 enterprise as required by rules adopted by the board,
48 including but not limited to all of the following:
49 a. A description of life science products to be
50 developed by the enterprise.

Page 5

1 b. The time frame required by the enterprise to
2 develop the life science products.

3 c. The amount of capital investment required by
4 the enterprise to develop the life science products.

5 d. The number of acres of land required to produce
6 the life science products.
7 e. The type and extent of participation in the
8 life science enterprise by persons who are individuals
9 or family farm entities. If the plan does not provide
10 for participation or minimal participation, the plan
11 shall include a detailed explanation of the reasonable
12 effort made by the life science enterprise to provide
13 for participation.
14 Sec. 9. DIRECTIONS TO CODE EDITOR. The Code
15 editor may transfer section 10C.6 to another chapter
16 in the 2005 Code, and correct internal references as
17 necessary in order to enhance the readability of the
18 Code.
19 Sec. 10. EFFECTIVE DATE. This Act, being deemed
20 of immediate importance, takes effect upon enactment."

Alons of Sioux offered the following amendment H-8796, to the Senate amendment H-8757, filed by him from the floor and moved its adoption:

H-8796

1 Amend the Senate amendment, H-8757, to House File
2 2491, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 31, the
5 following:
6 " _____. "Life science by-product" means a commodity,
7 other than a life science product, if the commodity
8 derives from the production of a life science product
9 and the commodity is not intended or used for human
10 consumption."
11 2. Page 2, by striking lines 32 through 42, and
12 inserting the following:
13 " _____. The sale of life science products.
14 _____. The sale of cull livestock kept on the
15 agricultural land, surplus commodities produced as
16 feed for livestock kept on the agricultural land, or
17 life science by-products."
18 3. Page 5, by inserting after line 20, the
19 following:
20 " _____. Title page, line 2, by inserting after the
21 word "penalties" the following: "and an effective
22 date"."

Amendment H-8796 was adopted.

On motion by Alons of Sioux the House concurred in the Senate amendment H-8757, as amended, placing amendment H-8772 filed by Alons of Sioux on April 6, 2000, out of order.

Alons of Sioux moved that the bill, as amended by the Senate and further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2491)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foegel	Ford
Garman	Greimann	Greiner	Grundberg
Hahn	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 3:

Fallon	Kuhn	Weigel
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Absent or not voting, 6:

Cataldo	Doderer	Frevert	Gipp
Hansen	Van Fossen		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2491** be immediately messaged to the Senate.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 6, 2000. Had I been present, I would have voted "aye" on House File 2463 and Senate Files 2331, 2371, 2395 and 2424.

HUSEMAN of Cherokee

I was necessarily absent from the House chamber on Monday, April 10, 2000. Had I been present, I would have voted "aye" on House Files 475, 2528 and Senate File 2143.

MASCHER of Johnson

I was necessarily absent from the House chamber on Monday, April 10, 2000. Had I been present, I would have voted "aye" on House Files 475, 2528 and Senate File 2143.

SUNDERBRUCH of Scott

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 10th day of April, 2000: House Files 2027, 2148, 2247, 2280 and 2494.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 5, 2000, he approved and transmitted to the Secretary of State the following bill:

House File 2385, an act providing for establishment of a statewide organ and tissue donor registry.

Also: That on April 6, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2136, an act relating to nonsubstantive Code corrections.

House File 2172, an act relating to polygraph examinations of applicants for certain law enforcement positions.

House File 2321, an act relating to medical assistance, including eligibility categories and transfer of assets.

House File 2512, an act relating to certain violations attributed to motor vehicles rented from motor vehicle rental companies.

House File 2525, an act relating to limitations on recoverable noneconomic damages in legal actions arising out of motor vehicle accidents.

Senate File 182, an act requiring licensure to practice acupuncture.

Senate File 2089, an act relating to collection of the physical plant and equipment property tax levy in certain urban renewal areas and providing an applicability date.

Senate File 2111, an act relating to certain school finance formula provisions and providing an effective date.

Senate File 2221, an act relating to juvenile court jurisdiction and the prosecution of juveniles in juvenile and district court.

Senate File 2303, an act relating to judicial administration by providing for benefits applicable to judicial branch employees, the allocation of magistrates, and the manner of making certain noncourt and administrative appointments, and requesting a legislative study.

Also: That on April 7, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2254, an act relating to actions on certain older claims to real estate.

House File 2279, an act relating to the renewal date for a license issued by the board of educational examiners.

House File 2422, an act relating to funding of the local housing assistance program and providing an effective date.

House File 2435, an act repealing a provision authorizing the raising of an additional enrichment amount to fund asbestos removal projects.

House File 2438, an act extending a partial suspension of permitting requirements of facilities that deal with hazardous waste.

House File 2538, an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, and including fees for certain registration plates, allowing the department to conduct a pilot project, and providing for the nonreversion of certain moneys, and providing an effective date.

Senate File 2007, an act relating to responsibilities of a guardian in procuring professional services for a ward with a physical or mental disability which do not require prior court approval.

Senate File 2142, an act relating to crime victim compensation.

Senate File 2145, an act relating to the national crime prevention and privacy compact.

Senate File 2314, an act relating to communicable and infectious diseases and providing penalties.

Senate File 2344, an act relating to child and family services administered by the department of human services.

Senate File 2371, an act relating to the establishment of a water quality initiative program by the department of agriculture and land stewardship and the department of natural resources, defining and providing for the use of credible data for quality control and assurance procedures, and providing for other properly related matters, and providing an applicability date.

GOVERNOR'S VETO MESSAGES

Copies of the following communications were received and placed on file:

April 6, 2000

Brent Siegrist
Speaker of the House
State Capitol Building
L O C A L

Dear Speaker Siegrist:

I hereby transmit House File 2113, an act relating to the recognition of federal rights and service, including eligibility for United States armed forces retired special motor vehicle license plates and designation of a "Bill of Rights Day", in accordance with Article III, Section 16, of the Constitution of Iowa.

This bill contains two worthwhile provisions, one which designates December 15 as "Bill of Rights Day," and a second which makes it easier for certain retired and honorably discharged military veterans to obtain special vehicle license plates.

I regret to inform you that I am unable to approve House File 2113 as presented. Article III, Section 29, of the Constitution of Iowa, states, in part, that "Every act shall embrace but one subject, and matters properly connected therewith..." This legislation fails to meet that Constitutional test based on legal tests applied in relevant Iowa court decisions. The bill clearly contains two distinct and separate subjects, and each section of this bill has no relation to the other.

Throughout this legislative session there have been discussions of the proper use of legal authority within state government. In this case, the question of legal authority is a very basic one. This legislative enactment violates Article III, Section 29 of the Constitution. As Governor, I have sworn to uphold the Constitution of the state. Therefore, I have no choice but to respectfully disapprove House File 2113.

I call upon legislators, during the time remaining in this legislative session to pass these two provisions in a proper Constitutional form. Both provisions have merit, and I will approve them, if presented to me in proper form.

Sincerely,
Thomas J. Vilsack
Governor

April 7, 2000

Brent Siegrist
Speaker of the House
State Capitol Building
LOCAL

Dear Speaker Siegrist:

I hereby transmit House File 2229, an act relating to informed consent provisions relating to an abortion and providing criminal penalties, and providing an effective date.

House File 2229 provides that an abortion shall be prohibited without the "voluntary and informed consent" of the woman seeking the procedure. To meet this consent requirement, a physician or the physician's agent is required to provide prescribed information, predominantly non-medical, to the woman at least 24 hours prior to performing the procedure. The bill, in a rare move, would subject medical professionals to criminal penalties for failing to comply.

As a state senator, I felt that government had a proper, but limited, role to act in certain areas affecting abortions. I supported parental notification as well as the ban on late-term abortions. However, I view House File 2229 differently.

Iowa law currently requires a medical professional to obtain, from the patient, a written consent to any medical or surgical procedure. (Iowa Code 147.137) This written consent includes information on the risks associated with the procedure to be performed. Therefore, women are already being provided information they need to make an informed decision about the abortion procedure. This bill also assumes that women do not invest enough time before the procedure weighing the emotional, medical, and spiritual factors involved in making this extremely difficult decision. I do not believe that assumption is true.

Current parental notification laws also provide an opportunity for every young woman to have help and assistance in making this decision. Medical facilities providing abortions and family planning services currently make available to a woman contemplating an abortion a great deal of information. A number of other organizations, including many churches, make information on alternatives available. From this, I conclude that any information a woman wants or needs is available to her.

Given the current laws in Iowa and the level of information currently available to women, I must conclude that this bill is not about providing informed consent. Rather it is about government prescribing what a woman should think about, when a woman should think, and for how long a woman should think. This goes beyond the appropriate role of government in the context of this legal procedure.

The decision to have or not have an abortion is and should be the patient's decision. It should be made pursuant to her own values, in consultation with her physician and her God. Government's role is and should be limited.

For the above reasons, I hereby respectfully disapprove House File 2229.

Sincerely,
Thomas J. Vilsack
Governor

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirteen government students from Lamoni High School, Lamoni, accompanied by Jack Vanderflucht. By Dolecheck of Ringgold.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\766 Frank and Gladys Strovers, Grinnell – For celebrating their 70th wedding anniversary.
- 2000\767 Max and Gloria Clay, Grinnell – For celebrating their 50th wedding anniversary.
- 2000\768 Ruth "Dolly" McDonald, Grinnell – For celebrating her 95th birthday.
- 2000\769 Ona W. Jones, Grinnell – For celebrating her 90th birthday.
- 2000\770 Geneva Tinkle, Grinnell – For celebrating her 97th birthday.
- 2000\771 Charles Loudon, Grinnell – For celebrating his 90th birthday.
- 2000\772 Leroy and Helen Brubaker, Searsboro – For celebrating their 65th wedding anniversary.
- 2000\773 Alice and Raymond Beck, Grinnell – For celebrating their 50th wedding anniversary.
- 2000\774 Berniece Seymour, Indianola – For celebrating her 99th birthday.
- 2000\775 Harold Warnock, Corning – For celebrating his 90th birthday.
- 2000\776 Dustin John Holmes, Perry – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\777 Nicholas Alan Bailey, Perry – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\778 Orra Mullenix, Ottumwa – For celebrating her 95th birthday.
- 2000\779 Lona Hicks, Sac City – For celebrating her 80th birthday.
- 2000\780 Leonard Heun, Lake View – For celebrating his 80th birthday.
- 2000\781 Helen Mulligan, Wall Lake – For celebrating her 84th birthday.
- 2000\782 Dorothy Dreessen, Wall Lake – For celebrating her 90th birthday.
- 2000\783 Violet Barnes, Sac City – For celebrating her 90th birthday.
- 2000\784 Ben Roesner, Wall Lake – For celebrating his 94th birthday.
- 2000\785 Hilda Pagel, Wall Lake – For celebrating her 100th birthday.
- 2000\786 Germaine and Arnold Nieland, Auburn – For celebrating their 60th wedding anniversary.

- 2000\787 Ona and Clark Weary, Ida Grove – For celebrating their 65th wedding anniversary.
- 2000\788 Bill and Mabel Oehlert, Osceola – For celebrating their 50th wedding anniversary.
- 2000\789 Bob and Bev Niswender, Osceola – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

House Joint Resolution 2014

Administration and Rules: Barry, Chair; Rants and Schrader.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 782 Appropriations

Relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

H.S.B. 783 Appropriations

Relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

H.S.B. 784 Appropriations

Relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, and providing effective dates.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

House Joint Resolution File 2014, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2000.

COMMITTEE ON WAYS AND MEANS

Senate File 2419, a bill for an act providing for limitations on investments by city hospitals.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 2000.

Committee Bill (Formerly House File 774), exempting the increase in assessed value of a farm structure due to improvements made to the structure to preserve it as a barn.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 2000.

Committee Bill (Formerly House Study Bill 758), relating to the taxation of property used by the Iowa national guard.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 6, 2000.

Committee Bill (Formerly House Study Bill 762), exempting the sale of livestock ear tags by certain nonprofit organizations from the sales and use taxes.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 2000.

RESOLUTIONS FILED

HR 119, by Ford and Raecker, a resolution congratulating Cameron Hawkins.

Laid over under **Rule 25**.

SCR 108, by Hedge, a concurrent resolution recognizing the accomplishments of John Fletcher Lacey and commemorating the one-hundredth-year anniversary of the Lacey Act.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8781	S.F.	2364	Alons of Sioux Bradley of Clinton
H—8782	H.F.	2557	Sukup of Franklin Myers of Johnson
H—8783	H.F.	2419	Senate Amendment
H—8784	H.F.	2437	Senate Amendment
H—8785	S.F.	2435	Osterhaus of Jackson Heaton of Henry
H—8786	S.F.	2435	Jochum of Dubuque Foegel of Linn
H—8787	S.F.	2435	Foegel of Linn
H—8788	S.F.	2435	Foegel of Linn
H—8789	S.F.	2435	Foegel of Linn
H—8790	S.F.	2435	Murphy of Dubuque
H—8791	S.F.	2435	Osterhaus of Jackson
H—8792	S.F.	2435	Osterhaus of Jackson
H—8793	S.F.	2435	Foegel of Linn
H—8794	S.F.	2435	Heaton of Henry
H—8795	S.F.	2332	Reynolds of Van Buren
H—8797	S.F.	2435	Osterhaus of Jackson
H—8798	S.F.	2435	Foegel of Linn
H—8799	S.F.	2430	Thomas of Clayton
H—8800	H.F.	2560	Ford of Polk Shoultz of Black Hawk Weigel of Chickasaw
H—8801	S.F.	2435	Heaton of Henry

On motion by Rants of Woodbury the House adjourned at 5:20 p.m., until 8:45 a.m., Tuesday, April 11, 2000.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day - Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 11, 2000

The House met pursuant to adjournment at 8:48 a.m., Speaker Siegrist in the chair.

Prayer was offered by Father Harness, pastor of St. Joseph's Catholic Church, De Witt.

The Journal of Monday, April 10, 2000 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 754, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, and health maintenance organizations, by mandating coverage for anesthesia and certain hospital charges associated with the provision of dental care services.

Also: That the Senate has on April 10, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2502, a bill for an act relating to fee-supported services provided by a county including the payment of county law enforcement salaries and expenses.

Also: That the Senate has on April 10, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2519, a bill for an act relating to probation and parole by extending the repeal of the sixth judicial district pilot project concerning probation revocation hearings and by establishing the position of vice chairperson of the board of parole, and providing an effective date.

Also: That the Senate has on April 10, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 324, a bill for an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

Also: That the Senate has on April 10, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2302, a bill for an act relating to programs and public health issues under the purview of the Iowa department of public health and the appropriation of certain fees to the department.

Also: That the Senate has on April 10, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2360, a bill for an act relating to state and local administrative and employment provisions involving human services and providing an effective date.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF HOUSE RESOLUTION 119

Ford of Polk called up for consideration House Resolution 119, a resolution congratulating Cameron Hawkins, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2557, a bill for an act relating to the state's disposition of unclaimed property law by setting a limit on the retention of abandoned property records, excluding certain property from being considered abandoned property, and setting requirements and conditions for hiring independent auditors, was taken up for consideration.

Myers of Johnson asked and received unanimous consent to withdraw amendment H-8756 filed by him on April 6, 2000.

Sukup of Franklin offered the following amendment H-8782 filed by him and Myers of Johnson and moved its adoption:

H-8782

- 1 Amend House File 2557 as follows:
- 2 1. Page 1, by striking lines 1 through 11.
- 3 2. Page 1, line 17, by striking the word "three"
- 4 and inserting the following: "four".
- 5 3. Page 1, line 26, by striking the word "three"

- 6 and inserting the following: "four".
 7 4. Page 1, by striking lines 28 through 34 and
 8 inserting the following:
 9 "Sec. ____ The treasurer of state shall give
 10 notice of intended action, as required in section
 11 17A.4, to adopt rules providing for the conditions and
 12 requirements for entering into a contract with an
 13 independent auditor to conduct the examination allowed
 14 under section 556.23 on behalf of the treasurer. The
 15 proposed rules shall, at a minimum, contain the".
 16 5. Title page, by striking lines 3 and 4 and
 17 inserting the following: "records and requiring the
 18 filing of rules setting requirements and conditions".

Amendment H-8782 was adopted.

Sukup of Franklin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2557)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Chiodo

Frevert

Hansen

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2557** be immediately messaged to the Senate.

Unfinished Business Calendar

Senate File 2126, a bill for an act relating to third-party payment of health care coverage costs for prescription contraceptive drugs, devices, and services, with report of committee recommending passage, was taken up for consideration.

Rayhons of Hancock asked and received unanimous consent to withdraw amendment H-8740 filed by him on April 5, 2000.

Boddicker of Cedar offered the following amendment H-8477 filed by Boddicker, et al., and moved its adoption:

H-8477

- 1 Amend Senate File 2126, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 8, by inserting after the word
- 4 "devices" the following: "which prevent conception
- 5 and which are".
- 6 2. Page 1, line 15, by inserting after the word
- 7 "services" the following: "which are provided for the
- 8 purpose of preventing conception".

Amendment H-8477 was adopted.

Van Fossen of Scott asked and received unanimous consent to withdraw amendment H-8768 filed by Van Fossen, et al., on April 6, 2000.

Martin of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2126)

The ayes were, 85:

Arnold	Barry	Bell	Blodgett
Boal	Boggess	Bradley	Brauns
Brunkhorst	Bukta	Carroll	Cataldo
Chiodo	Cohoon	Connors	Davis
Dix	Doderer	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Gipp	Greimann
Greiner	Grundberg	Hahn	Heaton
Holmes	Holveck	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 12:

Alons	Baudler	Boddicker	Cormack
Dolecheck	Hoffman	Horbach	Johnson
Lord	Rayhons	Tyrell	Van Engelenhoven

Absent or not voting, 3:

Frevert	Garman	Hansen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2126** be immediately messaged to the Senate.

SENATE AMENDMENTS CONSIDERED

Barry of Harrison called up for consideration **Senate File 2348**, a bill for an act relating to the loess hills development and conservation authority by creating a hungry canyons alliance and providing membership guidelines for board of directors of the conservation authority and loess hills alliance, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-8773, to the House amendment:

H-8773

- 1 Amend the House amendment, S-5248, to Senate File
- 2 2348, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 7 through 48 and
- 4 inserting the following:
- 5 "NEW SUBSECTION. 5. In matters relating to the
- 6 conservation, preservation, or development of the
- 7 loess hills, state agencies shall coordinate,
- 8 cooperate, and consult with the loess hills
- 9 development and conservation authority and its
- 10 associated alliances."

The motion prevailed and the House concurred in the Senate amendment H-8773, to the House amendment.

Barry of Harrison moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2348)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Foege
Garman	Gipp	Greiner	Grundberg
Hahn	Heaton	Hoffman	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman

Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 5:

Drees	Fallon	Ford	Greimann
Whitead			

Absent or not voting, 4:

Frevert	Hansen	Holmes	Mundie
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Davis of Wapello called up for consideration **House File 2419**, a bill for an act changing the criminal penalties relating to possession, manufacture, or delivery of amphetamines, amended by the Senate, and moved that the House concur in the following Senate amendment H-8783:

H-8783

- 1 Amend House File 2419 as passed by the House as
- 2 follows:
- 3 1. Page 3, by inserting after line 15 the
- 4 following:
- 5 "Sec. . **NEW SECTION.** 124.414 DRUG
- 6 **PARAPHERNALIA.**
- 7 1. a. As used in this section, "drug
- 8 paraphernalia" means all equipment, products, or
- 9 materials of any kind used or attempted to be used in
- 10 combination with a controlled substance, except those
- 11 items used in combination with the lawful use of a
- 12 controlled substance, to knowingly or intentionally
- 13 and primarily do any of the following:
- 14 (1) Manufacture a controlled substance.
- 15 (2) Inject, ingest, inhale, or otherwise introduce
- 16 into the human body a controlled substance.
- 17 (3) Test the strength, effectiveness, or purity of

- 18 a controlled substance.
 19 (4) Enhance the effect of a controlled substance.
 20 b. "Drug paraphernalia" does not include
 21 hypodermic needles or syringes if manufactured,
 22 delivered, sold, or possessed for a lawful purpose.
 23 2. It is unlawful for any person to knowingly or
 24 intentionally manufacture, deliver, sell, or possess
 25 drug paraphernalia.
 26 3. A person who violates this section commits a
 27 simple misdemeanor."
 28 2. Title page, by striking lines 1 and 2 and
 29 inserting the following: "An Act concerning the
 30 criminal penalties relating to amphetamines or drug
 31 paraphernalia."

Sukup of Franklin in the chair at 9:31 a.m.

The motion prevailed and the House concurred in the Senate amendment H-8783.

Davis of Wapello moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2419)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foege
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Myers	Nelson-Forbes
O'Brien	Osterhaus	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven

Van Fossen
Welter
Sukup,
Presiding

Warnstadt
Whitead

Weidman
Wise

Weigel
Witt

The nays were, 8:

Doderer
Mascher

Fallon
Murphy

Ford
Parmenter

Greimann
Shultz

Absent or not voting, 3:

Frevort

Grundberg

Jager

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2419** and **Senate File 2348**.

Ways and Means Calendar

House File 2556, a bill for an act relating to the accelerated career education program, providing a tax credit from withholding, creating an accelerated career education grant program and fund, relating to the transfer of job training withholding to the workforce development fund account, and providing an effective date, was taken up for consideration.

Jenkins of Black Hawk offered amendment H-8776 filed by him as follows:

H-8776

- 1 Amend House File 2556 as follows:
- 2 1. Page 5, line 18, by inserting after the word
- 3 "section" the following: "and shall develop and
- 4 implement a method for allocating moneys based upon
- 5 the need for skills and occupations for which an
- 6 applied technical education is required".
- 7 2. Page 6, by striking lines 9 through 12 and
- 8 inserting the following: "less. The grants shall be
- 9 awarded on an annual basis. Applicants who meet the
- 10 application deadline shall be ranked by the commission

11 in order of need. The commission shall award grants
12 to applicants in order of need beginning with
13 applicants with the greatest need, insofar as funds
14 permit. If a student receiving grant moneys
15 discontinues attendance before the end of any term,
16 the entire amount of any refund due that student, up
17 to the amount of any payments made under the grant,
18 shall be paid by the institution to the state for
19 deposit in the accelerated career education grant
20 fund."

The House stood at ease at 10:05 a.m., until the fall of the gavel.
(Amendment H-8776 pending)

The House resumed session at 11:08 a.m., Speaker Siegrist in the chair.

Rants of Woodbury asked and received unanimous consent that House File 2556 be temporarily deferred.

ADOPTION OF HOUSE RESOLUTION 120

Myers of Johnson asked and received unanimous consent for the immediate consideration of House Resolution 120, a resolution congratulating the University of Iowa Hawkeyes Wrestling Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Myers of Johnson introduced to the House Head Coach Jim Zalesky who addressed the House briefly and introduced members of the University of Iowa Wrestling Team.

The House rose and expressed its welcome.

INTRODUCTION OF BILLS

House File 2567, by committee on appropriations, a bill for an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

Read first time and placed on the **appropriations calendar**.

House File 2568, by committee on ways and means, a bill for an act relating to the taxation of property used by the Iowa national guard.

Read first time and placed on the **ways and means calendar**.

House File 2569, by committee on ways and means, a bill for an act exempting the sale of livestock ear tags by certain nonprofit organizations from the sales and use taxes.

Read first time and placed on the **ways and means calendar**.

House File 2570, by committee on ways and means, a bill for an act exempting the increase in assessed value of a farm structure due to improvements made to the structure to preserve it as a barn.

Read first time and placed on the **ways and means calendar**.

House File 2571, by committee on appropriations, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

Read first time and placed on the **appropriations calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2473, a bill for an act providing civil and criminal immunity for a school employee related to the employee's participation in reporting and investigating violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function.

Also: That the Senate has on April 11, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2477, a bill for an act relating to public improvements and transportation, including procedures for condemnation and highway projects, aircraft registration, and passenger rail service, and providing an effective date.

Also: That the Senate has on April 11, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2143, a bill for an act relating to the eligibility of certain school organizations to conduct games and raffles.

Also: That the Senate has on April 11, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2249, a bill for an act relating to a state agency purchasing preference for bio-based hydraulic fluids, greases, and other industrial lubricants.

Also: That the Senate has on April 11, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2329, a bill for an act increasing the fine for certain motor vehicle violations relating to railroad crossings.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2433, by committee on appropriations, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

Read first time and **passed on file**.

CHANGE OF VOTE

Doderer of Johnson asked and received unanimous consent to change her vote on House File 2419 from "aye" to "nay", and the vote was so recorded in the House Journal on pages 1380 and 1381.

CONSIDERATION OF BILL

The House resumed consideration of House File 2556 and amendment H-8776, previously deferred.

On motion by Jenkins of Black Hawk amendment H-8776 was adopted.

SENATE FILE 2439 SUBSTITUTED FOR HOUSE FILE 2556

Jenkins of Black Hawk asked and received unanimous consent to substitute Senate File 2439 for House File 2556.

Senate File 2439, a bill for an act relating to the accelerated career education program, providing a tax credit from withholding, creating an accelerated career education grant program and fund, relating to the transfer of job training withholding to the workforce development fund account, and providing an effective date, was taken up for consideration.

Jenkins of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2439)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus

Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 1:

Dix

Absent or not voting, 2:

Frevert

Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2556 WITHDRAWN

Jenkins of Black Hawk asked and received unanimous consent to withdraw House File 2556 from further consideration by the House.

On motion by Rants of Woodbury, the House was recessed at 11:38 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened at 1:35 p.m., Speaker Siegrist in the chair.

CONSIDERATION OF BILLS

Appropriations Calendar

Senate File 2435, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, providing effective dates, and providing for retroactive applicability, with report of committee recommending passage, was taken up for consideration.

The House stood at ease at 1:50 p.m., until the fall of the gavel.

The House resumed session at 2:52 p.m., Speaker Siegrist in the chair.

Foegen of Linn asked and received unanimous consent to withdraw amendment H-8758 filed by him on April 6, 2000.

Foegen of Linn asked and received unanimous consent to withdraw amendment H-8798 filed by him on April 10, 2000.

Jochum of Dubuque offered the following amendment H-8786 filed by her and Foegen of Linn and moved its adoption:

H-8786

- 1 Amend Senate File 2435 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by striking line 16, and inserting the
- 4 following:
- 5 "..... \$ 24,682,071"
- 6 2. Page 27, by striking lines 15 through 20 and
- 7 inserting the following: "and human services.
- 8 Notwithstanding section 237A.13, if enacted by 2000
- 9 Iowa Acts, Senate File 2344, the department shall
- 10 establish waiting lists for".
- 11 3. Page 27, line 34, by striking the figure "140"
- 12 and inserting the following: "150".

Amendment H-8786 lost.

Heaton of Henry offered amendment H-8801 filed by him as follows:

H-8801

- 1 Amend Senate File 2435, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, line 9, by inserting after the word
- 4 "costs." the following: "The grant requirements shall
- 5 include provision for local match in the form of cash,
- 6 in-kind services, or other support."
- 7 2. Page 6, by inserting after line 27 the
- 8 following:
- 9 "e. The application for any of the grants
- 10 described in the lettered paragraphs of this
- 11 subsection shall not exceed two pages in length."
- 12 3. Page 18, line 17, by striking the figure
- 13 "422,451,028" and inserting the following:
- 14 "422,443,000".

15 4. Page 20, line 31, by inserting after the word
16 "disabilities," the following: "the department shall
17 aggressively pursue options to expand the waiver to
18 100 openings and in implementing the expanded waiver".

19 5. Page 20, line 35, by striking the words "The
20 openings" and inserting the following: "Priority
21 shall be given to those persons who are no longer
22 eligible for the ill and handicapped waiver due to
23 becoming eligible for federal supplemental security
24 income, otherwise the openings".

25 6. Page 23, by striking lines 3 through 20.

26 7. Page 23, by inserting after line 27 the
27 following:

28 "___ The department shall aggressively pursue
29 options for providing medical assistance or other
30 assistance to individuals with special needs who
31 become ineligible to continue receiving services under
32 the early and periodic, screening, diagnosis, and
33 treatment program under the medical assistance program
34 due to becoming 21 years of age, who have been
35 approved for additional assistance through the
36 department's exception to policy provisions, but who
37 have health care needs in excess of the funding
38 available through the exception to policy process."

39 8. Page 24, line 23, by striking the words
40 "administrative contractor" and inserting the
41 following: "department".

42 9. Page 25, line 5, by inserting after the word
43 "into" the following: "or extended".

44 10. Page 25, line 7, by inserting after the word
45 "treatment" the following: "provided at the state
46 mental health institute at Mount Pleasant".

47 11. Page 25, by inserting after line 10, the
48 following:

49 "Of the funds appropriated in this section, \$50,000
50 shall be used to continue the recruitment and

Page 2

1 retention strategies project to provide additional
2 training and support for certified nurse aides
3 employed by nursing facilities."

4 12. Page 29, line 23, by striking the figure
5 "6,296,956" and inserting the following: "6,305,133".

6 13. Page 29, line 34, by striking the figure
7 "10,381,263" and inserting the following:
8 "10,405,336".

9 14. Page 30, line 23, by striking the figure
10 "108,788,161" and inserting the following:
11 "108,780,000".

12 15. Page 38, by inserting after line 2 the
13 following:

14 "___". Any unanticipated federal funding that is
 15 received during the fiscal year due to improvements in
 16 the hours counted by the judicial branch under the
 17 claiming process for federal Title IV-E funding are
 18 appropriated to the department to be used for the
 19 purposes of the appropriation made in this section.
 20 Notwithstanding section 8.33, moneys appropriated in
 21 this subsection that remain unencumbered or
 22 unobligated at the close of the fiscal year shall not
 23 revert but shall remain available for expenditure for
 24 the purposes designated until the close of the
 25 succeeding fiscal year."

26 16. Page 39, line 30, by striking the figure
 27 "7,219,958" and inserting the following: "7,220,487".

28 17. Page 40, line 1, by striking the figure
 29 "17,448,229" and inserting the following:
 30 "17,457,584".

31 18. Page 41, line 23, by striking the word
 32 "voluntary".

33 19. Page 42, line 4, by inserting after the word
 34 "state" the following: "or a county".

35 20. Page 42, by striking lines 23 and 24 and
 36 inserting the following: "support, maintenance, and
 37 miscellaneous purposes:"

38 21. Page 42, by striking line 26.

39 22. Page 42, by striking lines 28 and 29 and
 40 inserting the following: "support, maintenance, and
 41 miscellaneous purposes:"

42 23. Page 42, line 30, by striking the figure
 43 "1,708,814" and inserting the following: "1,709,949".

44 24. Page 42, by striking line 31.

45 25. Page 44, by inserting after line 16 the
 46 following:
 47 "___". If the department's administration and the
 48 department of management concur with a finding by a
 49 state hospital-school's superintendent that projected
 50 revenues can reasonably be expected to pay the salary

Page 3

1 and support costs for a new employee position, or that
 2 such costs for adding a particular number of new
 3 positions for the fiscal year would be less than the
 4 overtime costs if new positions would not be added,
 5 the superintendent may add the new position or
 6 positions. If the vacant positions available to a
 7 hospital-school do not include the position
 8 classification desired to be filled, the hospital-
 9 school's superintendent may reclassify any vacant
 10 position as necessary to fill the desired position.
 11 The superintendents of the hospital-schools may, by
 12 mutual agreement, pool vacant positions and position

13 classifications during the course of the fiscal year
14 in order to assist one another in filling necessary
15 positions."

16 26. Page 45, line 18, by striking the word
17 "amount" and inserting the following: "amounts".

18 27. Page 45, line 19, by striking the word
19 "purpose" and inserting the following: "purposes".

20 28. Page 45, line 20, by striking the word "For"
21 and inserting the following:

22 "1. For".

23 29. Page 45, line 24, by striking the figure
24 "\$13,600,000" and inserting the following:

25 "\$13,000,000".

26 30. Page 45, by inserting after line 30 the
27 following:

28 "2. For transfer to the appropriation in this Act
29 for medical assistance to be used for supplemental
30 reimbursement of certain intermediate care facilities
31 for persons with mental retardation (ICFMR) in
32 accordance with this subsection:

33 \$ 300,000

34 The supplemental reimbursement shall be available
35 to those ICFMRs established and issued a certificate
36 of need by the health facilities council, on or before
37 June 30, 1999, for the primary purpose of serving
38 persons with a head or brain injury. The supplemental
39 reimbursement shall be paid for services provided to
40 persons with a brain or head injury who are determined
41 by the Iowa foundation for medical care to meet
42 entrance requirements for services at the ICFMR level.
43 The county of legal settlement shall remain
44 responsible for the nonfederal share of reimbursement
45 for the ICFMR services up to the maximum percentile
46 rate allowed by law. The supplemental reimbursement
47 shall be paid for the difference between that maximum
48 rate and the facility's actual cost, as determined
49 from the annual actual cost reports submitted to the
50 department which shall be subject to annual audit by

Page 4

1 the department."

2 31. Page 45, by inserting before line 31 the
3 following:

4 "3. For transfer to the department for the blind
5 to be used for establishment of statewide access to
6 the newslines for the blind furnished by the national
7 federation of the blind:

8 \$ 25,000"

9 32. Page 48, line 23, by striking the figure
10 "1,177,366" and inserting the following: "1,179,178".

11 33. Page 48, by striking line 24, and inserting

12 the following:

13 ".....FTEs 20.00"

14 34. Page 49, line 4, by striking the figure

15 "44,222,546" and inserting the following:

16 "44,370,000".

17 35. Page 49, by inserting after line 7 the

18 following:

19 "The amount appropriated in this section includes

20 increased funding of \$147,154 to address staffing

21 issues in regard to child abuse assessment staff,

22 social workers, and support staff performing related

23 functions and for increased activities to improve

24 cooperation between field staff, law enforcement,

25 county attorneys, and mandatory reporters in

26 addressing reports of child abuse."

27 36. Page 49, line 11, by striking the figure

28 "5,659,370" and inserting the following: "5,540,000".

29 37. Page 49, line 21, by striking the figure

30 "13,623,100" and inserting the following:

31 "13,530,112".

32 38. Page 49, line 22, by striking the figure

33 "358.13" and inserting the following: "359.13".

34 39. Page 50, by striking lines 3 through 9 and

35 inserting the following:

36 "Sec. __. STATE-COUNTY ASSISTANCE FUNCTIONS.

37 There is appropriated from the general fund of the

38 state to the department of human services for the

39 fiscal year beginning July 1, 2000, and ending June

40 30, 2001, the following amount, or so much thereof as

41 is necessary, to be used for the purposes designated:

42 For contracting with a statewide association

43 representing county elected and appointed officials to

44 perform the state-county assistance team functions and

45 provide support to the state-county management

46 committee:

47 \$ 209,664"

48 40. Page 54, by striking lines 17 and 18, and

49 inserting the following: "shall remain at \$145.74 per

50 day."

Page 5

1 41. Page 59, by inserting after line 9 the

2 following:

3 "Sec. 100. 1991 Iowa Acts, chapter 169, section 9,

4 as amended by 1996 Iowa Acts, chapter 1071, section 1,

5 is repealed.

6 On or before December 15, 2000, the prevention of

7 disabilities policy council shall submit a report to

8 the governor and the general assembly providing

9 findings and recommendations regarding the activities

10 and duties of the commission and the need for its

11 continuation."

12 42. Page 60, by inserting after line 1 the
13 following:

14 "Sec. 101. NEW SECTION. 225B.8 REPEAL.
15 This chapter is repealed June 30, 2001."

16 43. Page 61, by inserting after line 13 the
17 following:

18 "3. The state training school shall name any other
19 newly constructed facilities to be dedicated at the
20 state training school during the fiscal year beginning
21 July 1, 1999, or July 1, 2000, as deemed appropriate
22 by the state training school administration to
23 properly recognize individuals who have made
24 significant contributions to the juvenile justice
25 system in general or the state training school in
26 particular."

27 44. Page 62, by inserting after line 28 the
28 following:

29 " ___. Sections 100 and 101, repealing 1991 Iowa
30 Acts, chapter 169, section 9, as amended, and enacting
31 new Code section 225B.8."

32 45. Page 62, by inserting before line 29 the
33 following:

34 " ___. Section 39, subsection 3, authorizing the
35 state training school administration to name certain
36 facilities to be dedicated during fiscal year 1999-
37 2000 or fiscal year 2000-2001."

38 46. By renumbering, relettering, or redesignating
39 and correcting internal references as necessary.

Osterhaus of Jackson asked and received unanimous consent that amendment H-8808, to amendment H-8801, be deferred.

Dix of Butler offered the following amendment H-8819, to amendment H-8801, filed by him and Heaton of Henry from the floor and moved its adoption:

H-8819

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:
6 "422,543,000".

7 2. Page 1, by inserting after line 38 the
8 following:

9 " ___. Of the funds appropriated in this section,
10 \$100,000 is allocated for development of a plan for
11 implementation of a personal assistance services

12 program as described in House File 2380, as introduced
13 in the Seventy-eighth General Assembly, 2000 Session.
14 The target date used in the plan for implementation of
15 the program shall be July 1, 2002.
16 The department, in consultation with the department
17 of elder affairs, the Iowa department of public
18 health, the department of workforce development, the
19 department of education, division of vocational
20 rehabilitation, the department of economic
21 development, the Iowa state association of counties,
22 Iowa creative employment options, the community
23 services affiliate of the Iowa state association of
24 counties, and the personal assistance and family
25 support services council, shall convene a planning
26 committee, which includes consumers and family
27 members, advocates of consumers, providers of services
28 to consumers, and the entities consulted with, to
29 assist in the development of a plan for a personal
30 assistance services program based on principles and
31 standards described in this chapter. The membership
32 of the planning committee shall be appointed in a
33 manner so there are relatively equal proportions of
34 members with involvement in service management,
35 purchasing or approval, and members with an interest
36 in or involvement as a service consumer or advocate.
37 The planning committee shall also include four members
38 of the general assembly to serve in an ex officio,
39 nonvoting capacity with one each appointed by the
40 following: senate majority leader, senate minority
41 leader, speaker of the house of representatives, and
42 minority leader of the house of representatives. The
43 department may contract for services to support the
44 planning committee. At a minimum, the plan shall
45 include options to accomplish all of the following:
46 a. Designate a lead agency to be responsible for
47 administering the personal assistance services
48 program.
49 b. Provide that the personal assistance and family
50 support services policy council assist in the design,

Page 2

1 implementation, marketing, and evaluation of the
2 state's personal assistance services program.
3 c. Provide a consumer-level administrative
4 oversight and technical assistance mechanism relating
5 to the planning, administrative rules development, and
6 implementation of the personal assistance services
7 program.
8 d. Provide for a transition process, with action
9 steps and time lines, describing how the state will
10 make personal assistance services a viable option that

- 11 is more cost-effective and responsive to the needs and
12 preferences of consumers.
- 13 e. Describe a process for consolidating all
14 noninstitutional personal assistance services programs
15 funded through the medical assistance program.
- 16 f. Describe the type of personal assistance
17 services to be provided under the program.
- 18 g. Describe the method of delivery of personal
19 assistance services and how such services will be
20 delivered statewide.
- 21 h. Evaluate the feasibility of further reducing
22 costs and addressing consumer needs and preferences
23 through the provision of auxiliary services such as
24 assistive technology and home modifications.
- 25 i. Describe a program intake process that will be
26 uniform throughout the state.
- 27 j. Review and consolidate the eligibility
28 requirements, intake processes, assessment tools, and
29 other relevant processes of all existing personal
30 assistance services waiver and pilot programs into a
31 single, comprehensive system.
- 32 k. Describe the standards and mechanisms for
33 copayments or cost-sharing and the methods used to
34 determine income eligibility of persons with
35 disabilities.
- 36 l. Determine quality assurance outcomes and
37 safeguards against physical, emotional, or financial
38 abuse and exploitation.
- 39 m. Describe the appeal process.
- 40 n. Describe how the barriers and disincentives
41 that currently discourage people from becoming
42 personal assistants can be removed.
- 43 o. Address the issues of provider and consumer
44 liability.
- 45 p. Describe acceptable methods whereby independent
46 personal assistance services providers may pool
47 resources to ensure adequate coverage provisions for
48 health insurance, liability insurance, and workers'
49 compensation insurance.
- 50 q. Consult with the health care financing

Page 3

- 1 administration of the United States department of
2 health and human services, in reviewing and completing
3 a plan for consolidation and coordination of funding
4 mechanisms and expenditures relative to health care
5 facility services, intermediate care facilities for
6 persons with mental retardation services, all covered
7 home and community-based services provided under
8 section 1915(c) of the federal Social Security Act,
9 services provided under the personal care option of

- 10 the medical assistance program, and frail elderly
 11 program services. The plan shall provide for
 12 consolidation and coordination of funding mechanisms
 13 and expenditures in order to provide funding for the
 14 personal assistance services described in this
 15 subsection and shall address the costs and potential
 16 cost offsets in implementing the personal care option
 17 under the medical assistance program.
 18 r. Develop options to capitalize on and leverage
 19 federal funding to the maximum extent possible under
 20 the federal Ticket to Work and Work Incentives
 21 Improvement Act of 1999, Pub. L. No. 106-170 and the
 22 federal Workforce Investment Act of 1998, Pub. L. No.
 23 105-220."
 24 3. By renumbering as necessary.

Amendment H-8819 was adopted, placing amendment H-8808 filed by Osterhaus of Jackson from the floor, out of order.

Osterhaus of Jackson asked and received unanimous consent that amendment H-8822, to amendment H-8801, be deferred.

Greimann of Story asked and received unanimous consent that amendment H-8814, to amendment H-8801, be deferred.

Foegen of Linn asked and received unanimous consent that amendment H-8820, to amendment H-8801, be deferred.

Heaton of Henry offered the following amendment H-8815, to amendment H-8801, filed by him from the floor and requested division as follows:

H-8815

- 1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

H-8815A

- 4 1. Page 2, by striking lines 18 and 19, and
 5 inserting the following: "appropriated to the
 6 department to be used for additional or expanded
 7 services and support for court-ordered services
 8 pursuant to section 232.141."
 9 2. Page 2, line 30, by striking the figure
 10 "17,457,584" and inserting the following:
 11 "17,497,584".

- 12 3. Page 4, line 20, by striking the figure
- 13 "147,154" and inserting the following: "147,454".

H-8815B

- 14 4. Page 4, by striking lines 48 through 50, and
- 15 inserting the following:
- 16 "___ Page 54, line 17, by striking the words "be
- 17 increased to" and inserting the following: "remain
- 18 at"."
- 19 5. By renumbering as necessary.

On motion by Heaton of Henry amendment H-8815A was adopted.

Heaton of Henry offered the following amendment H-8833, to amendment H-8801, filed by him from the floor and moved its adoption:

H-8833

- 1 Amend the amendment, H-8801, to Senate File 2435,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 3, line 28 through page 4,
- 5 line 1 and inserting the following:
- 6 ""2. For transfer to the appropriation in this Act
- 7 for medical assistance to be used for payment of the
- 8 state portion of the nonfederal share of medical
- 9 assistance reimbursement for services provided to
- 10 eligible persons by certain qualified intermediate
- 11 care facilities for persons with mental retardation
- 12 (ICFMR) in accordance with this subsection:
- 13\$ 300,000
- 14 For the purposes of this subsection, "eligible
- 15 persons" means persons with a brain or head injury who
- 16 are determined by the Iowa foundation for medical care
- 17 to meet entrance requirements for services at the
- 18 ICFMR level. The reimbursement rate for services
- 19 provided to eligible persons by those qualified ICFMRs
- 20 established and issued a certificate of need by the
- 21 health facilities council, on or before June 30, 1999,
- 22 for the primary purpose of serving persons with a head
- 23 or brain injury, shall be the facility's actual cost,
- 24 as determined from the annual actual cost reports
- 25 submitted to the department. The cost reports shall
- 26 be subject to annual audit by the department.
- 27 Responsibility for payment of the nonfederal share of
- 28 reimbursement paid for services provided to eligible
- 29 persons shall be as follows: the county of legal
- 30 settlement is responsible for an amount equal to the

31 nonfederal share of the 80th percentile of ICFMR
32 services and the state is responsible for the
33 remainder.""

Amendment H-8833 was adopted.

Blodgett of Cerro Gordo offered the following amendment H-8837, to amendment H-8801, filed by him from the floor and moved its adoption:

H-8837

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, by inserting after line 8 the
5 following:
6 "4. For transfer to the department for the blind
7 to be used to enable blind individuals to
8 independently access newspapers through the operations
9 of the Iowa radio reading information service:
10\$ 25,000"

Amendment H-8837 was adopted.

Osterhaus of Jackson asked and received unanimous consent that amendment H-8809, to amendment H-8801, be deferred.

Stevens of Dickinson asked and received unanimous consent that amendment H-8811, to amendment H-8801, be deferred.

Stevens of Dickinson offered the following amendment H-8832, to amendment H-8801, filed by Murphy of Dubuque from the floor and moved its adoption:

H-8832

1 Amend the amendment H-8801, to Senate File 2435, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, line 16, by striking the figure
5 "44,370,000" and inserting the following:
6 "46,275,078".
7 2. Page 4, line 28, by striking the figure
8 "5,540,000" and inserting the following: "5,677,938".

Roll call was requested by Stevens of Dickinson and Chiodo of Polk.

Rule 75 was invoked.

On the question "Shall amendment H-8832, to amendment H-8801, be adopted?" (S.F. 2435)

The ayes were, 44:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dotzler	Drees	Falck
Fallon	Foege	Greimann	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 52:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Dix	Dolecheck	Drake	Eddie
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Holmes
Horbach	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Nelson-Forbes	Raecker	Rants
Rayhons	Shey	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Mr. Speaker
			Siegrist

Absent or not voting, 4:

Ford	Frevert	Hoffman	Houser
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Amendment H-8832 lost.

Dix of Butler asked and received unanimous consent to reconsider the vote by which amendment H-8819 found on pages 1392 through 1395 of the House Journal was adopted.

Division was requested as follows:

Page 1, Lines 4 through 6, Division A; Page 1, Lines 7 through 50 and all of pages 2 and 3, Division B.

Dix of Butler asked and received unanimous consent to withdraw amendment H-8819A, to amendment H-8801.

On motion by Dix of Butler amendment H-8819B was adopted placing amendment H-8808 by Osterhaus of Jackson back in order.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-8838, to amendment H-8801, filed by him from the floor.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H-8827, to amendment H-8801, filed by her from the floor.

Jochum of Dubuque offered the following amendment H-8834, to amendment H-8801, filed by her from the floor and moved its adoption:

H-8834

- 1 Amend the amendment, H-8801, to Senate File 2435,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 4, line 28, by striking the figure
- 5 "5,540,000" and inserting the following: "5,970,000".
- 6 2. Page 4, by inserting after line 28 the
- 7 following:
- 8 "___ Page 49, line 12, by striking the figure
- 9 "154.16" and inserting the following: "164.16".
- 10 ___ Page 49, by inserting after line 12 the
- 11 following:
- 12 "The full-time equivalent position authorization in
- 13 this subsection includes an increase of 10.00 FTEs
- 14 over the previous fiscal year in order for the
- 15 department to assign 2.00 additional FTEs to each
- 16 region to increase on-site compliance checks of
- 17 registered child care facilities and inspection visits
- 18 to licensed child care facilities.""
- 19 3. By renumbering as necessary.

Roll call was requested by Jochum of Dubuque and Murphy of Dubuque.

On the question "Shall amendment H-8834, to amendment H-8801, be adopted?" (S.F. 2435)

The ayes were, 44:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dotzler	Drees	Falck
Fallon	Foege	Greimann	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Dix	Dolecheck	Drake	Eddie
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Rayhons	Shey
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker		
	Siegrist		

Absent or not voting, 2:

Ford	Frevert
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Amendment H-8834 lost.

Jochum of Dubuque offered the following amendment H-8826, to amendment H-8801, filed by her from the floor and moved its adoption:

H-8826

- 1 Amend the amendment, H-8801, to Senate File 2435,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 4, line 31, by striking the figure
- 5 "13,530,112" and inserting the following:
- 6 "13,902,652".
- 7 2. Page 4, line 33, by striking the figure
- 8 "359.13" and inserting the following: "363.13".
- 9 3. Page 4, by striking lines 34 through 47 and
- 10 inserting the following:
- 11 "___ . Page 50, by striking lines 3 through 9. "

Amendment H-8826 lost.

Blodgett of Cerro Gordo offered the following amendment H-8803, to amendment H-8801, filed by him from the floor and moved its adoption:

H-8803

- 1 Amend the amendment, H-8801, to Senate File 2435,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 4, by striking lines 48 through 50 and
- 5 inserting the following:
- 6 "___ . Page 54, line 17, by striking the figure
- 7 "145.74" and inserting the following: "147.20"."

Amendment H-8803 was adopted.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8815B, to amendment H-8801.

Reynolds of Van Buren asked and received unanimous consent to withdraw amendment H-8843, to amendment H-8801, filed by her, Kreiman of Davis and Davis of Wapello from the floor.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-8808, previously deferred, to amendment H-8801, filed by him from the floor.

Carroll of Poweshiek in the chair at 4:34 p.m.

Osterhaus of Jackson offered amendment H-8822 filed by him and Heaton of Henry from the floor and requested division as follows:

H-8822

1 Amend the amendment, H-8801, to Senate File 2435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

H-8822A

4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:
6 "422,290,000".

H-8822B

7 2. Page 1, by inserting after line 24 the
8 following:
9 "___ Page 22, by striking lines 1 through 27."
10 3. Page 1, by inserting after line 38 the
11 following:
12 "Sec. ___. PHARMACEUTICAL CASE MANAGEMENT STUDY.
13 There is appropriated from the general fund of the
14 state to the department of human services for the
15 fiscal year beginning July 1, 2000, and ending June
16 30, 2001, the following amount or so much thereof as
17 is necessary, to be used for implementation of a
18 disease-specific pharmaceutical case management study
19 to measure the effects of case management for medical
20 assistance recipients identified by the department as
21 high risk for medication-related problems. The funds
22 shall be used to equally reimburse physician-
23 pharmacist teams who participate in the study. An
24 advisory committee whose membership consists of
25 representatives of the Iowa medical society, the Iowa
26 pharmacy association, and the department of human
27 services shall establish and implement the
28 pharmaceutical case management study. The university
29 of Iowa college of public health, in conjunction with
30 the colleges of medicine and pharmacy, shall perform
31 an evaluation of the study at no cost to the state and
32 shall submit a final report of the findings of the
33 evaluation and any recommendations to the general
34 assembly by December 15, 2002. The department shall
35 submit a progress report by December 15, 2001, and a
36 final report by December 15, 2002, to the general
37 assembly. The department shall adopt rules to
38 implement this section which comply with the notice of
39 intended action requirements of section 17A.4,
40 subsection 1, and which may be adopted as emergency

41 rules pursuant to section 17A.5, subsection 2, after
 42 notice is provided. The rules shall be reevaluated by
 43 the department of human services with input from the
 44 Iowa medical society and the Iowa pharmacy
 45 association, upon submission of the final report or by
 46 December 15, 2002, whichever occurs first:
 47\$ 414,000""

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8822A, to amendment H-8801.

On motion by Osterhaus of Jackson amendment H-8822B, to amendment H-8801, was adopted.

Greimann of Story offered amendment H-8814, previously deferred, to amendment H-8801, filed by her from the floor and requested division as follows:

H-8814

- 1 Amend the amendment, H-8801, to Senate File 2435,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:

H-8814A

- 4 1. Page 2, line 5, by striking the figure
- 5 "6,305,133" and inserting the following: "6,309,742".
- 6 2. Page 2, line 8, by striking the figure
- 7 "10,405,336" and inserting the following:
- 8 "10,405,335".
- 9 3. Page 2, by inserting after line 25, the
- 10 following:
- 11 "____. Page 39, by striking line 24 and inserting
- 12 the following:
- 13 ".....\$ 12,804,527""
- 14 4. Page 2, line 27, by striking the figure
- 15 "7,220,487" and inserting the following: "7,227,168".

H-8814B

- 16 5. Page 2, line 30, by striking the figure
- 17 "17,457,584" and inserting the following:
- 18 "17,526,567".

H-8814A

- 19 6. Page 2, by inserting before line 31, the
- 20 following:

- 21 "___ Page 40, by striking line 26 and inserting
- 22 the following:
- 23 ".....\$ 5,360,065""
- 24 7. Page 2, by inserting after line 37, the
- 25 following:
- 26 "___ Page 42, by striking line 25 and inserting
- 27 the following:
- 28 ".....\$ 2,511,091""
- 29 8. Page 2, line 43, by striking the figure
- 30 "1,709,949" and inserting the following: "1,714,565".
- 31 9. By renumbering as necessary.

On motion by Greimann of Story amendment H-8814A lost, placing amendment H-8814B out of order.

Foege of Linn offered the following amendment H-8820, previously deferred, to amendment H-8801, filed by him from the floor and moved its adoption:

H-8820

- 1 Amend the amendment, H-8801, to Senate File 2435 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, line 11, by striking the figure
- 5 "108,780,000" and inserting the following:
- 6 "108,983,613".
- 7 2. Page 2, by inserting before line 12, the
- 8 following:
- 9 "___ Page 31, line 19, by striking the figure
- 10 "7,060,104" and inserting the following:
- 11 "7,255,556"."

Amendment H-8820 lost.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-8809, previously deferred, to amendment H-8801, filed by him from the floor.

Stevens of Dickinson asked and received unanimous consent to withdraw amendment H-8811, previously deferred, to amendment H-8801, filed by him from the floor.

On motion by Heaton of Henry amendment H-8801, as amended, was adopted, placing amendment H-8790 filed by Murphy of Dubuque from the floor, and amendment H-8791 filed by Osterhaus of Jackson from the floor, out of order.

Foege of Linn offered the following amendment H-8788 filed by him and moved its adoption:

H-8788

- 1 Amend Senate File 2435 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 6, line 35 through page 7,
- 4 line 1.
- 5 2. Page 38, by striking line 13, and inserting
- 6 the following:
- 7 "..... \$ 1,011,228"
- 8 3. Page 38, by inserting after line 26, the
- 9 following:
- 10 "____. Of the funds appropriated in this section,
- 11 \$731,000 shall be used to provide child abuse
- 12 prevention grants."
- 13 4. By renumbering as necessary.

Amendment H-8788 lost.

Foege of Linn asked and received unanimous consent to withdraw amendment H-8793 filed by him on April 10, 2000.

Heaton of Henry offered the following amendment H-8841 filed by him from the floor and moved its adoption:

H-8841

- 1 Amend Senate File 2435, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 21, by striking lines 34 and 35 and
- 4 inserting the following: "mental illness under the
- 5 medical assistance program, using county funding as a
- 6 match for the federal funding except for individuals
- 7 with state case status, for whom state funding shall
- 8 provide the match."

Amendment H-8841 was adopted.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-8785 filed by him and Heaton of Henry on April 10, 2000.

Hansen of Pottawattamie offered amendment H-8825 filed by him and Heaton of Henry from the floor as follows:

H-8825

1 Amend Senate File 2435 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 24, by inserting after line 31, the
4 following:
5 "____. The department of human services shall seek
6 a waiver from the health care financing administration
7 of the United States department of health and human
8 services to permit families with children who are
9 eligible for medical assistance to elect to
10 participate under the HAWK-I program in lieu of
11 participation in the medical assistance program. If
12 the waiver is approved, the department shall implement
13 the provision."

Amendment H-8825 was adopted.

Jochum of Dubuque offered the following amendment H-8850 filed by her from the floor and moved its adoption:

H-8850

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 28, line 34 through page 29,
4 line 15.
5 2. By renumbering as necessary.

Amendment H-8850 was adopted.

Greimann of Story asked and received unanimous consent to withdraw amendment H-8751 filed by her on April 6, 2000.

The following amendments were withdrawn by unanimous consent:

Amendment H-8779 filed by Foege of Linn on April 6, 2000.
Amendment H-8789 filed by Foege of Linn on April 10, 2000.
Amendment H-8839 filed by Heaton of Henry from the floor.

Foege of Linn offered the following amendment H-8787 filed by him and moved its adoption:

H-8787

1 Amend Senate File 2435 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 36, by striking lines 21 through 28, and
4 inserting the following:
5 " _____. Of the funds appropriated in this section,
6 the department shall use \$687,876 for day treatment
7 and aftercare services for juvenile females with
8 provider selection made through a request for
9 proposals process. The goal of providing the services
10 is to ensure permanency, safety, and self-sufficiency
11 for juvenile females."

Amendment H-8787 was adopted.

Blodgett of Cerro Gordo offered the following amendment H-8821 filed by him from the floor and moved its adoption:

H-8821

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 37, line 13, by striking the words "A
4 final".
5 2. Page 37, by striking lines 14 through 18.

Amendment H-8821 was adopted.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-8797 filed by him on April 10, 2000.

Jochum of Dubuque offered the following amendment H-8812 filed by her from the floor and moved its adoption:

H-8812

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 38, line 34, by striking the figure
4 "2,028,215" and inserting the following: "2,211,897".

Amendment H-8812 lost.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-8792 filed by him on April 10, 2000.

Heaton of Henry offered the following amendment H-8794 filed by him and moved its adoption:

H-8794

- 1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 50, by inserting before line 10 the
4 following:
5 "___ The general assembly is supportive of the
6 department's stated purposes in its efforts to review
7 the services administered by the department and the
8 reimbursement methodologies for those services. The
9 general assembly anticipates the department continuing
10 its review and consultation activities during the 2000
11 legislative interim in order to submit recommendations
12 and proposals for legislative consideration during the
13 2001 legislative session and the department shall not
14 implement changes in the reimbursement methodologies
15 without legislative approval."
16 2. By renumbering as necessary.

Amendment H-8794 was adopted.

Heaton of Henry offered the following amendment H-8840 filed by him, Johnson of Osceola, Houser of Pottawattamie, Blodgett of Cerro Gordo, and Martin of Scott from the floor, and moved its adoption:

H-8840

- 1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 52, line 1, by inserting after the word
4 "system." the following: "In developing the case-mix
5 reimbursement methodology, the department shall work
6 with nursing facilities and patient advocates in
7 examining administrative costs."
8 2. Page 52, by striking lines 4 through 7, and
9 inserting the following: "additional documentation as
10 required by rule."
11 c. The cost report required to be submitted by
12 rule by nursing facilities reimbursed under the
13 medical assistance program shall also include a line
14 itemization of expenses attributable to the home or
15 principal office or headquarters of the nursing
16 facility, including but not limited to home-office
17 costs and management fees, within the administrative
18 cost line item.
19 d. All nursing facilities reimbursed under the
20 medical assistance program that are under common
21 ownership, management, or control shall utilize the
22 same fiscal accounting period. All cost reports
23 submitted by such facilities shall comply with all

24 cost report requirements under this subsection and as
25 required by rule."
26 3. By renumbering as necessary.

Amendment H-8840 was adopted.

Davis of Wapello asked and received unanimous consent to withdraw amendment H-8816 filed by him from the floor.

Heaton of Henry asked and received unanimous consent to reconsider the vote by which amendment H-8801, as amended, was adopted by the House and requested division as follows:

Page 1 – Lines 3 through 11, and lines 15 through the rest of the amendment, Division A.

Page 1 – Lines 12 through 14, Division B.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8801B.

On motion by Heaton of Henry amendment H-8801A, as amended, was adopted.

Heaton of Henry offered the following amendment H-8856 filed by him from the floor and moved its adoption:

H-8856

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 18, line 17, by striking the figure
4 "422,451,028" and inserting the following:
5 "422,129,000".

Amendment H-8856 was adopted.

Reynolds of Van Buren offered the following amendment H-8854 filed by her from the floor and moved its adoption:

H-8854

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 23, by inserting after line 27 the
4 following:

5 " _____. The department shall adopt emergency rules
 6 providing for reimbursement under medical assistance
 7 of a family or pediatric nurse practitioner's
 8 employing provider for services provided by the nurse
 9 practitioner, regardless of whether the nurse
 10 practitioner is under the supervision of or associated
 11 with a physician or other health care provider."
 12 2. By renumbering as necessary.

Amendment H-8854 was adopted.

Osterhaus of Jackson offered the following amendment H-8855
 filed by him from the floor and moved its adoption:

H-8855

1 Amend Senate File 2435, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 23, by inserting before line 28, the
 4 following:
 5 "Sec. ____ MEDICAL ASSISTANCE - INFANTS. There
 6 is appropriated from the general fund of the state to
 7 the department of human services for the fiscal year
 8 beginning July 1, 2000, and ending June 30, 2001, the
 9 following amount, or so much thereof as is necessary,
 10 to be used for increasing the medical assistance
 11 eligibility limit for infants under the pregnant women
 12 and infants category to 200 percent of the federal
 13 poverty level:
 14\$ 126,848"
 15 2. By renumbering as necessary.

Amendment H-8855 lost.

Heaton of Henry moved that the bill be read a last time now and
 placed upon its passage which motion prevailed and the bill was read
 a last time.

On the question "Shall the bill pass?" (S.F. 2435)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser

Huseman	Huser	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson-Forbes	Raecker	Rants	Rayhons
Shey	Siegrist, Spkr.	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Carroll, Presiding

The nays were, 42:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Greimann	Holveck	Jager	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

Absent or not voting, 2:

Ford	Frevert
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2435** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 2491, a bill for an act providing for the production of life science products, and providing for penalties.

Also: That the Senate has on April 11, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2214, a bill for an act relating to residential landlord-tenant law, by allowing for notice of and a surcharge for rent paid with a check returned for insufficient funds, and making certain changes related to forcible entry and detainer actions.

MICHAEL E. MARSHALL, Secretary

SENATE AMENDMENT CONSIDERED

Kuhn of Floyd called up for consideration **House File 2502**, a bill for an act relating to fee-supported services provided by a county including the payment of county law enforcement salaries and expenses, amended by the Senate amendment H-8810:

H-8810

1 Amend House File 2502, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting after line 26 the
4 following:
5 "Sec. __. APPLICABILITY.
6 1. This Act shall apply to all counties except
7 those counties described in subsection 2.
8 2. This Act shall not apply to counties which
9 budgeted or funded, for the fiscal year beginning July
10 1, 1999, expenditures identified in section 3 of this
11 Act from the rural services fund, unless the counties
12 increase the funding from the rural services fund
13 above the amount in the budget certified on or before
14 March 15, 2000.
15 3. However, this Act shall also apply to counties
16 described in subsection 2, after the last day of the
17 regular session of the general assembly which convenes
18 following the final disposition of litigation pending
19 before the district court of Lyon or Story county
20 addressing the issue of funding of uniform law
21 enforcement patrol services provided by the county
22 sheriff, whichever decision is issued last.
23 4. However, this Act shall also apply to Lyon
24 county and Story county upon disposition of their
25 respective litigation pending before the district
26 courts of Lyon or Story county addressing the funding
27 of expenditures specified in section 3 of this Act,
28 respectively. However, subsection 3 shall apply to
29 Lyon or Story county if this Act is inconsistent with
30 the applicable final order or ruling in each case."
31 2. Title page, line 3, by inserting after the
32 word "expenses" the following: "and providing
33 applicability dates."

Greimann of Story asked and received unanimous consent to withdraw amendment H-8829, and amendment H-8828, to the Senate amendment H-8810, filed by her from the floor.

Greimann of Story asked and received unanimous consent that amendment H-8853, to the Senate amendment H-8810, be deferred.

Shoultz of Black Hawk offered the following amendment H-8844, to the Senate amendment H-8810, filed by him from the floor and moved its adoption:

H-8844

- 1 Amend the amendment, H-8810, to House File 2502, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 33 and
- 5 inserting the following:
- 6 "___ Page 1, by striking lines 1 through 26 and
- 7 inserting the following:
- 8 "Section 1. FUNDING OF COUNTY LAW ENFORCEMENT
- 9 SERVICES.
- 10 1. For the fiscal year beginning July 1, 2001, and
- 11 for subsequent fiscal years, a county shall budget and
- 12 fund enforcement services of the office of county
- 13 sheriff from the rural services fund only if the
- 14 county budgeted and funded the law enforcement
- 15 services of the office of county sheriff in whole or
- 16 in part from the rural services fund for the preceding
- 17 fiscal year.
- 18 2. Subsection 1 shall not apply to counties after
- 19 the last day of the regular session of the general
- 20 assembly which convenes following the final
- 21 disposition of litigation pending before the district
- 22 court of Lyon or Story county addressing the issue of
- 23 funding of the law enforcement services of the office
- 24 of county sheriff, whichever decision is issued last,
- 25 and after the recommendations of the study committee
- 26 have been submitted."
- 27 ___ Title page, by striking lines 1 and 2 and
- 28 inserting the following: "An Act relating to the
- 29 payment of county law enforcement salaries and"."

Sukup of Franklin in the chair at 6:26 p.m.

A non-record roll call was requested.

The ayes were 39, nays 52.

Amendment H-8844 lost.

Reynolds of Van Buren asked and received unanimous consent to withdraw amendment H-8845, to the Senate amendment H-8810, filed by her from the floor.

Greimann of Story offered the following amendment H-8853, previously deferred, to the Senate amendment H-8810, filed by her from the floor and moved its adoption:

H-8853

- 1 Amend the amendment, H-8810, to House File 2502, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by inserting after line 14 the
- 5 following:
- 6 "___ Notwithstanding any contrary provision of
- 7 this Act, this Act shall not apply to any county if
- 8 the final disposition of the litigation pending before
- 9 the district court of Lyon or Story county addressing
- 10 the expenditures specified in section 3 of this Act is
- 11 decided in favor of Lyon or Story county, whichever
- 12 litigation is finally determined last. If the final
- 13 disposition of the litigation is against the affected
- 14 county, this Act shall apply to all counties beginning
- 15 with the county budgets certified on or before the
- 16 succeeding March 15."
- 17 2. By renumbering as necessary.

Amendment H-8853 lost.

On motion by Kuhn of Floyd the House concurred in the Senate amendment H-8810.

Kuhn of Floyd moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2502)

The ayes were, 58:

Alons

Barry

Baudler

Bell

Boal	Boddicker	Boggess	Bradley
Brauns	Brunkhorst	Bukta	Carroll
Cormack	Dix	Dolecheck	Drake
Eddie	Falck	Fallon	Foege
Garman	Greiner	Hahn	Hoffman
Holmes	Horbach	Houser	Jager
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Mascher	May
Mertz	Myers	O'Brien	Rants
Rayhons	Reynolds	Richardson	Schrader
Shey	Stevens	Sunderbruch	Taylor, D.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Weidman	Weigel	Welter
Wise	Sukup, Presiding		

The nays were, 39:

Arnold	Blodgett	Cataldo	Chiodo
Cohoon	Connors	Davis	Doderer
Dotzler	Drees	Gipp	Greimann
Grundberg	Hansen	Heaton	Holveck
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Martin
Metcalf	Millage	Mundie	Murphy
Nelson-Forbes	Osterhaus	Parmenter	Raecker
Scherrman	Shoultz	Siegrist, Spkr.	Taylor, T.
Warnstadt	Whitead	Witt	

Absent or not voting, 3:

Ford	Frevert	Van Fossen
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2502** be immediately messaged to the Senate.

Davis of Wapello called up for consideration **House File 723**, a bill for an act prohibiting the mistreatment of persons and animals and providing for penalties, amended by the Senate amendment H-8746:

H-8746

- 1 Amend House File 723, as amended, passed, and
- 2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. NEW SECTION. 717.3 LIVESTOCK
 6 TORTURE.

7 1. A person is guilty of livestock torture,
 8 regardless of whether the person is the owner of the
 9 livestock, if the person acts with a depraved or
 10 sadistic intent to inflict on the livestock severe
 11 physical pain in order to prolong suffering or death.

12 2. This section shall not apply to any of the
 13 following:

14 a. A person acting to carry out an order issued by
 15 a court.

16 b. A licensed veterinarian while practicing
 17 veterinary medicine as provided in chapter 169.

18 c. A person while carrying out a practice that is
 19 consistent with customary animal husbandry practices.

20 d. A person acting reasonably to protect a person
 21 from injury or death caused by unconfined livestock.

22 e. A local authority acting reasonably to destroy
 23 livestock, if at the time of the destruction, the
 24 owner of the livestock is absent or unable to care for
 25 the livestock, and the livestock is permanently
 26 distressed by disease or injury to a degree that would
 27 result in severe and prolonged suffering.

28 f. An institution, as defined in section 145B.1,
 29 or a research facility, as defined in section 162.2,
 30 provided that the institution or research facility
 31 performs functions within the scope of accepted
 32 practices and disciplines associated with the
 33 institution or research facility.

34 3. A person guilty of livestock torture is guilty
 35 of an aggravated misdemeanor for the first offense and
 36 guilty of a class "D" felony for a second or
 37 subsequent offense. If a person is guilty of
 38 livestock torture, as provided in this subsection, the
 39 sentencing order shall provide that the person
 40 participate in counseling according to the terms
 41 ordered by the court.

42 Sec. 2. NEW SECTION. 717B.3a ANIMAL TORTURE.

43 1. A person is guilty of animal torture,
 44 regardless of whether the person is the owner of the
 45 animal, if the person acts with a depraved or sadistic
 46 intent to inflict on the animal severe physical pain
 47 in order to prolong suffering or death.

48 2. This section shall not apply to any of the
 49 following:

50 a. A person acting to carry out an order issued by

- 2 b. A licensed veterinarian practicing veterinary
3 medicine as provided in chapter 169.
- 4 c. A person carrying out a practice that is
5 consistent with animal husbandry practices.
- 6 d. A person acting in order to carry out another
7 provision of law which allows the conduct.
- 8 e. A person taking, hunting, trapping, or fishing
9 for a wild animal as provided in chapter 481A.
- 10 f. A person acting to protect the person's
11 property from a wild animal as defined in section
12 481A.1.
- 13 g. A person acting to protect a person from injury
14 or death caused by a wild animal as defined in section
15 481A.1.
- 16 h. A person reasonably acting to protect the
17 person's property from damage caused by an unconfined
18 animal.
- 19 i. A person reasonably acting to protect a person
20 from injury or death caused by an unconfined animal.
- 21 j. A local authority reasonably acting to destroy
22 an animal, if at the time of the destruction, the
23 owner of the animal is absent or unable to care for
24 the animal, and the animal is permanently distressed
25 by disease or injury to a degree that would result in
26 severe and prolonged suffering.
- 27 k. An institution, as defined in section 145B.1,
28 or a research facility, as defined in section 162.2,
29 provided that the institution or research facility
30 performs functions within the scope of accepted
31 practices and disciplines associated with the
32 institution or research facility.
- 33 3. A person guilty of animal torture is guilty of
34 an aggravated misdemeanor for the first offense and
35 guilty of a class "D" felony for a second or
36 subsequent offense. If a person is guilty of animal
37 torture, as provided in this subsection, the
38 sentencing order shall provide that the person
39 participate in counseling according to terms ordered
40 by the court."
- 41 2. Title page, line 1, by striking the words
42 "persons and".

Speaker Siegrist in the chair at 7:12 p.m.

Davis of Wapello asked and received unanimous consent to withdraw amendment H-8823, to the Senate amendment H-8746, filed by him, Kreiman of Davis, Mascher of Johnson, Parmenter of Story, Reynolds of Van Buren and Cormack of Webster from the floor.

Teig of Hamilton asked and received unanimous consent that amendment H-8842, to the Senate amendment H-8746, be deferred.

Davis of Wapello offered the following amendment H-8852, to the Senate amendment H-8746, filed by him, Kreiman of Davis, Mascher of Johnson, Parmenter of Story, Reynolds of Van Buren and Cormack of Webster from the floor and moved its adoption:

H-8852

1 Amend the Senate amendment, H-8746, to House File
2 723, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 4, the
5 following:
6 ""Section 1. Section 232.8, subsection 1,
7 paragraph c, Code 1999, is amended to read as follows:
8 c. Violations by a child, age sixteen or older,
9 which subject the child to the provisions of section
10 124.401, subsection 1, paragraph "e" or "f", or
11 violations of section 723A.2 which involve a violation
12 of chapter 724, or violation of chapter 724 which
13 constitutes a felony, or violations which constitute a
14 forcible felony are excluded from the jurisdiction of
15 the juvenile court and shall be prosecuted as
16 otherwise provided by law unless the court transfers
17 jurisdiction of the child to the juvenile court upon
18 motion and for good cause. A child over whom
19 jurisdiction has not been transferred to the juvenile
20 court, and who is convicted of a violation excluded
21 from the jurisdiction of the juvenile court under this
22 paragraph, shall be sentenced pursuant to section
23 124.401B, 902.9, or 903.1. Notwithstanding any other
24 provision of the Code to the contrary, the court may
25 accept from a child a plea of guilty, or may instruct
26 the jury on a lesser included offense to the offense
27 excluded from the jurisdiction of the juvenile court
28 under this section, in the same manner as regarding an
29 adult. However, the juvenile court shall have
30 exclusive original jurisdiction in a proceeding
31 concerning an offense of livestock torture as provided
32 in section 717.3 or animal torture as provided in
33 section 717B.3a alleged to have been committed by a
34 child under the age of seventeen.
35 Sec. ___. Section 232.8, subsection 3, Code 1999,
36 is amended by adding the following new unnumbered
37 paragraph:
38 **NEW UNNUMBERED PARAGRAPH.** This subsection does not
39 apply in a proceeding concerning an offense of
40 livestock torture as provided in section 717.3 or

41 animal torture as provided in section 717B.3a alleged
42 to have been committed by a child under the age of
43 seventeen."

44 2. Page 1, by striking lines 9 through 11, and
45 inserting the following: "livestock, if the person
46 inflicts upon the livestock severe physical pain with
47 a depraved or sadistic intent to cause prolonged
48 suffering or death."

49 3. Page 1, by striking lines 34 through 41, and
50 inserting the following:

Page 2

1 "___ a. The following shall apply to a person
2 who commits livestock torture:

3 (1) For the first conviction, the person is guilty
4 of an aggravated misdemeanor. The sentencing order
5 shall provide that the person submit to psychological
6 evaluation and treatment according to terms required
7 by the court. The costs of the evaluation and
8 treatment shall be paid by the person. In addition,
9 the sentencing order shall provide that the person
10 complete a community work requirement, which may
11 include a work requirement performed at an animal
12 shelter or pound as defined in section 162.2,
13 according to terms required by the court.

14 (2) For a second or subsequent conviction, the
15 person is guilty of a class "D" felony. The
16 sentencing order shall provide that the person submit
17 to a psychological evaluation and treatment according
18 to terms required by the court. The costs of the
19 psychological evaluation and treatment shall be paid
20 by the person.

21 b. The juvenile court shall have exclusive
22 original jurisdiction in a proceeding concerning a
23 child who is alleged to have committed livestock
24 torture, in the manner provided in section 232.8. The
25 juvenile court shall not waive jurisdiction in a
26 proceeding concerning an offense alleged to have been
27 committed by a child under the age of seventeen."

28 4. Page 1, by striking lines 45 through 47, and
29 inserting the following: "animal, if the person
30 inflicts upon the animal severe physical pain with a
31 depraved or sadistic intent to cause prolonged
32 suffering or death."

33 5. Page 2, by striking lines 33 through 40, and
34 inserting the following:

35 "___ The following shall apply to a person who
36 commits animal torture:

37 (1) For the first conviction, the person is guilty
38 of an aggravated misdemeanor. The sentencing order
39 shall provide that the person submit to psychological

40 evaluation and treatment according to terms required
 41 by the court. The costs of the evaluation and
 42 treatment shall be paid by the person. In addition,
 43 the sentencing order shall provide that the person
 44 complete a community work requirement, which may
 45 include a work requirement performed at an animal
 46 shelter or pound, as defined in section 162.2,
 47 according to terms required by the court.

48 (2) For a second or subsequent conviction, the
 49 person is guilty of a class "D" felony. The
 50 sentencing order shall provide that the person submit

Page 3

1 to psychological evaluation and treatment according to
 2 terms required by the court. The costs of the
 3 psychological evaluation and treatment shall be paid
 4 by the person.

5 b. The juvenile court shall have exclusive
 6 original jurisdiction in a proceeding concerning a
 7 child who is alleged to have committed animal torture,
 8 in the manner provided in section 232.8. The juvenile
 9 court shall not waive jurisdiction in a proceeding
 10 concerning an offense alleged to have been committed
 11 by a child under the age of seventeen."

Amendment H-8852 was adopted.

Garman of Story offered the following amendment H-8813, to the Senate amendment H-8746, filed by her from the floor and moved its adoption:

H-8813

1 Amend the Senate amendment, H-8746, to House File
 2 723, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking lines 5 through 41.
 5 2. By renumbering as necessary.

Roll call was requested by Kreiman of Davis and Davis of Wapello.

On the question "Shall amendment H-8813, to the Senate amendment H-8746, be adopted?" (H.F. 723)

The ayes were, 57:

Alons
Bell

Arnold
Boal

Barry
Boddicker

Baudler
Bogges

Bradley	Brauns	Brunkhorst	Carroll
Dix	Doderer	Dolecheck	Drake
Drees	Eddie	Fallon	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jager
Jenkins	Johnson	Kettering	Klemme
Lord	Martin	May	Metcalf
Millage	Mundie	Nelson-Forbes	O'Brien
Rayhons	Shoultz	Sukup	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Weigel
Welter			

The nays were, 40:

Bukta	Cataldo	Chiodo	Cphoon
Connors	Cormack	Davis	Dotzler
Falck	Foege	Greimann	Grundberg
Holveck	Jacobs	Jochum	Kreiman
Kuhn	Larkin	Larson	Mascher
Mertz	Murphy	Myers	Osterhaus
Parmenter	Raecker	Rants	Reynolds
Richardson	Scherrman	Schrader	Shay
Stevens	Taylor, D.	Taylor, T.	Warnstadt
Whitead	Wise	Witt	Mr. Speaker
			Siegrist

Absent or not voting, 3:

Blodgett	Ford	Frevert
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Amendment H-8813 was adopted, placing amendment H-8842, to the Senate amendment H-8746, filed by Teig of Hamilton, Arnold of Lucas, Huseman of Cherokee, Barry of Harrison, Brauns of Muscatine, Sukup of Franklin, Klemme of Plymouth, Holmes of Scott, Eddie of Buena Vista, Horbach of Tama, Rayhons of Hancock, Dolecheck of Ringgold, Carroll of Poweshiek, Houser of Pottawattamie, Hahn of Muscatine, Greiner of Washington, Kettering of Sac, Baudler of Adair, Alons of Sioux, Drake of Pottawattamie, Boggess of Page, Hoffman of Crawford and Johnson of Osceola, from the floor, previously deferred, out of order, and placing amendment H-8852, lines 44 through 50, page 1, and lines 1 through 27, page 2 out of order.

On motion by Davis of Wapello the House concurred in the Senate amendment H-8746, as amended.

Davis of Wapello moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 723)

The ayes were, 97:

Alons	Arnold	Barry	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 1:

Baudler

Absent or not voting, 2:

Ford

Frevert

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 723** be immediately messaged to the Senate.

MOTION TO RECONSIDER
(Senate File 2439)

I move to reconsider the vote by which Senate File 2439 passed the House on April 11, 2000.

RANTS of Woodbury

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 5, 6 and 10, 2000. Had I been present, I would have voted "aye" on House Files 475, 2198, 2317, 2377, 2429, 2463, 2491, 2511, 2513, 2528, 2533 and Senate Joint Resolution 2005, Senate Files 419, 2079, 2143, 2267, 2302, 2312, 2313, 2329, 2331, 2360, 2371, 2395, 2424 and 2426.

CATALDO of Polk

I was necessarily absent from the House chamber on April 11, 2000. Had I been present, I would have voted "aye" on House File 2557 and Senate Files 2126 and 2348.

HANSEN of Pottawattamie

I was necessarily absent from the House chamber on April 11, 2000. Had I been present, I would have voted "aye" on House File 2419.

JAGER of Black Hawk

I was necessarily absent from the House chamber on April 10, 2000. Had I been present, I would have voted "aye" on House Files 475, 2491, 2528 and Senate File 2143.

VAN FOSSEN of Scott

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 11th day of April, 2000: House Files 2315, 2327, 2328, 2388 and 2394.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-one 4-H students from Jones County, accompanied by Joe Yelik and their 4-H leaders. By Boddicker of Cedar and Welter of Jones.

Seventy-two sixth grade students from Manson Northwest Webster, Barnum, accompanied by Kevin Henrichs and teachers. By Mundie of Webster.

Thirty-six students from Belle Plaine High School, Belle Plaine, accompanied by Mark Tejeler and Mike Smith. By Tyrrell of Iowa.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

IOWA COMMUNICATIONS NETWORK

The Fiscal Year 1999 Annual Report, pursuant to Chapter 8D.3(f), Code of Iowa.

IOWA WORKFORCE DEVELOPMENT

An Annual Status Report on the unemployment compensation trust fund, pursuant to Chapter 96.35, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\790 Mary Ogilvie, Norwalk – For celebrating her 80th birthday.
- 2000\791 Alice and Marloe Ellingson, Osage – For celebrating their 50th wedding anniversary.
- 2000\792 Arthur Troge, Osage – For celebrating his 100th birthday.
- 2000\793 Alvina Redding Brown, Stacyville – For celebrating her 85th birthday.
- 2000\794 Anna Redding Brown, Osage – For celebrating her 85th birthday.
- 2000\795 Mr. and Mrs. Jon Stewart, Dunkerton – For celebrating their 60th wedding anniversary.
- 2000\796 Pat and Stan Hilmer, Dunkerton – For celebrating their 50th wedding anniversary.
- 2000\797 Maude Canfield, Dunkerton – For celebrating her 92nd birthday.
- 2000\798 Luella and John Pattison, Fayette – For celebrating their 50th wedding anniversary.
- 2000\799 Donnabelle and Bob Graig, Sioux City – For celebrating their 50th wedding anniversary.
- 2000\800 Kenneth Whitcomb, Guthrie Center – For celebrating his 85th birthday.
- 2000\801 Gretchen Vaughan, Bayard – For celebrating her 80th birthday.
- 2000\802 Kenneth Bullard, Panora – For celebrating his 80th birthday.
- 2000\803 Lila and Francis Kastner, Yale – For celebrating their 50th wedding anniversary.
- 2000\804 Clifford Boehmler, Hawkeye – For celebrating his 80th birthday.
- 2000\805 Ethel Hare, Rowley – For celebrating her 98th birthday.
- 2000\806 Isiserettes Drill and Drum Corps, Des Moines – For their outstanding achievements and celebrating their 20th anniversary on April 29, 2000.

- 2000\807 Nathan Andrew Nicholson, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\808 Kyle Matthew Barnes, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\809 Adam James McFarlane, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\810 Jonathan Michael Wood, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\811 Bradley William Randall, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\812 Brian James Kalina, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\813 David Rottinghaus, Charles City – For being named to the First Team All-State Class 3-A Boys' Basketball Team.
- 2000\814 Charles City Senior High Fine Arts Department, Charles City – For being selected as a GRAMMY Signature School.
- 2000\815 Jerome and Lenore Schlader, Rockford – For celebrating their 50th wedding anniversary.
- 2000\816 Dale Courbat, Waterloo – For celebrating his 79th birthday.
- 2000\817 Charles and Phyllis Cowell, Waterloo – For celebrating their 50th wedding anniversary.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 785 Appropriations

Relating to public expenditure and regulatory matters, making appropriations, and establishing a Microsoft settlement fund.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 782), relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2000.

Committee Bill (Formerly House Study Bill 783), relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 10, 2000.

COMMITTEE ON HUMAN RESOURCES

House File 2565, a bill for an act relating to tobacco use prevention and control and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8831** April 11, 2000.

RESOLUTIONS FILED

HCR 120, by Mascher, Doderer, Myers, Ford, and Foege, a concurrent resolution relating to racist activities intended to harass students and faculty at the University of Iowa.

Laid over under **Rule 25**.

HR 121, by Siegrist, a resolution congratulating the Iowa State Cyclones Wrestling Team.

Laid over under **Rule 25**.

HR 122, by Nelson-Forbes, Greimann, Parmenter, Raecker, Rayhons, Huser, Mertz, Jenkins, O'Brien, Cohoon, Witt, Millage, Garman, Foege, Barry, Jacobs, Hoffman, Welter, Dolecheck, Mundie, Boggess, Sukup, Alons, Cormack, Eddie, Greiner, Van Engelenhoven, Arnold, Metcalf, Weidman, Mascher, Bukta, Gipp, Martin, Heaton, Dix, Horbach, Johnson, Tyrrell, Brunkhorst, Davis, Osterhaus, Kuhn, D. Taylor, Wise, Houser, Myers,

Doderer, Grundberg, Falck, Thomas, Murphy, Weigel, T. Taylor, Shoultz, Holmes, Hansen, Huseman, Lord, Ford, Klemme, Dotzler, Larkin, Jager, Drake, Sunderbruch, Brauns, Bradley, Hahn, Siegrist, Rants, Reynolds, Jochum, Boal, Baudler, Bell, Blodgett, Boddicker, Carroll, Cataldo, Chiodo, Connors, Drees, Fallon, Frevert, Holveck, Kettering, Kreiman, Larson, May, Richardson, Scherrman, Schrader, Shey, Stevens, Teig, Thomson, Van Fossen, Warnstadt, and Whitead, a resolution congratulating the Iowa State Cyclones Women's Basketball Team.

Laid over under **Rule 25**.

SCR 113, by Drake, Johnson, Judge, Harper, Fraise, Rittmer, and Redfern, a concurrent resolution establishing a special commission to study and make recommendations concerning the impact of current and future state replacement funds paid to local governments to mitigate the effects of the elimination of the property tax on industrial machinery, equipment, and computers.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8802	S.F.	2338	Grundberg of Polk
H—8804	S.F.	2443	Cormack of Webster
H—8805	S.F.	2302	Senate Amendment
H—8806	H.F.	2519	Senate Amendment
H—8807	H.F.	2560	Richardson of Warren
H—8817	H.F.	2477	Senate Amendment
H—8818	S.F.	2329	Senate Amendment
H—8824	S.F.	2338	Grundberg of Polk
H—8830	S.F.	2430	Bradley of Clinton
H—8831	H.F.	2565	Committee on Human Resources
H—8835	H.F.	2560	Weigel of Chickasaw
H—8836	H.F.	2560	Weigel of Chickasaw
H—8846	S.F.	2433	Falck of Fayette
H—8847	S.F.	2433	Falck of Fayette
H—8848	S.F.	2433	Falck of Fayette
H—8849	S.F.	2429	Davis of Wapello
H—8851	S.F.	2338	Weigel of Chickasaw
H—8857	S.F.	466	Klemme of Plymouth

On motion by Rants of Woodbury the House adjourned at 8:50 p.m., until 8:45 a.m., Wednesday, April 12, 2000.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 12, 2000

The House met pursuant to adjournment at 8:52 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend John Louck, pastor of the Hudson United Methodist Church, Hudson.

The Journal of Tuesday, April 11, 2000 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chiodo of Polk, until his arrival, on request of Cataldo of Polk; Frevert of Palo Alto on request of Myers of Johnson.

SPECIAL PRESENTATIONS

Prior to convening the House was entertained by music from the Okoboji Jazz One Band. They are the guests of the Honorable Greg Stevens, state representative from Dickinson County.

The House rose and expressed its appreciation.

Reynolds of Van Buren introduced to the House, Brock Thomaek, President of Renaissance Village. With him were Lord and Lady Mayor who announced and invited the legislature to attend the Wybreg Village Renaissance Festival on May 27 through June 4, 2000.

The House rose and expressed its welcome.

ADOPTION OF HOUSE RESOLUTION 121

Speaker Siegrist called up for consideration House Resolution 121, a resolution congratulating the Iowa State Cyclones Wrestling Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Speaker Siegrist introduced to the House, Coach Bobby Douglas who introduced his staff and the Iowa State Wrestling team.

The House rose and expressed its welcome.

HOUSE FILE 2543 WITHDRAWN

Lord of Dallas asked and received unanimous consent to withdraw House File 2543 from further consideration by the House.

SENATE AMENDMENTS CONSIDERED

Huser of Polk called up for consideration **House File 2477**, a bill for an act relating to public improvements and transportation, including procedures for condemnation and highway projects, aircraft registration, and passenger rail service, and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-8817:

H-8817

- 1 Amend House File 2477, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 1, through page 2,
- 4 line 22.
- 5 2. Page 3, by striking lines 31 through 33 and
- 6 inserting the following:
- 7 "Sec. ____ LIMITATION ON EXPENDITURE OF FUNDS FOR
- 8 PASSENGER RAIL SERVICE. It is the intent of the
- 9 general assembly that moneys directed to be deposited
- 10 in the road use tax fund under section 312.1 shall not
- 11 be used for loans, grants, or other financial
- 12 assistance for passenger rail service."
- 13 3. Title page, line 1, by striking the words
- 14 "public improvements and" and inserting the following:
- 15 "nonhighway".
- 16 4. Title page, line 2, by striking the words
- 17 "procedures for condemnation and highway projects,".
- 18 5. Title page, line 3, by striking the words
- 19 "service, and" and inserting the following:
- 20 "service."
- 21 6. Title page, by striking line 4.

22 7. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8817.

Huser of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2477)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, 1:

Grundberg

Absent or not voting, 3:

Chiodo

Frevert

Jacobs

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

T. Taylor of Linn called up for consideration **Senate File 2329**, a bill for an act increasing the fine for certain motor vehicle violations relating to railroad crossings, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-8818 to the House amendment:

H-8818

- 1 Amend the House amendment, S-5369, to Senate File
- 2 2329, as passed by the Senate, as follows:
- 3 1. Page 1, by striking line 50 and inserting the
- 4 following: "805.8, subsection 2, paragraph "ac".
- 5 Sec. . **NEW SECTION.** 327G.25 CLOSING OF
- 6 CROSSING FOR REPAIR OR UPGRADE.
- 7 A railway corporation shall not close a railway
- 8 crossing to the traveling public for more than thirty
- 9 days for the purpose of repairing or upgrading the
- 10 crossing. A railway corporation violating this
- 11 section shall, upon conviction, be subject to a
- 12 schedule "one" penalty."
- 13 2. Page 2, line 15, by inserting after the word
- 14 "provisions," the following: "regulating the closing
- 15 of railway crossings."
- 16 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8818, to the House amendment.

T. Taylor of Linn moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2329)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Cphoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman

Huser	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Sukup, Presiding			

The nays were, none.

Absent or not voting, 3:

Chiodo	Frevort	Jacobs
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Nelson-Forbes of Marshall called up for consideration **Senate File 2302**, a bill for an act relating to programs and public health issues under the purview of the Iowa department of public health and the appropriation of certain fees to the department, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-8805 to the House amendment:

H-8805

- 1 Amend the amendment, S-5353 to Senate File 2302, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by inserting after line 37, the
- 5 following:
- 6 "Sec. ____ Section 124.212, subsection 5,
- 7 unnumbered paragraph 1, Code 1999, is amended to read
- 8 as follows:
- 9 Ephedrine. Unless specifically excepted in
- 10 paragraph "b" or "c", or listed in another schedule,
- 11 any material, compound, mixture, or preparation which
- 12 contains any quantity of the following substance,
- 13 including its salts, optical isomers, and salts of
- 14 such optical isomers:

15 Sec. __. Section 124.212, subsection 5, Code
 16 1999, is amended by adding the following new
 17 paragraph:
 18 NEW PARAGRAPH. c. a dietary supplement is also
 19 excepted from this schedule, if the dietary supplement
 20 is not otherwise prohibited by any other law and is a
 21 naturally occurring ephedrine alkaloid or associated
 22 salts, isomers, salts of isomers, or a combination of
 23 these substances that are contained in a matrix of
 24 organic material and do not exceed fifteen percent of
 25 the total weight of the natural product."
 26 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8805, to the House amendment.

Nelson-Forbes of Marshall moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2302)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Cohoon
Connors	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	Nelson-Forbes	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, 5:

Cormack	Fallon	Kreiman	Mundie
O'Brien			

Absent or not voting, 3:

Chiodo	Frevert	Jacobs
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2477** and **Senate Files 2302** and **2329**.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2561, a bill for an act providing for interest on delinquent assessments payable to the Iowa egg council, was taken up for consideration.

Teig of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2561)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Heaton	Hoffman	Holmes
Holveck	Horbach	Huseman	Huser
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn

Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, none.

Absent or not voting, 4:

Frevert	Hansen	Houser	Jacobs
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 466, a bill for an act relating to the remediation of agrichemical sites, providing for fees, and providing for the repeal of a section relating to cleanup prioritization, with report of committee recommending amendment and passage, was taken up for consideration.

Klemme of Plymouth offered amendment H-8261 filed by the committee on agriculture as follows:

H-8261

- 1 Amend Senate File 466, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 30, by striking the word "eight"
- 4 and inserting the following: "seven".
- 5 2. Page 3, by striking lines 32 and 33, and
- 6 inserting the following:
- 7 " _____. Two nonvoting ex officio members who shall
- 8 be the secretary of agriculture and the director of
- 9 the department of natural resources, or their
- 10 designees."
- 11 3. Page 3, line 34, by striking the word "Six"
- 12 and inserting the following: "Five".
- 13 4. Page 4, line 5, by striking the words "Two

- 14 members who are" and inserting the following: "One
 15 member who is".
- 16 5. Page 4, by striking lines 19 and 20.
- 17 6. Page 5, by striking lines 20 through 22, and
 18 inserting the following: "five percent of the fund on
 19 the day of its greatest balance or one hundred fifty
 20 thousand dollars, whichever is less."
- 21 7. Page 5, by striking lines 33 and 34.
- 22 8. By striking page 9, line 10 through page 10,
 23 line 32.
- 24 9. By striking page 15, line 25 through page 16,
 25 line 1.
- 26 10. Page 16, line 4, by striking the figure
 27 "1999" and inserting the following: "2000".
- 28 11. Page 16, line 5, by striking the figure:
 29 "2000" and inserting the following: "2001".
- 30 12. Page 16, line 10, by striking the figure
 31 "1999" and inserting the following: "2000".
- 32 13. Title page, line 2, by striking the words
 33 "providing for fees,".
- 34 14. By renumbering as necessary.

Klemme of Plymouth offered amendment H-8857, to the committee amendment H-8261, filed by him as follows:

H-8857

- 1 Amend the amendment, H-8261, to Senate File 466, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, by striking lines 3 through 33, and
 5 inserting the following:
- 6 "___ . Page 3, line 30, by striking the word
 7 "eight" and inserting the following: "seven voting".
- 8 ___ . Page 3, by striking lines 32 and 33, and
 9 inserting the following:
- 10 "___ . Two public members who shall include the
 11 following:
- 12 () The secretary of agriculture or the
 13 secretary's designee.
- 14 () The director of the department of natural
 15 resources, or the director's designee."
- 16 ___ . Page 3, line 34, by striking the words "Six
 17 voting" and inserting the following: "Five".
- 18 ___ . Page 4, line 5, by striking the words "Two
 19 members who are" and inserting the following: "One
 20 member who is".
- 21 ___ . Page 4, by striking lines 19 and 20.
- 22 ___ . Page 5, by inserting after line 15, the
 23 following:
- 24 "___ . Execute remediation agreements with eligible

25 persons as provided in section 161.9."
 26 ___. Page 5, by striking lines 20 through 22, and
 27 inserting the following: "five percent of the fund on
 28 the day of the year of its greatest balance or one
 29 hundred fifty thousand dollars, whichever is less."
 30 ___. Page 5, by striking lines 33 and 34.
 31 ___. Page 6, by inserting after line 1, the
 32 following:
 33 "___ Approve any contract with a person for
 34 assuring that remediation is performed in accordance
 35 with the provisions of a remediation agreement as
 36 provided in section 161.9."
 37 ___. Page 6, line 7, by inserting before the word
 38 "In" the following: "The department shall establish
 39 standards based, to every degree practicable, on rules
 40 adopted by the department of natural resources
 41 required to clean up sites from contamination under
 42 chapter 455H."
 43 ___. By striking page 9, line 10 through page 10,
 44 line 32.
 45 ___. Page 11, by striking line 7, and inserting
 46 the following:
 47 "___ Moneys in the fund are appropriated
 48 exclusively to support".
 49 ___. Page 11, by striking lines 28 through 31,
 50 and inserting the following:

Page 2

1 "Sec. . NEW SECTION. 161.9 REMEDIATION
 2 AGREEMENT.
 3 1. A person is not required to comply with the
 4 requirements of this chapter, including the
 5 remediation of a site, unless the person is a
 6 responsible person who executes a remediation
 7 agreement with the board, as provided in this section.
 8 The remediation agreement shall provide for all of the
 9 following:
 10 a. The terms and conditions required to perform
 11 remediation under a plan of remediation as provided in
 12 this section, and the payment of claims as provided in
 13 section 161.10.
 14 b. A plan for remediation of a site where
 15 contamination has been discovered. The plan shall
 16 provide procedures for a remediation of the
 17 contaminated site, a schedule for providing for the
 18 remediation of the site according to remediation
 19 standards provided in section 161.5, and the
 20 classification and prioritization of sites as provided
 21 in section 161.6. The plan may be amended at any
 22 time, if approved by the department, if the amendment
 23 to the agreement is executed by the responsible person

24 and the board. The plan shall be developed by the
 25 responsible person and approved by the department for
 26 each site subject to the agreement. The plan shall
 27 include all of the following:

28 (1) A determination as to the extent of the
 29 existing soil, groundwater, or surface water
 30 contamination.

31 (2) The proximity of the contamination and the
 32 likelihood that the contamination will affect a
 33 drinking water well.

34 (3) The characteristics of the site and the
 35 potential for migration of the contamination.

36 (4) Whether the site is classified as a high,
 37 medium, or low priority site, as provided in section
 38 161.6.

39 The department may require that an initial plan of
 40 remediation be submitted prior to execution of a
 41 remediation agreement. The department may require
 42 that the initial plan recommend whether a site be
 43 classified as a high or medium priority site. The
 44 department may require further investigation be
 45 conducted to determine the extent of the remediation
 46 which should be conducted on the site.

47 2. a. The department, upon approval of the board,
 48 may contract with a person in order to do any of the
 49 following:

50 (1) Consult with the department and the board in

Page 3

1 reviewing a remediation agreement, including but not
 2 limited to investigating a site or recommending
 3 approval or denial of a plan for remediation.

4 (2) Ensure compliance with the plan for
 5 remediation as provided in this section. The person
 6 may be authorized to provide a statement to a
 7 responsible person, stating that the person is
 8 eligible for payment of a claim submitted from the
 9 fund as provided in section 161.10.

10 b. The department may execute the contract with a
 11 private individual or entity or a state and local
 12 government as provided in chapter 28E.

13 3. a. A responsible person is eligible to execute
 14 a remediation agreement under this section, if the
 15 board".

16 ____ Page 12, by striking lines 25 through 31.

17 ____ Page 13, line 2, by striking the word
 18 "established" and inserting the following: "contained
 19 in a remediation agreement executed by the board and
 20 the eligible person and rules adopted".

21 ____ Page 13, line 3, by inserting after the
 22 words "The person" the following: "who has executed a

23 remediation agreement with the board and is".
24 ___. Page 13, line 18, by striking the word
25 "board" and inserting the following: "department".
26 ___. Page 13, by striking lines 25 and 26.
27 ___. Page 14, by inserting after line 10, the
28 following:
29 " ___. Withholding a portion of the payment as
30 provided in the remediation agreement, for final
31 payment when the department determines that the site
32 has been monitored for a period necessary to ensure
33 that remediation has been successful."
34 ___. By striking page 15, line 25 through page
35 16, line 1.
36 ___. Page 16, line 4, by striking the figure
37 "1999" and inserting the following: "2000".
38 ___. Page 16, line 5, by striking the figure
39 "2000" and inserting the following: "2001".
40 ___. Page 16, line 10, by striking the figure
41 "1999" and inserting the following: "2000".
42 ___. Title page, line 2, by striking the words
43 "providing for fees."

Weigel of Chickasaw rose on a point of order and invoked Rule 32, referring Senate File 466 to the committee on ways and means. (Amendments H-8261 and H-8857 pending)

The Speaker ruled the point well taken and referred Senate File 466 to the committee on ways and means.

Rants of Woodbury asked and received unanimous consent to suspend the rules for the committee on ways and means and the committee on transportation to meet immediately upon recess.

On motion by Rants of Woodbury, the House was recessed at 9:55 a.m., until 11:00 a.m.

LATE MORNING SESSION

The House reconvened at 11:12 a.m., Speaker Siegrist in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2433, a bill for an act relating to community college governance.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 11:13 a.m., until the fall of the gavel.

The House resumed session at 2:15 p.m., Speaker pro tempore Sukup in the chair.

INTRODUCTION OF BILL

House File 2572, by committee on appropriations, a bill for an act relating to public expenditure and regulatory matters, making appropriations, and establishing a Microsoft settlement fund, and providing an effective date.

Read first time and placed on the **appropriations calendar**.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-seven members present, twenty-three absent.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2561** be immediately messaged to the Senate.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 466, a bill for an act relating to the remediation of agricultural sites, providing for fees, and providing for the repeal of a section relating to cleanup prioritization.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8261** April 12, 2000.

Rants of Woodbury asked and received unanimous consent for the immediate consideration of Senate File 466.

Rants of Woodbury asked and received unanimous consent that Senate File 466 be temporarily deferred. (Amendments H-8261 and H-8857 pending)

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 117

Brauns of Muscatine called up for consideration House Concurrent Resolution 117, a concurrent resolution establishing a special commission to study and make recommendations concerning the impact of current and future state replacement funds paid to local governments to mitigate the effects of the elimination of the property tax on industrial machinery, equipment, and computers.

SENATE CONCURRENT RESOLUTION 113 SUBSTITUTED
FOR HOUSE CONCURRENT RESOLUTION 117

Brauns of Muscatine asked and received unanimous consent to substitute Senate Concurrent Resolution 113 for House Concurrent Resolution 117.

Senate Concurrent Resolution 113, a concurrent resolution establishing a special commission to study and make recommendations concerning the impact of current and future state replacement funds paid to local governments to mitigate the effects of the elimination of the property tax on industrial machinery, equipment, and computers, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 119

Huser of Polk called up for consideration House Concurrent Resolution 119, a concurrent resolution requesting the state department of transportation to review federal outdoor advertising bonus program restrictions on signing and advertising adjacent to the interstate highway system and to make recommendations to the general assembly, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolution 119** and **Senate Concurrent Resolution 113**.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 2443, a bill for an act relating to compacts or agreements entered into by the Iowa lottery board and commissioner of the lottery, with report of committee recommending passage, was taken up for consideration.

Dix of Butler in the chair at 2:45 p.m.

Sukup of Franklin offered amendment H-8774 filed by Sukup, et al., as follows:

H-8774

- 1 Amend Senate File 2443, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 99D.9, subsection 6, Code
- 6 1999, is amended to read as follows:
- 7 6. A licensee ~~may shall~~ not loan to any person
- 8 money or any other thing of value ~~or permit a~~
- 9 financial institution, vendor, or other person to loan
- 10 money on the licensed premises on the basis of a
- 11 credit card or similar instrument in person or through

12 an electronic or mechanical device including but not
13 limited to a satellite terminal as defined in section
14 527.2 for the purpose of permitting that person to
15 wager on any race. The use of a check or a debit card
16 with overdraft protection is not prohibited by this
17 subsection."

18 2. Page 1, by inserting after line 12 the
19 following:

20 "Sec. __. Section 99F.7, subsection 9, Code 1999,
21 is amended to read as follows:

22 9. A licensee shall not loan to any person money
23 or any other thing of value or permit a financial
24 institution, vendor, or other person to loan money on
25 the licensed premises on the basis of a credit card or
26 similar instrument in person or through an electronic
27 or mechanical device including but not limited to a
28 satellite terminal as defined in section 527.2 for the
29 purpose of permitting that person to wager on any game
30 of chance. The use of a check or a debit card with
31 overdraft protection is not prohibited by this
32 subsection."

33 3. Title page, by striking line 1, and inserting
34 the following: "An Act relating to gambling by
35 prohibiting the loan of money for gambling purposes
36 through a credit card or an electronic or mechanical
37 device at a gambling facility and to contracts and
38 agreements entered into by the".

39 4. By renumbering as necessary.

Bradley of Clinton rose on a point of order that amendment H-8774 was not germane.

The Speaker ruled the point well taken and amendment H-8774 not germane.

Raecker of Polk asked for unanimous consent to suspend the rules to consider amendment H-8774.

Objection was raised.

Raecker of Polk moved to suspend the rules to consider amendment H-8774.

A non-record roll call was requested.

The ayes were 30, nays 52.

The motion to suspend the rules lost.

Brunkhorst of Bremer offered the following amendment H-8747 filed by him and moved its adoption:

H-8747

- 1 Amend Senate File 2443, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking line 7 and inserting the
- 4 following: "United".

Amendment H-8747 lost.

Ford of Polk offered the following amendment H-8761 filed by him and moved its adoption:

H-8761

- 1 Amend Senate File 2443, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 9, by inserting after the word
- 4 "games." the following: "However, the board and the
- 5 commissioner shall not enter into an agreement to
- 6 operate, market, and promote a powerball game with a
- 7 territory of the United States or one of its political
- 8 subdivisions or with a foreign nation unless the
- 9 political subdivision, territory, or foreign nation
- 10 agrees to use at least three-tenths of one percent of
- 11 its powerball game revenue after the payment of prizes
- 12 for gamblers assistance."

A non-record roll call was requested.

The ayes were 35, nays 55.

Amendment H-8761 lost.

Cormack of Webster offered the following amendment H-8804 filed by him and moved its adoption:

H-8804

- 1 Amend Senate File 2443 as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 9, by inserting after the word
- 4 "games." the following: "However, the board shall not

5 enter into an agreement or compact that expands the
 6 powerball game into another nation if the average
 7 annual per capita income of the nation is twenty-five
 8 percent or more below the average annual per capita
 9 income of the United States for the preceding year."

Roll call was requested by Cormack of Webster and Jager of Black Hawk.

On the question "Shall amendment H-8804 be adopted?" (S.F. 2443)

The ayes were, 39:

Alons	Arnold	Boddicker	Brunkhorst
Carroll	Chiodo	Cormack	Dolecheck
Fallon	Foege	Ford	Garman
Greimann	Greiner	Grundberg	Holveck
Houser	Jager	Johnson	Kreiman
Kuhn	Larson	Lord	Mascher
Mundie	Parmenter	Raecker	Rayhons
Richardson	Schrader	Shey	Stevens
Sukup	Sunderbruch	Thomson	Tyrrell
Van Engelenhoven	Weigel	Witt	

The nays were, 56:

Barry	Baudler	Bell	Blodgett
Boal	Bogess	Bradley	Brauns
Bukta	Cataldo	Cohoon	Connors
Davis	Doderer	Dotzler	Drake
Drees	Falck	Gipp	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Huseman	Huser	Jacobs
Jenkins	Jochum	Kettering	Klemme
Larkin	Martin	May	Mertz
Metcalf	Millage	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Rants
Reynolds	Scherrman	Shoultz	Siegrist, Spkr.
Taylor, D.	Taylor, T.	Thomas	Weidman
Welter	Whitead	Wise	Dix, Presiding

Absent or not voting, 5:

Eddie	Frevert	Teig	Van Fossen
Warnstadt			

Amendment H-8804 lost.

Fallon of Polk offered amendment H-8744 filed by him as follows:

H-8744

- 1 Amend Senate File 2443, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 12 the
- 4 following:
- 5 "Sec. ____ Section 99E.10, subsection 1,
- 6 unnumbered paragraph 2, Code Supplement 1999, is
- 7 amended to read as follows:
- 8 Lottery expenses for marketing, educational, and
- 9 informational material shall not exceed ~~four~~ three
- 10 percent of the lottery revenue."
- 11 2. Title page, line 1, by inserting after the
- 12 word "to" the following: "expenses of, and".

Bradley of Clinton rose on a point of order that amendment H-8744 was not germane.

The Speaker ruled the point well taken and amendment H-8744 not germane.

Fallon of Polk asked for unanimous consent to suspend the rules to consider amendment H-8744.

Objection was raised.

Fallon of Polk moved to suspend the rules to consider amendment H-8744.

A non-record roll call was requested.

The ayes were 33, nays 55.

The motion to suspend the rules lost.

Osterhaus of Jackson offered amendment H-8780 filed by him as follows:

H-8780

- 1 Amend Senate File 2443, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 12 the
- 4 following:

5 "Sec. __. IOWA LOTTERY LICENSEE COMPENSATION
6 STUDY AND REPORT. The Iowa lottery board shall review
7 its policy regarding the compensation of licensees
8 selling lottery products. During its review, the Iowa
9 lottery board shall consider compensation options
10 including, but not limited to, awarding a licensee a
11 share or percentage of the winnings from lottery
12 products sold by the licensee. The Iowa lottery board
13 shall prepare a report of its findings and submit the
14 report to the general assembly pursuant to section
15 7A.11, subsection 2, not later than December 1, 2000."
16 2. Title page, line 2, by inserting after the
17 words "the lottery" the following: "and providing for
18 a policy review".
19 3. By renumbering as necessary.

Millage of Scott rose on a point of order that amendment H-8780 was not germane.

The Speaker ruled the point well taken and amendment H-8780 not germane.

Osterhaus of Jackson moved to suspend the rules to consider amendment H-8780.

A non-record roll call was requested.

The ayes were 25, nays 52.

The motion to suspend the rules lost.

Rants of Woodbury asked and received unanimous consent that Senate File 2443 be temporarily deferred.

ADOPTION OF HOUSE RESOLUTION 117

Raecker of Polk called up for consideration House Resolution 117, a resolution congratulating the Drake Women's Basketball Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Raecker of Polk introduced to the House, Coach Lisa Bluder who

briefly addressed the House and thanked them for their support of the Drake University women's basketball team.

The House rose and expressed its welcome.

Speaker Siegrist in the chair at 4:28 p.m.

INTRODUCTION OF BILLS

House File 2573, by committee on transportation, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates.

Read first time and placed on the **calendar**.

House File 2574, by committee on appropriations, a bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, and providing effective dates.

Read first time and placed on the **appropriations calendar**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sukup of Franklin, until his return, on request of Rants of Woodbury.

The House resumed consideration of Senate File 2443, previously deferred.

Bradley of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2443)

The ayes were, 62:

Arnold	Barry	Baudler	Bell
Blodgett	Boggess	Bradley	Brauns
Bukta	Cataldo	Chiodo	Cohoon
Connors	Davis	Dix	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Gipp	Hansen	Hoffman
Holmes	Horbach	Huseman	Huser
Jacobs	Jenkins	Jochum	Kettering
Larkin	Martin	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Rants	Rayhons	Reynolds	Scherrman
Shoultz	Stevens	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Van Fossen
Warnstadt	Weidman	Welter	Whitead
Wise	Mr. Speaker		
	Siegrist		

The nays were, 36:

Alons	Boal	Boddicker	Brunkhorst
Carroll	Cormack	Doderer	Fallon
Foege	Ford	Garman	Greimann
Greiner	Grundberg	Hahn	Heaton
Holveck	Houser	Jager	Johnson
Klemme	Kreiman	Kuhn	Larson
Lord	Mundie	Parmenter	Raecker
Richardson	Schrader	Shey	Thomson
Tyrrell	Van Engelenhoven	Weigel	Witt

Absent or not voting, 2:

Frevert	Sukup
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2443** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2000, insisted on its amendment to House File 711, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses, and the members of the conference committee on the part of the Senate are: The Senator from Marshall, Senator McKibben, Chair; the Senator from Shelby, Senator Boettger; the Senator from Union, Senator Angelo; the Senator from Jasper, Senator Black; and the Senator from Lee, Senator Fraise.

MICHAEL E. MARSHALL, Secretary

Ways and Means Calendar

House File 2562, a bill for an act relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision, was taken up for consideration.

Weigel of Chickasaw asked and received unanimous consent that amendment H-8863 be deferred.

Weigel of Chickasaw offered the following amendment H-8860 filed by him from the floor and moved its adoption:

H-8860

- 1 Amend House File 2562 as follows:
- 2 1. Page 1, by striking lines 1 through 8.
- 3 2. Page 1, line 16, by inserting after the word
- 4 "organized" the following: "and customized
- 5 specifically".
- 6 3. Page 1, line 18, by inserting after the word
- 7 "service" the following: "if the primary component of
- 8 the transaction is the purchase or rental of a
- 9 nontaxable service".
- 10 4. Page 1, by striking lines 24 through 31.
- 11 5. Title page, by striking lines 1 through 4 and
- 12 inserting the following: "An Act relating to the
- 13 exemption from the sales and use taxes of".

A non-record roll call was requested.

The ayes were 37, nays 53.

Amendment H-8860 lost.

Fallon of Polk offered the following amendment H-8874 filed by him from the floor and moved its adoption:

H-8874

- 1 Amend House File 2562 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "delivered" the following: "or is capable of being
- 4 delivered".
- 5 2. Page 1, line 29, by inserting after the word
- 6 "delivered" the following: "or is capable of being
- 7 delivered".

Carroll of Poweshiek in the chair at 7:05 p.m.

Roll call was requested by Weigel of Chickasaw and Van Fossen of Scott.

Rule 75 was invoked.

On the question "Shall amendment H-8874 be adopted?" (H.F. 2562)

The ayes were, 38:

Bell	Bukta	Cohoon	Connors
Cormack	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Greimann
Holveck	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead		

The nays were, 59:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Cataldo
Chiodo	Davis	Dix	Dolecheck
Drake	Eddie	Ford	Garman
Gipp	Greiner	Grundberg	Hahn

Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Rayhons	Shey
Siegrist, Spkr.	Sunderbruch	Teig	Thomson
Tyrrell	Van Fossen	Weidman	Welter
Wise	Witt	Carroll,	
		Presiding	

Absent or not voting, 3:

Frevert Sukup Van Engelenhoven

Amendment H-8874 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Engelenhoven of Mahaska, for the remainder of the day, on request of Speaker Siegrist.

Weigel of Chickasaw asked and received unanimous consent to withdraw amendment H-8875 filed by him from the floor.

Weigel of Chickasaw asked and received unanimous consent to withdraw amendment H-8863, previously deferred, filed by him from the floor.

Van Fossen of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 2562)

The ayes were, 58:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Cataldo
Chiodo	Davis	Dix	Dolecheck
Drake	Eddie	Ford	Garman
Gipp	Greiner	Grundberg	Hahn

Hansen	Heaton	Hoffman	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson-Forbes	Raecker
Rants	Rayhons	Shey	Siegrist, Spkr.
Sunderbruch	Teig	Thomson	Tyrrell
Van Fossen	Weidman	Welter	Wise
Witt	Carroll,		
	Presiding		

The nays were, 38:

Bukta	Cohoon	Connors	Cormack
Doderer	Dotzler	Drees	Falck
Fallon	Foege	Greimann	Holmes
Holveck	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead		

Absent or not voting, 4:

Brunkhorst	Frevvert	Sukup	Van Engelenhoven
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2562** be immediately messaged to the Senate.

The House resumed consideration of Senate File 466, previously deferred, and the committee amendment H-8261 found on pages 1436 through 1437 of the House Journal.

Shoultz of Black Hawk offered the following amendment H-8870, to the committee amendment H-8261, filed by him from the floor and moved its adoption:

H-8870

- 1 Amend the amendment, H-8261, to Senate File 466, as
- 2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 1, by inserting after line 2, the

5 following:

6 " _____. Page 1, by striking lines 5 through 9.

7 _____. Page 2, by striking lines 25 through 29."

8 2. Page 1, by striking line 21, and inserting the

9 following:

10 " _____. Page 5, by striking lines 32 through 34,

11 and inserting the following:

12 " _____. Soil and groundwater standards for
13 remediation. The standards shall be the same as those
14 adopted in rules by the department of natural
15 resources.""

16 3. Page 1, by inserting before line 22, the

17 following:

18 " _____. By striking page 6, line 2 through page 9,

19 line 9."

20 4. Page 1, line 25, by striking the figure "1"

21 and inserting the following: "2".

Amendment H-8870 lost.

Klemme of Plymouth moved the adoption of amendment H-8857, to the committee amendment H-8261, previously deferred, and found on pages 1437 through 1440 of the House Journal.

Amendment H-8857 was adopted.

On motion by Klemme of Plymouth the committee amendment H-8261, as amended, was adopted.

Klemme of Plymouth offered the following amendment H-8873 filed by him from the floor and moved its adoption:

H-8873

1 Amend Senate File 466, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 11, line 9, by striking the figure

4 "455L.10" and inserting the following: "161.10".

5 2. Page 15, line 2, by striking the figure

6 "455L.9" and inserting the following: "161.9".

Amendment H-8873 was adopted.

Weigel of Chickasaw offered the following amendment H-8866 filed by him from the floor and moved its adoption:

H-8866

1 Amend Senate File 466, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by inserting after line 24, the
 4 following:
 5 "Sec. ____ INTERIM STUDY. The legislative council
 6 is requested to establish an interim study committee
 7 to consider methods to fund the agrichemical
 8 remediation fund as created in section 161.8, as
 9 enacted in this Act. The interim study committee
 10 shall include members of the general assembly and
 11 members of the agrichemical remediation board as
 12 established in section 161.3, as enacted in this Act.
 13 The secretary of agriculture shall appoint members of
 14 the board prior to the first meeting of the interim
 15 study committee."

Amendment H-8866 lost.

Klemme of Plymouth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 466)

The ayes were, 74:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Cohoon	Cormack
Davis	Dix	Dolecheck	Drake
Drees	Eddie	Falck	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Nelson-Forbes	O'Brien
Raecker	Rants	Rayhons	Reynolds
Shey	Siegrist, Spkr.	Stevens	Sunderbruch
Teig	Thomas	Thomson	Tyrrrell

Van Fossen	Warnstadt	Weidman	Welter
Wise	Carroll, Presiding		

The nays were, 22:

Chiodo	Connors	Dotzler	Fallon
Foege	Ford	Greimann	Holveck
Jochum	Murphy	Myers	Osterhaus
Parmenter	Richardson	Scherrman	Schrader
Shoultz	Taylor, D.	Taylor, T.	Weigel
Whitead	Witt		

Absent or not voting, 4:

Doderer	Frevert	Sukup	Van Engelenhoven
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 466** be immediately messaged to the Senate.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday, April 12, 2000. Had I been present, I would have voted "aye" on Senate Files 2302, 2329 and House File 2477.

CHIODO of Polk

I was necessarily absent from the House chamber on Wednesday, April 12, 2000. Had I been present, I would have voted "nay" on Senate File 2443.

SUKUP of Franklin

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the

Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 12th day of April, 2000: House Files 2146, 2331, 2423, 2442 and 2542.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 12, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2027, an act relating to the construction or acquisition of infrastructure by rural water districts by providing for financing and exempting certain debt instruments from taxation.

House File 2148, an act prohibiting the use of a telephone listing that misrepresents the name and location of a business and making penalties applicable.

House File 2247, an act relating to land restoration requirements for interstate natural gas pipeline construction projects.

House File 2280, an act requiring the director of the department of education to develop and administer an operation recognition program.

House File 2494, an act providing for the application of compost material to land for use for the production of organic agricultural products.

Senate File 2194, an act relating to the vacation of roads and road rights-of-way.

Senate File 2238, an act relating to the use of school improvement technology program and school improvement technology block grant program moneys by school districts and area education agencies to employ or contract with information technology specialists.

Senate File 2300, an act relating to interference with lawful hunting, fishing, or fur harvesting and providing a penalty.

Senate File 2411, an act relating to public retirement systems and providing implementation, applicability, and effective dates.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Students from Clear Creek Elementary, Clear Lake, accompanied by teacher Judy Allen. By Blodgett of Cerro Gordo.

Eleven ISPAC students from Kuemper Catholic, Carroll, accompanied by John Steffer. By Drees of Carroll.

Twelve ISPAC students from Charter Oak-Ute Community Schools, accompanied by their instructor. By Hoffman of Crawford.

Seventy-five fifth grade students from Western Hills, West Des Moines, accompanied by Mrs. Huggins, Mrs. Strentz and Ms. Tollefson. By Jacobs of Polk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\818 Stella Fredrickson, Mapleton – For celebrating her 90th birthday.
- 2000\819 Cary Euchner, Program Manager, Cedar Falls – For receiving the 2 Year Award as Program Manager, the Cedar Falls program being named Best Public Relations Program, and for receiving a Volunteer Award at the 2000 Main Street Iowa Awards ceremony.
- 2000\820 Ardis Kieffer, Clinton – For celebrating her 90th birthday.
- 2000\821 Roy and Alta McKnight, Indianola – For celebrating their 60th wedding anniversary.
- 2000\822 Leona Mae Johnson, DeWitt – For celebrating her 90th birthday.
- 2000\823 Venita Wilcox, Clinton – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 2566

Transportation: Eddie, Chair; May and Welter.

Senate File 2442

Ways and Means: Blodgett, Chair; Larkin and Larson.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 784), relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 11, 2000.

Committee Bill (Formerly House Study Bill 785), relating to public expenditure and regulatory matters, making appropriations, and establishing a Microsoft settlement fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 11, 2000.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 2566), relating to eligibility for United States armed forces retired special motor vehicle license plates.

Fiscal Note is not required.

Recommended **Do Pass** April 12, 2000.

RESOLUTION FILED

HCR 121, by Arnold, Teig, Gipp, Klemme, Dix, Barry, Drake, Houser, Brauns, Garman, Welter, Tyrrell, Van Engelenhoven, Eddie, Rayhons, Weidman, Alons, Hahn, Hoffman, Kettering, Baudler, Horbach, Boggess, Carroll, Sukup, Sunderbruch, Greiner, Huseman,

Johnson, Heaton, Drees, O'Brien, May, Larkin, Cohoon, Mertz, Bell, Fallon, Thomas, Mundie, Reynolds, and Kuhn, a concurrent resolution to urge and petition the United States Department of Agriculture to make lands which are under the conservation reserve program eligible for grazing by livestock.

Laid over under **Rule 25.**

AMENDMENTS FILED

H—8858	S.F.	2429	Nelson-Forbes of Marshall Ford of Polk Grundberg of Polk Reynolds of Van Buren
H—8859	S.F.	2429	Nelson-Forbes of Marshall Ford of Polk
H—8861	H.F.	2530	Van Engelenhoven of Mahaska Arnold of Lucas Reynolds of Van Buren
			Greiner of Washington
			Houser of Pottawattamie
			Mundie of Webster
H—8862	H.F.	2433	Senate Amendment
H—8864	H.F.	2560	Weigel of Chickasaw
H—8865	H.F.	2560	Weigel of Chickasaw
H—8867	H.F.	2535	Weigel of Chickasaw
H—8868	S.F.	2332	Boddicker of Cedar
H—8869	S.F.	2338	Brunkhorst of Bremer
H—8871	S.F.	2245	Jager of Black Hawk Mascher of Johnson
H—8872	S.F.	2428	Boggess of Page Holveck of Polk
H—8876	H.F.	2569	Teig of Hamilton
H—8877	S.F.	2332	Reynolds of Van Buren
H—8878	S.F.	2429	Nelson-Forbes of Marshall

On motion by Rants of Woodbury the House adjourned at 8:45 p.m., until 8:45 a.m., Thursday, April 13, 2000.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day – Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 13, 2000

The House met pursuant to adjournment at 8:48 a.m., Speaker Siegrist in the chair.

Prayer was offered by Father James Miller, pastor of St. Mary's Catholic Church, Waverly.

The Journal of Wednesday, April 12, 2000 was approved.

SPECIAL PRESENTATION

Prior to convening, Curtis Carroll, the son of the Honorable Danny Carroll, state representative from Poweshiek County, played the violin before the House.

The House rose and expressed its appreciation.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chiodo of Polk, until his return, and Frevert of Palo Alto on request of Myers of Johnson.

CONFERENCE COMMITTEE APPOINTED (House File 711)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 711: Jager of Black Hawk, Chair; Baudler of Adair, Davis of Wapello, Bell of Jasper and Richardson of Warren.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 121

Rants of Woodbury asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 121.

Arnold of Lucas called up for consideration House Concurrent Resolution 121, a concurrent resolution to urge and petition the United States Department of Agriculture to make lands which are under the conservation reserve program eligible for grazing by livestock, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Regular Calendar

House Joint Resolution 2014, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation, with report of committee recommending passage, was taken up for consideration.

Barry of Harrison moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 2014)

The ayes were, 69:

Barry	Baudler	Bell	Blodgett
Boggess	Brauns	Bukta	Cohoon
Connors	Davis	Doderer	Dolecheck
Dotzler	Drees	Eddie	Falck
Fallon	Foege	Ford	Gipp
Greiner	Grundberg	Hansen	Heaton
Hoffman	Holmes	Horbach	Huser
Jacobs	Jenkins	Jochum	Kettering
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Rants	Rayhons
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Thomas	Tyrrell
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 23:

Alons	Arnold	Boal	Boddicker
Bradley	Brunkhorst	Cormack	Drake
Garman	Greimann	Hahn	Holveck
Huseman	Jager	Johnson	Klemme
Kreiman	Lord	Mundie	Raecker
Reynolds	Sunderbruch	Thomson	

Absent or not voting, 8:

Carroll	Cataldo	Chiodo	Dix
Frevort	Houser	Nelson-Forbes	Van Engelenhoven

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 2014** and **House Concurrent Resolution 121**.

SENATE AMENDMENT CONSIDERED

Thomson of Linn called up for consideration **House File 2437**, a bill for an act relating to disclosure by a postsecondary education institution of information to the parent or guardian of a student, amended by the Senate, and moved that the House concur in the following Senate amendment H-8784:

H-8784

- 1 Amend House File 2437, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 16 through 25 and
- 4 inserting the following: "contained in the student's
- 5 education records."
- 6 2. Page 2, by striking lines 1 through 3 and
- 7 inserting the following: "student's grades or any
- 8 correlation between student grades and violations of a
- 9 federal, state, or local law, or institutional rule or
- 10 policy governing the use or possession of alcohol or a
- 11 controlled substance except as otherwise provided by
- 12 the law. The results".
- 13 3. By renumbering, relettering, or redesignating
- 14 and correcting internal references as necessary.

Sukup of Franklin in the chair at 9:25 a.m.

The motion prevailed and the House concurred in the Senate amendment H-8784.

Thomson of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2437)

The ayes were, 81:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cphoon	Connors
Davis	Dix	Dolecheck	Dotzler
Drake	Eddie	Falck	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Nelson-Forbes
O'Brien	Osterhaus	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sunderbruch	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Sukup, Presiding			

The nays were, 17:

Cataldo	Chiodo	Cormack	Doderer
Drees	Fallon	Foege	Ford
Greimann	Horbach	Mascher	Myers
Parmenter	Schrader	Taylor, D.	Taylor, T.
Witt			

Absent or not voting, 2:

Frevort	Van Fossen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2156 WITHDRAWN

Thomas of Clayton asked and received unanimous consent to withdraw House File 2156 from further consideration by the House.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **House File 2437** be immediately messaged to the Senate.

The House stood at ease at 10:30 a.m., until the fall of the gavel.

The House resumed session at 12:22 p.m., Carroll of Poweshiek in the chair.

On motion by Jacobs of Polk, the House was recessed at 12:23 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened at 1:26 p.m., Barry of Harrison in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-four members present, twenty-six absent.

CONSIDERATION OF BILLS Appropriations Calendar

Senate File 2429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission; the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing effective dates and retroactive applicability provisions,

with report of committee recommending passage, was taken up for consideration.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8647 filed by him on March 29, 2000.

Nelson-Forbes of Marshall offered the following amendment H-8878 filed by her and moved its adoption:

H-8878

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, line 20, by striking the words
- 4 "GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE" and inserting
- 5 the following: "GOVERNOR'S OFFICE OF DRUG CONTROL
- 6 POLICY".
- 7 2. Page 3, line 22, by striking the words
- 8 "governor's alliance on substance abuse" and inserting
- 9 the following: "governor's office of drug control
- 10 policy".
- 11 3. Page 4, line 10, by striking the figure
- 12 "1,360,907" and inserting the following: "2,360,907".
- 13 4. Page 12, line 15, by striking the figure
- 14 "329,313" and inserting the following: "338,634".
- 15 5. Page 12, line 26, by striking the figure
- 16 "200,769" and inserting the following: "202,869".
- 17 6. Page 12, line 32, by striking the figure
- 18 "170,472" and inserting the following: "172,272".
- 19 7. Page 13, line 6, by striking the figure
- 20 "424,064" and inserting the following: "426,464".
- 21 8. Page 13, line 17, by striking the figure
- 22 "129,375" and inserting the following: "131,175".
- 23 9. Page 18, lines 14 and 15 by striking the words
- 24 "governor's alliance on substance abuse" and inserting
- 25 the following: "governor's office of drug control
- 26 policy".
- 27 10. Title page, lines 4 and 5, by striking the
- 28 words "governor's alliance on substance abuse" and
- 29 inserting the following: "governor's office of drug
- 30 control policy".

Amendment H-8878 was adopted, placing amendment H-8685 filed by Murphy of Dubuque on April 3, 2000, out of order.

Weigel of Chickasaw asked and received unanimous consent that amendment H-8679 be deferred.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8690 filed by him on April 3, 2000.

Reynolds of Van Buren asked and received unanimous consent to withdraw amendment H-8766 filed by her on April 6, 2000.

Nelson-Forbes of Marshall offered the following amendment H-8753 filed by her and moved its adoption:

H-8753

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 10, by inserting after line 4 the
- 4 following:
- 5 "h. For the fiscal year beginning July 1, 2000,
- 6 and ending June 30, 2001, the board of dental
- 7 examiners may retain and expend not more than \$133,282
- 8 for the costs of 2.00 additional FTEs from revenues
- 9 generated from the registration of dental assistants
- 10 pursuant to 2000 Iowa Acts, House File 686, as enacted
- 11 by the Seventy-eighth General Assembly, for the
- 12 purposes set forth in House File 686. For the fiscal
- 13 year beginning July 1, 2001, and ending June 30, 2002,
- 14 the board of dental examiners shall include in their
- 15 budget request an amount of funding determined
- 16 necessary to support the ongoing registration of
- 17 dental assistants. Fees retained by the board
- 18 pursuant to this lettered paragraph are appropriated
- 19 to the Iowa department of public health to be used for
- 20 the purposes specified in this lettered paragraph."
- 21 2. By renumbering as necessary.

Amendment H-8753 was adopted.

Weigel of Chickasaw offered the following amendment H-8680 filed by him and moved its adoption:

H-8680

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 15, line 6, by striking the figure
- 4 "45,358,598" and inserting the following:
- 5 "46,345,661".
- 6 2. Page 16, by striking lines 6 through 13.

Sukup of Franklin in the chair at 1:53 p.m.

Amendment H-8680 lost.

Hansen of Pottawattamie offered the following amendment H-8879 filed by him from the floor and moved its adoption:

H-8879

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 16, line 32, by inserting after the word
- 4 "project." the following: "Funds allocated in this
- 5 subsection shall be utilized pursuant to a plan
- 6 approved by the HAWK-I board."

Amendment H-8879 was adopted.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8689 filed by him on April 3, 2000.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8730 filed by him on April 5, 2000.

Nelson-Forbes of Marshall offered the following amendment H-8859 filed by her and Ford of Polk and moved its adoption:

H-8859

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 17, by inserting after line 5 the
- 4 following:
- 5 "Sec. ___. CHILDHOOD LEAD POISONING PREVENTION
- 6 PROGRAM AND SUPPLEMENTAL PUBLIC HEALTH PROGRAM
- 7 FUNDING. For the fiscal year beginning July 1, 2000,
- 8 and ending June 30, 2001, from the tax revenue
- 9 received by the state racing and gaming commission
- 10 pursuant to section 99D.15, subsections 1, 3, and 4,
- 11 an amount equal to three-tenths of one percent of the
- 12 gross sum wagered by the pari-mutuel method is
- 13 appropriated to the Iowa department of public health.
- 14 Of the moneys appropriated pursuant to this section,
- 15 not more than \$50,000 shall be used to supplement
- 16 amounts otherwise budgeted for the childhood lead
- 17 poisoning prevention program. Remaining moneys
- 18 appropriated pursuant to this section shall be used
- 19 for costs associated with the child fatality review
- 20 committee provisions under section 135.43, as enacted
- 21 by 2000 Iowa Acts, House File 2377, the expansion of

- 22 the age range for child death case review provisions
- 23 as enacted under 2000 Iowa Acts, House File 2365, and
- 24 the Iowa domestic abuse death review team provisions
- 25 as enacted under 2000 Iowa Acts, House File 2362."

Amendment H-8859 was adopted.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8732 filed by him on April 5, 2000.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8763 and amendment H-8764 filed by him on April 6, 2000.

Nelson-Forbes of Marshall offered the following amendment H-8858 filed by Nelson-Forbes, et al., and moved its adoption:

H-8858

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 17, by inserting after line 25 the
- 4 following:
- 5 "Sec. ____ CHILDHOOD LEAD POISONING STUDY AND
- 6 REPORT.
- 7 1. The director of public health, in consultation
- 8 with an ad hoc committee appointed by the director and
- 9 comprised of public health officials, health care
- 10 providers, consumer groups, educators, early childhood
- 11 development specialists, housing officials, property
- 12 owners, real estate interests, representatives from
- 13 the environmental health chapter team of Healthy
- 14 Iowans 2010, and other members deemed appropriate by
- 15 the director, shall conduct a study regarding
- 16 prevention of lead poisoning among children in the
- 17 state. The study shall include, but is not limited
- 18 to, the following:
- 19 a. An assessment of the incidence and prevalence
- 20 of lead poisoning in the state, including the
- 21 determination of any geographic, social, or economic
- 22 patterns or other common characteristics which
- 23 identify vulnerable populations in the state who are
- 24 at-risk of lead poisoning.
- 25 b. An evaluation of the effectiveness of current
- 26 childhood lead screening efforts and voluntary options
- 27 and alternatives to increase lead screening, including
- 28 incorporating lead screening information and efforts
- 29 into ongoing immunization programs and activities.
- 30 The study shall also identify opportunities to

31 increase and enhance efforts that focus on preventing
32 lead poisoning in children.
33 c. A review of current federal, state, and local
34 laws, rules and regulatory programs, including
35 standards and other requirements associated with
36 federal, state, and local housing programs. The
37 review shall include an evaluation of options and
38 alternatives to encourage the adoption of more uniform
39 standards across the state.
40 d. An effort to identify additional federal
41 funding sources and opportunities to enhance medical
42 assistance match dollars to address lead poisoning
43 prevention, screening, medical case management, and
44 environmental remediation.
45 e. An evaluation of the availability and
46 effectiveness of current resources, programs, and
47 efforts to address lead poisoning in children.
48 f. Consideration of the findings and
49 recommendations of Healthy Iowans 2010 relating to
50 lead poisoned children.

Page 2

1 2. The director shall submit a report of the
2 study's recommendations to the governor and the
3 general assembly by January 1, 2001, and shall present
4 recommendations to a joint meeting of the human
5 resources committees of the senate and house of
6 representatives during the 2001 legislative session."

Amendment H-8858 was adopted.

Davis of Wapello asked and received unanimous consent that amendment H-8849 be deferred.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8762 filed by him on April 6, 2000.

Ford of Polk offered the following amendment H-8885 filed by him from the floor and moved its adoption:

H-8885

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:
3 1. Page 7, line 25, by striking the word
4 "program." and inserting the following: "program, and
5 as a part of the department's lead abatement efforts,
6 and as a condition of this allocation, the department

7 shall establish by rule model lead hazard remediation
 8 requirements for residential properties to address the
 9 health and environmental needs of children who are
 10 confirmed as lead poisoned. The purpose of the
 11 requirements shall be to prevent ongoing and future
 12 exposure to lead-based paint hazards. Local boards of
 13 health may adopt and enforce the requirements or may
 14 adopt the requirements and request that the
 15 requirements be enforced by the state. However, local
 16 boards of health shall not be required to adopt and
 17 enforce the requirements. The state may not enforce
 18 the requirements unless the requirements have been
 19 adopted by the local board of health and the local
 20 board of health has requested that the state enforce
 21 the requirements."

Roll call was requested by Ford of Polk and Schrader of Marion.

Rule 75 was invoked.

On the question "Shall amendment H-8885 be adopted?" (S.F. 2429)

The ayes were, 43:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Greimann	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor, D.
Taylor, T.	Thomas	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 53:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogess
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Rayhons	Shey

Siegrist, Spkr.	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Weidman	Welter
Sukup,			
Presiding			

Absent or not voting, 4:

Frevert	Greiner	Horbach	Van Fossen
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Amendment H-8885 lost.

SPECIAL PRESENTATION

Raecker of Polk and Connors of Polk introduced to the House the Honorable former Governor Robert Ray who addressed the House briefly regarding the work of the legislators and thanking them for their efforts.

The House rose and expressed its welcome.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-8679, previously deferred, filed by him on April 3, 2000.

On motion by Davis of Wapello amendment H-8849, previously deferred, was adopted.

Nelson-Forbes of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2429)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Houser	Huseman	Huser	Jacobs

Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Sukup, Presiding			

The nays were, 4:

Cormack	Fallon	Kreiman	O'Brien
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Absent or not voting, 3:

Frevort	Horbach	Jager
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 13, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 723, a bill for an act prohibiting the mistreatment of persons and animals and providing for penalties.

Also: That the Senate has on April 13, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2313, a bill for an act relating to motor vehicles, including driver licensing, the use of child restraints and safety belts for children, and the designation of vehicles as authorized emergency vehicles, making a penalty applicable, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2429** be immediately messaged to the Senate.

Regular Calendar

House File 2565, a bill for an act relating to tobacco use prevention and control and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

The House stood at ease at 3:36 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 2565 at 4:15 p.m., Speaker pro tempore Sukup in the chair.

Jacobs of Polk asked and received unanimous consent for the immediate consideration of House File 2565.

Brunkhorst of Bremer asked and received unanimous consent to withdraw the committee amendment H-8831 filed by the committee on human resources on April 11, 2000.

Brunkhorst of Bremer offered amendment H-8890 filed by Brunkhorst, Foege of Linn and Heaton of Henry from the floor as follows:

H-8890

- 1 Amend House File 2565 as follows:
- 2 1. Page 1, by striking line 13, and inserting the
- 3 following: "youth to make healthy choices. The
- 4 initiative shall allow extensive".
- 5 2. Page 1, line 17, by striking the words "evolve
- 6 to create" and inserting the following: "foster".
- 7 3. Page 1, line 20, by striking the word "norms,"
- 8 and inserting the following: "norms".
- 9 4. Page 1, by striking line 22, and inserting the
- 10 following: "less accessible to youth. The intent of
- 11 the general assembly shall be".
- 12 5. Page 1, by striking lines 31 and 32.
- 13 6. Page 2, by striking lines 7 and 8.
- 14 7. Page 2, by striking line 12.
- 15 8. Page 2, by striking lines 15 and 16.

- 16 9. Page 3, by striking lines 9 through 14, and
17 inserting the following:
18 "a. Three members who are active with nonprofit
19 health organizations that emphasize tobacco use
20 prevention or who are active as health services
21 providers, at the local level.
22 b. One member who is a retailer."
23 10. Page 3, line 15, by striking the letter "d"
24 and inserting the following: "c".
25 11. Page 3, by striking line 19, and inserting
26 the following:
27 "The".
28 12. Page 3, line 22, by striking the word
29 "section" and inserting the following: "sections".
30 13. Page 3, line 22, by inserting after the
31 figure "69.19." the following: "At least one member
32 appointed under this subsection shall be a member of a
33 racial minority."
34 14. Page 3, line 24, by striking the word "five"
35 and inserting the following: "three".
36 15. Page 3, by striking lines 27 through 29, and
37 inserting the following: "youth membership
38 appointments are not subject to section 69.16 or
39 69.16A. However, the selection process shall provide
40 for diversity among the members and at least one of
41 the youth members shall be a female. These members
42 shall also serve three-year staggered terms."
43 16. By striking page 3, line 34, through page 4,
44 line 4, and inserting the following: "political
45 party. The majority leader of the senate and the
46 minority leader of the senate shall each appoint one
47 of the senate members. The majority leader of the
48 house and the minority leader of the house of
49 representatives shall each appoint one of the house
50 members."

Page 2

- 1 17. Page 4, by inserting after line 16, the
2 following:
3 "e. The alcoholic beverages division of the
4 department of commerce."
5 18. Page 4, line 25, by striking the word "shall"
6 and inserting the following: "may".
7 19. Page 5, line 20, by striking the word
8 "evolution" and inserting the following:
9 "implementation".
10 20. Page 5, line 23, by inserting after the word
11 "Provide" the following: "for".
12 21. Page 6, line 35, by inserting after the word
13 "budget." the following: "Beginning July 1, 2005, the
14 commission shall also perform a comprehensive review

15 of the initiative and shall submit a report of its
16 findings to the governor and the general assembly on
17 or before December 15, 2005."

18 22. Page 7, by striking lines 24 through 26, and
19 inserting the following: "initiative. The commission
20 shall adopt rules prohibiting the acceptance of gifts
21 from a manufacturer of tobacco products."

22 23. Page 8, line 10, by inserting after the word
23 "division." the following: "The division
24 administrator shall report to and shall serve at the
25 pleasure of the director."

26 24. Page 8, line 12, by striking the word
27 "enforcement" and inserting the following: "control".

28 25. Page 8, by striking lines 19 through 22, and
29 inserting the following: "of tobacco laws and
30 regulations. Such contracts shall require that
31 enforcement efforts include training of local
32 authorities who issue retailer permits and education
33 of retailers."

34 26. Page 8, line 26, inserting after the word
35 "tobacco" the following: "use".

36 27. Page 8, line 34, by striking the word
37 "enforcement" and inserting the following: "control".

38 28. Page 9, line 16, by striking the words "women
39 who" and inserting the following: "women."

40 29. Page 9, by striking lines 17 and 18.

41 30. Page 9, line 27, by striking the word
42 "activities," and inserting the following:
43 "activities;"

44 31. Page 9, line 29, by striking the word
45 "substances," and inserting the following:
46 "substances;"

47 32. Page 9, line 31, by striking the word "shall"
48 and inserting the following: "may".

49 33. Page 9, line 33, by inserting after the word
50 "unhealthy" the following: "youth".

Page 3

1 34. Page 10, by striking lines 11 through 14, and
2 inserting the following:
3 "5. Procurement of goods and services necessary to
4 implement the initiative is subject to approval of the
5 commission. Notwithstanding chapter 18 or any other
6 provision of law to the contrary, such procurement may
7 be accomplished by the commission under its own
8 competitive bidding process which shall provide for
9 consideration of such factors as price, bidder
10 competence, and expediency in procurement."

11 35. Page 10, line 27, by striking the word
12 "initiative" and inserting the following: "statewide
13 initiative".

- 14 36. Page 10, line 28, by inserting after the word
15 "Ongoing" the following: "statewide".
- 16 37. Page 10, by striking lines 31 through 33, and
17 inserting the following: "strategy. The initial
18 baseline used to measure the effectiveness of the
19 initiative shall be developed using existing,
20 available indicators. Following".
- 21 38. Page 11, by striking lines 2 through 12, and
22 inserting the following: "accurately provide for
23 measurement of such effectiveness. Primary emphasis
24 in data assessment shall be on data relating to
25 tobacco usage and may include data demonstrating the
26 prevalence of tobacco use among youth and pregnant
27 women, and the prevalence of the use of alcohol and
28 other substances among youth. Sources of data
29 considered shall include but are not limited to the
30 centers for disease control and prevention of the
31 United States department of health and human services
32 and the Iowa youth tobacco survey, and may include the
33 Iowa youth risk survey conducted by the department or
34 the youth risk behavior survey."
- 35 39. Page 11, by inserting before line 13, the
36 following:
37 "e. A tobacco use prevention and control education
38 program.
39 f. An enforcement program."
- 40 40. Page 11, line 24, by inserting after the word
41 "involvement." the following: "The community
42 partnership or its designee shall act as the fiscal
43 agent for moneys administered by the community
44 partnership."
- 45 41. Page 11, line 27, by striking the words "or
46 community empowerment area" and inserting the
47 following: "economic development enterprise zone that
48 meets the requirements of an urban or rural enterprise
49 community under Title XIII of the federal Omnibus
50 Budget Reconciliation Act of 1993, or community

Page 4

- 1 empowerment area".
- 2 42. Page 12, by inserting after line 6 the
3 following:
4 "e. Evaluation of the program."
- 5 43. Page 12, lines 28 and 29, by striking the
6 words "In addition, the state" and inserting the
7 following: "State".
- 8 44. Page 12, by striking lines 32 through 34 and
9 inserting the following: "communications program;
10 education efforts; and other aspects of the initiative
11 including evaluation, collaboration, and enforcement."
- 12 45. Page 13, line 18, by striking the figure

13 "2005" and inserting the following: "2010".
14 46. Page 13, line 24, by striking the word
15 "Three" and inserting the following: "Two".
16 47. Page 13, line 25, by striking the word
17 "Three" and inserting the following: "Two".
18 48. Page 13, line 26, by striking the word "Four"
19 and inserting the following: "Three".
20 49. Page 13, line 29, by striking the words "Two
21 members" and inserting the following: "One member".
22 50. Page 13, line 30, by striking the words "Two
23 members" and inserting the following: "One member".
24 51. By striking page 13, line 34, through page
25 14, line 4, and inserting the following: "members
26 shall be made by the governor. The legislative
27 council may compile a list of individuals based on
28 recommendations received from members of the general
29 assembly, following public input, and submit the list
30 to the governor to assist efforts in identifying
31 qualified and capable candidates for initial
32 appointments."
33 52. Page 14, line 10, by striking the word
34 "beverage" and inserting the following: "beverages".
35 53. Page 14, by inserting after line 16, the
36 following:
37 "Sec. __. ADMINISTRATOR – INITIAL HIRING. The
38 provisions of section 142A.4 relating to the
39 commission providing advice and consultation with
40 regard to the hiring of the administrator do not apply
41 to the initial hiring of an administrator if the
42 commission is not operational at the time that a
43 potential candidate for the position of administrator
44 is formally offered the administrator position.
45 However, under such circumstances, the director shall
46 consult with the ex officio members of the commission,
47 if appointed at the time such a formal offer is
48 extended."
49 54. By renumbering, relettering, or redesignating
50 and correcting internal references as necessary.

The House stood at ease at 4:22 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-8890, at 4:32 p.m., Speaker pro tempore Sukup in the chair.

Murphy of Dubuque offered the following amendment H-8896, to amendment H-8890, filed by him from the floor and moved its adoption:

H-8896

- 1 Amend the amendment, H-8890, to House File 2565, as
- 2 follows:
- 3 1. Page 2, line 21, by inserting after the word
- 4 "products" the following: "or from a person who
- 5 manufactures alcoholic beverages".

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H-8896 lost.

On motion by Brunkhorst of Bremer amendment H-8890 was adopted.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-8894 filed by Raecker, Garman of Story, Boal of Polk, Carroll of Poweshiek, Shey of Linn, Thomson of Linn, Hoffman of Crawford, Kettering of Sac, Lord of Dallas, Metcalf of Polk, Chiodo of Polk and Shoultz of Black Hawk, from the floor.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H-8897 filed by him from the floor.

Chiodo of Polk offered the following amendment H-8900 filed by him from the floor and moved its adoption:

H-8900

- 1 Amend House File 2565 as follows:
- 2 1. Page 10, by inserting after line 14, the
- 3 following:
- 4 "6. In order to promote the tobacco use prevention
- 5 and control partnership established in section 142A.1,
- 6 the following persons shall comply with the following,
- 7 as applicable:
- 8 a. A manufacturer, distributor, wholesaler,
- 9 retailer, or distributing agent or agent thereof shall
- 10 not give away cigarettes or tobacco products.
- 11 b. A manufacturer, distributor, wholesaler,
- 12 retailer, or distributing agent or agent thereof shall
- 13 not provide free articles, products, commodities,
- 14 gifts, or concessions in any exchange for the purchase
- 15 of cigarettes or tobacco products.
- 16 c. The prohibitions in this section do not apply

- 17 to transactions between manufacturers, distributors,
 18 wholesalers, or retailers.
 19 d. For the purpose of this subsection,
 20 manufacturer, distributor, wholesaler, retailer, and
 21 distributing agent mean as defined in section 453A.1."
 22 2. Page 13, by inserting after line 18 the
 23 following:
 24 "Sec. __. Section 453A.39, Code 1999, is
 25 repealed."
 26 3. By renumbering as necessary.

Speaker Siegrist in the chair at 5:35 p.m.

Roll call was requested by T. Taylor of Linn and Myers of Johnson.

Rule 75 was invoked.

On the question "Shall amendment H-8900 be adopted?" (H.F. 2565)

The ayes were, 83:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Boggest
Bradley	Brunkhorst	Bukta	Carroll
Cataldo	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Garman	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holveck	Houser	Huseman	Huser
Jenkins	Jochum	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Thomas	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 15:

Barry	Brauns	Eddie	Gipp
Holmes	Jacobs	Jager	Johnson

Millage	Sukup	Teig	Thomson
Weidman	Welter	Mr. Speaker	
		Siegrist	

Absent or not voting, 2:

Frevert	Horbach
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Amendment H-8900 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama, for the remainder of the day, on request of Speaker Siegrist.

Brunkhorst of Bremer moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2565)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman

Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Frevert	Horbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2565** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 13, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2378, a bill for an act relating to requirements of and authorizations for schools and area education agencies, and providing an effective date.

Also: That the Senate has on April 13, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 118, a concurrent resolution requesting the office of the attorney general to establish an operating while intoxicated (OWI) task force to review the clarity, complexity, and functionality of current operating while intoxicated Code provisions and to make recommendations to the general assembly.

Also: That the Senate has on April 13, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 119, a concurrent resolution requesting the state department of transportation to review federal outdoor advertising bonus program restrictions on signing and advertising adjacent to the interstate highway system and to make recommendations to the general assembly.

MICHAEL E. MARSHALL, Secretary

Appropriations Calendar

Senate File 2428, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, and making related statutory changes, with report of committee recommending amendment and passage, was taken up for consideration.

Bogges of Page offered amendment H-8653 filed by the committee on appropriations as follows:

H-8653

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 35 and inserting the
- 4 following:
- 5 "..... \$ 4,710,534"
- 6 2. Page 2, by inserting after line 5 the
- 7 following:
- 8 "The department shall consult and work with the
- 9 small business development centers in an effort to
- 10 eliminate any duplication of services provided by the
- 11 department and the small business development centers
- 12 and to determine how to deliver services to small
- 13 businesses in the state in the most efficient manner.
- 14 The department, in consultation with the small
- 15 business development centers, shall develop a written
- 16 report identifying and distinguishing the distinct
- 17 services to be provided by the department and the
- 18 small business development centers and recommend
- 19 actions which would eliminate any duplication of
- 20 services. By December 1, 2000, the written report
- 21 shall be submitted to the chairpersons and ranking
- 22 members of the joint appropriations subcommittee on
- 23 economic development.
- 24 For the fiscal year beginning July 1, 2000, and
- 25 ending June 30, 2001, the department shall allocate
- 26 \$100,000 from the moneys appropriated under this
- 27 subsection for the federal procurement office."
- 28 3. Page 2, line 21, by striking the figure
- 29 "4,500,000" and inserting the following: "3,000,000".
- 30 4. Page 8, by striking line 20 and inserting the
- 31 following:
- 32 "..... \$ 1,211,869"
- 33 5. By renumbering, relettering, or redesignating
- 34 and correcting internal references as necessary.

Stevens of Dickinson asked and received unanimous consent that amendment H-8697, to the committee amendment H-8653, be deferred.

Bogges of Page offered the following amendment H-8883, to the committee amendment H-8653, filed by her from the floor and moved its adoption:

H-8883

- 1 Amend the amendment, H-8653, to Senate File 2428,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking line 5 and inserting the
- 5 following:
- 6 ""\$ 4,810,534"
- 7 . Page 2, by striking line 1 and inserting the
- 8 following:
- 9 "FTEs 27.75".

Amendment H-8883 was adopted, placing amendment H-8686 filed by Bogges of Page on April 3, 2000, out of order.

Rants of Woodbury asked and received unanimous consent that Senate File 2428 be temporarily deferred. (Committee amendment H-8653 pending)

INTRODUCTION OF BILL

House File 2575, by Rants, a bill for an act providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism development program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation.

Read first time and referred to committee on ways and means.

The House resumed consideration of Senate File 2428 and the committee amendment H-8653.

Wise of Lee offered the following amendment H-8696, to the committee amendment H-8653, filed by Wise, et al., and moved its adoption:

H-8696

- 1 Amend the amendment, H-8653, to Senate File 2428,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 28 and 29 and
- 5 inserting the following:
- 6 "____. Page 2, by striking lines 17 through 23 and
- 7 inserting the following:
- 8 "..... \$ 6,100,000
- 9 "..... FTEs 12.50"

Hansen of Pottawattamie in the chair at 7:14 p.m.

Roll call was requested by Wise of Lee and Cormack of Webster.

Rule 75 was invoked.

On the question "Shall amendment H-8696, to the committee amendment H-8653, be adopted?" (S.F. 2428)

The ayes were, 41:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Doderer	Dotzler
Falck	Foege	Ford	Greimann
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Taylor, D.	Taylor, T.	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boddicker	Boggett	Bradley
Brunkhorst	Carroll	Cormack	Davis
Dix	Dolecheck	Drake	Drees
Eddie	Fallon	Garman	Gipp
Greiner	Grundberg	Hahn	Heaton
Hoffman	Holmes	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson

Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Rayhons	Shey
Siegrist, Spkr.	Sukup	Sunderbruch	Teig
Thomson	Van Engelenhoven	Van Fossen	Weidman
Welter	Hansen, Presiding		

Absent or not voting, 5:

Boal	Brauns	Frevert	Horbach
Tyrrell			

Amendment H-8696 lost.

Stevens of Dickinson asked and received unanimous consent to withdraw amendment H-8697, to the committee amendment H-8653, previously deferred, filed by him on April 3, 2000.

On motion by Boggess of Page the committee amendment H-8653, as amended, was adopted.

Reynolds of Van Buren offered the following amendment H-8695 filed by Reynolds, et al., and moved its adoption:

H-8695

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking line 34 and inserting the
- 4 following:
- 5 "..... \$ 890,657"
- 6 2. Page 4, by striking line 4 and inserting the
- 7 following:
- 8 "..... \$ 445,519"
- 9 3. Page 4, by striking line 17 and inserting the
- 10 following:
- 11 "..... \$ 998,375"
- 12 4. Page 5, by striking line 7 and inserting the
- 13 following:
- 14 "..... \$ 422,719"

Roll call was requested by Reynolds of Van Buren and Boggess of Page.

Rule 75 was invoked.

On the question "Shall amendment H-8695 be adopted?" (S.F. 2428)

The ayes were, 44:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Davis	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Greimann	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 51:

Alons	Arnold	Barry	Baudler
Blodgett	Boddicker	Bogges	Bradley
Brunkhorst	Carroll	Cormack	Dix
Dolecheck	Drake	Eddie	Garman
Gipp	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson-Forbes	Raecker	Rants	Rayhons
Shey	Siegrist, Spkr.	Sukup	Sunderbruch
Teig	Thomson	Van Engelenhoven	Van Fossen
Weidman	Welter	Hansen, Presiding	

Absent or not voting, 5:

Boal	Brauns	Frevert	Horbach
Tyrrell			

Amendment H-8695 lost.

Bogges of Page offered amendment H-8888 filed by her from the floor as follows:

H-8888

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by striking lines 12 and 13 and
- 4 inserting the following: "housing needs, and to

5 provide \$400,000 to the shelter".

6 2. Page 5, by striking lines 31 and 32 and

7 inserting the following:

8 "\$ 2,309,569

9 FTEs 14.25

10 Of the moneys appropriated in this lettered
11 paragraph, \$250,000 shall be allocated to support the
12 taste of Iowa program."

13 3. Page 8, by striking line 2 and inserting the
14 following:

15 "\$ 8,000,000"

16 4. Page 10, by striking line 29 and inserting the
17 following:

18 " FTEs 9.00"

19 5. Page 11, by striking lines 16 and 17 and
20 inserting the following:

21 "\$ 3,429,686

22 FTEs 90.50"

23 6. Page 11, by striking lines 26 and 27 and
24 inserting the following:

25 "\$ 2,333,263

26 FTEs 35.00"

27 7. Page 12, by striking line 27 and inserting the
28 following:

29 "\$ 153,000"

30 8. Page 12, by inserting after line 33 the
31 following:

32 "6. LABOR MANAGEMENT COORDINATOR

33 For salaries, support, maintenance, and
34 miscellaneous purposes for a labor management
35 coordinator:

36\$ 68,999

37 FTEs 0.50

38 7. NEW EMPLOYMENT OPPORTUNITY FUND

39 For salaries, support, maintenance, and
40 miscellaneous purposes, and for not more than the
41 following full-time equivalent positions for the new
42 employment opportunity program established in section
43 84A.10:

44\$ 500,000

45 FTEs 1.79"

46 9. Page 13, line 5, by striking the figure "1."

47 10. Page 13, by striking lines 13 through 25 and
48 inserting the following:

49 "In addition to moneys appropriated by this
50 section, notwithstanding section 96.7, subsection 12,

Page 2

1 paragraph "c", for the fiscal year beginning July 1,
2 2000, there is appropriated from the administrative
3 contribution surcharge fund of the state to the

4 department of workforce development \$700,000, or so
5 much thereof as is necessary, for matching funds for
6 welfare-to-work grants authorized through the United
7 States department of labor.

8 Any amount of moneys up through June 30, 2001, in
9 the administrative contribution surcharge fund in
10 excess of the moneys otherwise appropriated in this
11 section, is appropriated to and may be used by the
12 department of workforce development for the purposes
13 set out in this section."

14 11. Page 14, by striking lines 5 through 32 and
15 inserting the following:

16 ".....\$ 160,000

17 The department of workforce development shall
18 establish pilot immigration service centers that offer
19 one-stop services to deal with the multiple issues
20 related to immigration and employment. The pilot
21 centers shall be designed to support workers,
22 businesses, and communities with information,
23 referrals, job placement assistance, translation,
24 language training, resettlement, as well as technical
25 and legal assistance on such issues as forms and
26 documentation. Through the coordination of local,
27 state, and federal service providers, and through the
28 development of partnerships with public, private, and
29 nonprofit entities with established records of
30 international service, these pilot centers shall seek
31 to provide a seamless service delivery system for new
32 Iowans."

33 12. Page 16, by inserting after line 4 the
34 following:

35 "Sec. __. Section 15.342A, Code Supplement 1999,
36 is amended to read as follows:

37 15.342a WORKFORCE DEVELOPMENT FUND ACCOUNT.

38 A workforce development fund account is established
39 in the office of the treasurer of state under the
40 control of the department. The account shall receive
41 funds pursuant to section 422.16a up to a maximum of
42 ~~ten~~ eight million dollars per year. The account shall
43 also receive funds pursuant to section 15.251 with no
44 dollar limitation.

45 Sec. __. Section 15.343, subsection 3, Code
46 Supplement 1999, is amended to read as follows:

47 3. a. The director shall submit not later than
48 January 1 of each year at a regular or special
49 meeting, for approval by the economic development
50 board, the proposed allocation of funds from the

3 subsection 2. The director shall also submit a copy
4 of the proposed allocation to the chairpersons of the
5 joint economic development appropriations subcommittee
6 of the general assembly. Notwithstanding section
7 8.39, the plan may provide for increased or decreased
8 allocations if the demand for a program indicates that
9 the need is greater or lesser than the allocation for
10 that program. The director shall report on a
11 quarterly basis to the board on the status of the
12 funds and may present proposed revisions for approval
13 by the board in January and April of each year. The
14 director shall also provide quarterly reports to the
15 legislative fiscal bureau on the status of the funds.
16 Unobligated and unencumbered moneys remaining in the
17 workforce development fund or any of its accounts on
18 June 30 of each year shall be considered part of the
19 fund for purposes of the next year's allocation.

20 b. The first seven million dollars deposited in
21 the workforce development fund shall be used for
22 purposes provided in subsection 2, paragraph "b".

23 13. Page 17, by inserting after line 35 the
24 following:

25 "Sec. __. Section 422.16A, Code 1999, is amended
26 to read as follows:

27 422.16a JOB TRAINING WITHHOLDING – CERTIFICATION
28 AND TRANSFER.

29 Upon the completion by a business of its repayment
30 obligation for a training project funded under chapter
31 260E, including a job training project funded under
32 section 15A.8 or repaid in whole or in part by the
33 supplemental new jobs credit from withholding under
34 section 15A.7 or section 15.331, the sponsoring
35 community college shall report to the department of
36 economic development the amount of withholding paid by
37 the business to the community college during the final
38 twelve months of withholding payments. The department
39 of economic development shall notify the department of
40 revenue and finance of that amount. The department
41 shall credit to the workforce development fund account
42 established in section 15.342a twenty-five percent of
43 that amount each quarter for a period of ten years.
44 If the amount of withholding from the business or
45 employer is insufficient, the department shall prorate
46 the quarterly amount credited to the workforce
47 development fund account. The maximum amount from all
48 employers which shall be transferred to the workforce
49 development fund account in any year is ~~ten~~ eight
50 million dollars.

Page 4

1 Sec. __. IMMIGRATION. The department of economic

2 development and the department of workforce
 3 development shall collaborate efforts in delivering
 4 immigration services in Iowa.
 5 Sec. 500. NONREVERSION OF TECHNOLOGY INITIATIVES
 6 ACCOUNT MONEYS. Notwithstanding section 8.33, moneys
 7 appropriated and allocated to the department of
 8 economic development in 1999 Iowa Acts, chapter 207,
 9 section 5, subsection 3, paragraph "i", subparagraph
 10 (1), relating to the business licensure center, that
 11 remain unencumbered or unobligated at the close of the
 12 fiscal year shall not revert but shall remain
 13 available for expenditure for the purposes designated
 14 until the close of the succeeding fiscal year."
 15 14. Page 20, by inserting after line 6 the
 16 following:
 17 "Sec. ___. 2000 Iowa Acts, Senate File 2439,
 18 sections 1 and 9, if enacted, amending sections
 19 15.342a and 422.16A, are repealed.
 20 Sec. ___. EFFECTIVE DATE. Section 500 of this
 21 Act, relating to the nonreversion of technology
 22 initiatives account moneys, being deemed of immediate
 23 importance, takes effect upon enactment."
 24 15. Title page, by striking line 4 and inserting
 25 the following: "relations board, making related
 26 statutory changes, and providing an effective date."
 27 16. By renumbering as necessary.

Dotzler of Black Hawk offered the following amendment H-8893, to amendment H-8888, filed by him from the floor and moved its adoption:

H-8893

1 Amend the amendment, H-8888, to Senate File 2428,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking line 22 and inserting the
 5 following:
 6 "..... FTEs 92.00"

Amendment H-8893 was adopted.

Weigel of Chickasaw offered the following amendment H-8898, to amendment H-8888, filed by him from the floor and moved its adoption:

H-8898

1 Amend the amendment, H-8888, to Senate File 2428,
 2 as amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 1, by striking line 29 and inserting the

5 following:

6 "".....\$ 853,000""

7 2. By striking page 1, line 49, through page 2,

8 line 8 and inserting the following:

9 ""Any amount of moneys up through June 30, 2001,

10 in".

Amendment H-8898 lost.

On motion by Boggess of Page amendment H-8888, as amended, was adopted, placing the following amendments out of order:

Amendment H-8702 filed by Foege of Linn, et al., on April 3, 2000.

Amendment H-8703 filed by T. Taylor of Linn on April 3, 2000.

Amendment H-8705 filed by Holveck of Polk on April 3, 2000.

Amendment H-8706 filed by Dotzler of Black Hawk on April 3, 2000.

Holveck of Polk offered the following amendment H-8713 filed by him and moved its adoption:

H-8713

1 Amend Senate File 2428, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 5, by striking line 16 and inserting the

4 following:

5 "".....\$ 1,700,000""

6 2. By striking page 18, line 33, through page 19,

7 line 3.

8 3. By renumbering as necessary.

Amendment H-8713 lost.

Reynolds of Van Buren asked and received unanimous consent to withdraw amendment H-8698 filed by Reynolds, et al., on April 3, 2000.

Speaker Siegrist in the chair at 8:37 p.m.

Reynolds of Van Buren offered the following amendment H-8701 filed by her and moved its adoption:

H-8701

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking line 25 and inserting the
- 4 following:
- 5 "..... \$ 125,000"

Amendment H-8701 lost.

Stevens of Dickinson offered the following amendment H-8699 filed by Stevens, et al., and moved its adoption:

H-8699

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking line 31 and inserting the
- 4 following:
- 5 "..... \$ 4,963,711"

Roll call was requested by Stevens of Dickinson and Murphy of Dubuque.

On the question "Shall amendment H-8699 be adopted?" (S.F. 2428)

The ayes were, 42:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Holveck	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 52:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Heaton	Hoffman

Holmes	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Nelson-Forbes	Raecker	Rants
Rayhons	Shey	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Mr. Speaker
			Siegrist

Absent or not voting, 6:

Dix	Frevert	Greimann	Hansen
Horbach	Houser		

Amendment H-8699 lost.

Greimann of Story offered the following amendment H-8700 filed by Greimann, et al., and moved its adoption:

H-8700

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 8, by striking line 26 and inserting the
- 4 following:
- 5 "..... \$ 392,822"
- 6 2. Page 8, by striking line 32 and inserting the
- 7 following:
- 8 "..... \$ 4,590,620"
- 9 3. Page 9, by striking line 35 and inserting the
- 10 following:
- 11 "..... \$ 350,697"
- 12 4. Page 10, by striking line 5 and inserting the
- 13 following:
- 14 "..... \$ 283,094"
- 15 5. Page 10, by striking line 22 and inserting the
- 16 following:
- 17 "..... \$ 179,537"

Roll call was requested by Dotzler of Black Hawk and Hansen of Pottawattamie.

On the question "Shall amendment H-8700 be adopted?" (S.F. 2428)

The ayes were, 41:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Doderer	Dotzler

Drees	Falck	Foege	Ford
Greimann	Holveck	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shultz
Stevens	Taylor, D.	Taylor, T.	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 57:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Fallon	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson-Forbes	Raecker
Rants	Rayhons	Shey	Sukup
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Mr. Speaker			
Siegrist			

Absent or not voting, 2:

Frevert Horbach

Amendment H-8700 lost.

Dotzler of Black Hawk asked and received unanimous consent to withdraw amendment H-8704 filed by him on April 3, 2000.

The following amendments were withdrawn by unanimous consent:

Amendment H-8707 filed by Dotzler of Black Hawk, et al., on April 3, 2000.

Amendments H-8708 and H-8711 filed by Holveck of Polk on April 3, 2000.

Amendment H-8712 filed by Dotzler of Black Hawk on April 3, 2000.

Amendment H-8722 filed by Shoultz of Black Hawk on April 4, 2000.

Amendment H-8872 filed by Boggess of Page and Holveck of Polk on April 12, 2000.

Boggess of Page offered the following amendment H-8887 filed by her and Holveck of Polk from the floor and moved its adoption:

H-8887

1 Amend Senate File 2428, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 17, line 2, by inserting after the word
4 "workforce" the following: ", including but not
5 limited to the persons with physical or mental
6 disabilities, persons convicted of a crime, or
7 minority persons between the ages of 12 and 25,".
8 2. Page 17, line 10, by inserting after the word
9 "training," the following: "career interest inventory
10 assessments, employability skills assessment,".
11 3. Page 17, line 16, by inserting after the word
12 "criteria" the following: ", eligible populations,
13 and services to implement the intent of this section".

Amendment H-8887 was adopted.

Dotzler of Black Hawk asked and received unanimous consent to withdraw amendment H-8709 and amendment H-8710 filed by him on April 3, 2000.

Boggess of Page moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2428)

The ayes were, 77:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Drake	Drees
Eddie	Falck	Foege	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes

Holveck	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Nelson-Forbes	Raecker	Rants	Rayhons
Schrader	Shey	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Witt
Mr. Speaker			
Siegrist			

The nays were, 21:

Cohoon	Dotzler	Fallon	Ford
Greimann	Jochum	Kreiman	Kuhn
Larkin	Mundie	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Shoultz	Stevens	Thomas	Weigel
Wise			

Absent or not voting, 2:

Prevert	Horbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 13, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2496, a bill for an act providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

Also: That the Senate has on April 13, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2548, a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, sales and use, hotel and motel, real estate transfer, environmental protection charge on petroleum diminution, property, motor fuel, special fuel, cigarette and tobacco products, and inheritance taxes, treatment of

motor fuel under the local option taxes, and authorizing tax agreements with Indian tribes, and including effective and retroactive applicability date provisions.

Also: That the Senate has on April 13, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 111, a concurrent resolution encouraging state and local governments, business interests, health care professionals, and individuals with interest in good health to help in educating the public to raise awareness regarding osteoporosis prevention, detection, and treatment.

Also: That the Senate has on April 13, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2126, a bill for an act relating to third-party payment of health care coverage costs for prescription contraceptive drugs, devices, and services.

Also: That the Senate has on April 13, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2450, a bill for an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

Also: That the Senate has on April 13, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 117, a concurrent resolution relating to racist activities intended to harass students and faculty at the University of Iowa.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2428** be immediately messaged to the Senate.

Senate File 2430, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Greiner of Washington offered amendment H-8621 filed by the committee on appropriations as follows:

H-8621

1 Amend Senate File 2430, as amended, passed, and

2 reprinted by the Senate, as follows:

- 3 1. Page 2, line 20, by striking the word
- 4 "relations" and inserting the following: "travel".
- 5 2. Page 7, line 28, by striking the figure
- 6 "251.50" and inserting the following: "246.50".
- 7 3. Page 8, by striking lines 3 through 6.
- 8 4. Page 13, line 4, by inserting after the word
- 9 and figure "subsection 1" the following: "of this
- 10 section".
- 11 5. Page 13, line 9, by inserting after the words
- 12 "provided in" the following: "section 455E.11,".
- 13 6. Page 13, line 11, by inserting after the word
- 14 and figure "subsection 1" the following: "of this
- 15 section".
- 16 7. Page 18, line 13, by striking the word
- 17 "RELATIONS" and inserting the following: "TRAVEL".
- 18 8. Page 18, line 15, by striking the word
- 19 "relations" and inserting the following: "travel".
- 20 9. Page 18, by striking lines 26 through 32, and
- 21 inserting the following: "pay the costs incurred by
- 22 the secretary of agriculture, or a designee of the
- 23 secretary of agriculture, related to international
- 24 travel when promoting the sale of Iowa agricultural
- 25 commodities and Iowa agricultural products, including
- 26 but not limited to travel fares, accommodations, and
- 27 meals."
- 28 10. By renumbering as necessary.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8678, to the committee amendment H-8621, filed by him on March 30, 2000.

On motion by Greiner of Washington the committee amendment H-8621 was adopted.

Parmenter of Story asked and received unanimous consent to withdraw amendment H-8717 filed by him on April 4, 2000.

Murphy of Dubuque asked and received unanimous consent that amendment H-8683 be deferred.

Greiner of Washington asked and received unanimous consent to withdraw amendment H-8830 filed by Bradley of Clinton on April 11, 2000.

Greiner of Washington asked and received unanimous consent to withdraw amendment H-8889 filed by her from the floor.

Greiner of Washington offered the following amendment H-8891 filed by her from the floor and moved its adoption:

H-8891

- 1 Amend Senate File 2430, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 17, by striking the figure
- 4 "193.11" and inserting the following: "195.11".
- 5 2. Page 4, by inserting after line 30, the
- 6 following:
- 7 "() Of the number of full-time equivalent
- 8 positions authorized pursuant to this paragraph "a",
- 9 2.00 FTEs shall be used to support the conservation
- 10 reserve enhancement program."
- 11 3. Page 6, line 19, by striking the figure
- 12 "2,040,458" and inserting the following: "2,156,396".
- 13 4. Page 6, line 34, by striking the figure
- 14 "6,255,011" and inserting the following: "6,316,603".
- 15 5. Page 7, line 8, by striking the figure
- 16 "1,741,950" and inserting the following: "1,764,696".
- 17 6. Page 7, line 14, by striking the figure
- 18 "1,936,456" and inserting the following: "1,963,515".
- 19 7. Page 7, line 27, by striking the figure
- 20 "3,897,600" and inserting the following: "5,053,110".
- 21 8. Page 9, by striking lines 12 through 16.
- 22 9. Page 9, line 20, by striking the figure
- 23 "344.18" and inserting the following: "354.18".
- 24 10. Page 9, by inserting after line 20, the
- 25 following:
- 26 " . Of the number of full-time equivalent
- 27 positions authorized in this subsection, not more than
- 28 2.00 FTEs shall be filled by full-time, year-round
- 29 employees with fringe benefits. Not more than 5.00
- 30 FTEs shall be filled by part-time employees who do not
- 31 receive fringe benefits. The full-time equivalent
- 32 positions shall be dedicated to carrying out
- 33 conservation buffer initiatives which shall include
- 34 buffer strip sign-ups, shelter belts, the restoration
- 35 of wetlands, and the development of private landowners
- 36 natural resource protection plans.
- 37 . Of the number of full-time equivalent
- 38 positions authorized in this subsection, at least 3.00
- 39 FTEs shall be dedicated to supporting prairie seed
- 40 harvest initiatives."
- 41 11. Page 9, line 35, by striking the figure
- 42 "24,129,883" and inserting the following:
- 43 "25,429,883".
- 44 12. Page 10, by inserting after line 4, the
- 45 following:
- 46 " . Of the amount appropriated in paragraph "a",

47 \$700,000 shall be used for conservation buffer
48 initiatives which shall include buffer strip sign-ups,
49 shelter belts, the restoration of wetlands, and the
50 development of private landowners natural resource

Page 2

- 1 protection plans. In carrying out conservation buffer
- 2 initiatives, the department shall collaborate with the
- 3 department of agriculture and land stewardship.
- 4 _____. Of the amount appropriated in paragraph "a",
- 5 \$600,000 shall be used to support prairie seed harvest
- 6 initiatives."
- 7 13. By striking page 12, line 12 through page 14,
- 8 line 16.
- 9 14. By renumbering as necessary.

Amendment H-8891 was adopted, placing out of order lines 8 through 15 of the committee amendment H-8621, previously adopted.

Mertz of Kossuth offered the following amendment H-8682 filed by her and moved its adoption:

H-8682

- 1 Amend Senate File 2430, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 33, by striking the figure
- 4 "5,500,850" and inserting the following: "6,500,850".

Amendment H-8682 lost.

Blodgett of Cerro Gordo offered the following amendment H-8681 filed by him and moved its adoption:

H-8681

- 1 Amend Senate File 2430, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 7, by striking line 33, and inserting the
- 4 following: "United States environmental protection
- 5 agency; and to study the merits and advisability of
- 6 the air quality bureau assisting Iowa industry in
- 7 implementing the enlibre air quality model."

Amendment H-8681 was adopted.

Jochum of Dubuque offered the following amendment H-8724 filed by her and moved its adoption:

H-8724

1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 8, line 14, by inserting after the figure
 4 "2002." the following: "In carrying out its on-site
 5 inspections, persons occupying the full-time
 6 equivalent positions authorized in this paragraph
 7 shall ensure that unformed manure storage structures
 8 which are part of confinement feeding operations do
 9 not emit airborne pollutants in excess of standards as
 10 shall be established by rules adopted by the
 11 department regulating levels of gases containing
 12 compounds which produce odor or may have a deleterious
 13 effect upon human health, including but not limited to
 14 hydrogen sulfide, ammonia, methane, and any class of
 15 mercaptan."

Roll call was requested by Jochum of Dubuque and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-8724 be adopted?" (S.F. 2430)

The ayes were, 44:

Arnold	Bell	Bukta	Cataldo
Chiodo	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Garman	Greimann	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 52:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Carroll	Cormack
Davis	Dix	Dolecheck	Drake

Eddie	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Nelson-Forbes	Raecker	Rants
Rayhons	Shey	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Mr. Speaker Siegrist

Absent or not voting, 4:

Connors	Frevert	Grundberg	Horbach
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Amendment H-8724 lost.

Greiner of Washington asked and received unanimous consent to withdraw amendment H-8882 filed by her from the floor.

Greiner of Washington offered the following amendment H-8904 filed by her from the floor and moved its adoption:

H-8904

- 1 Amend Senate File 2430, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 14, by inserting before line 17, the
- 4 following:
- 5 "Sec. __. ORGANIC NUTRIENT MANAGEMENT FUND -
- 6 AGRICHEMICAL REMEDIATION. Notwithstanding section
- 7 161C.5, the unencumbered and unobligated balance of
- 8 the organic nutrient management fund, as of July 1,
- 9 2000, is appropriated to the department of agriculture
- 10 and land stewardship for deposit by the department
- 11 into the agrichemical remediation fund established in
- 12 chapter 161, if enacted in 2000 Iowa Acts, Senate File
- 13 466."
- 14 2. By renumbering as necessary.

Amendment H-8904 was adopted.

Thomas of Clayton offered the following amendment H-8688 filed by Thomas, et al., and moved its adoption:

H-8688

- 1 Amend Senate File 2430, as amended, passed, and
- 2 reprinted by the Senate, as follows:

- 3 1. Page 16, by inserting after line 12, the
 4 following:
 5 "Sec. 301. DAIRY TRADE PRACTICES RECEIPTS –
 6 APPROPRIATION FOR JOHNE'S DISEASE.
 7 1. There is appropriated from any moneys credited
 8 to or deposited in the general fund of the state and
 9 tracked by the department of management pursuant to
 10 section 8.60 as moneys which under law were deposited
 11 into the dairy trade practices trust fund pursuant to
 12 section 192A.30, Code Supplement 1993, to the
 13 department of agriculture and land stewardship for the
 14 fiscal year beginning July 1, 2000, and ending June
 15 30, 2001, to be used for the following purposes:
 16 a. Supporting on-farm site testing as required to
 17 evaluate procedures and tests to accurately diagnose
 18 Johne's disease.
 19 b. Providing education to cattle producers
 20 regarding practices and procedures to control or
 21 eradicate Johne's disease.
 22 2. Moneys appropriated under subsection 1 shall
 23 not revert as provided in section 8.33 but shall be
 24 used by the department as provided in subsection 1 in
 25 subsequent fiscal years until expended."
 26 2. Page 19, by striking lines 16 through 19 and
 27 inserting the following:
 28 "Sec. ____ CONTINGENT EFFECTIVE DATE. Sections 21
 29 and 301 of this Act take effect contingent upon the
 30 repeal of chapter 192a as provided in House File 2328,
 31 if enacted during the 2000 regular session of the
 32 Seventy-eighth General Assembly."
 33 3. By renumbering as necessary.

Amendment H-8688 lost.

Chido of Polk offered the following amendment H-8881 filed by him from the floor and moved its adoption:

H-8881

- 1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, line 25, by striking the figure
 4 "150,000" and inserting the following: "75,000".
 5 2. Page 16, by inserting after line 30, the
 6 following:
 7 "Sec. 301. DEPARTMENT OF AGRICULTURE. There is
 8 appropriated from the general fund of the state to the
 9 department of agriculture and land stewardship, for
 10 the fiscal year beginning July 1, 1999, and ending
 11 June 30, 2000, the following amount, or so much
 12 thereof as may be necessary, to be used for the

- 13 purpose designated:
 14 To support the administrative division:
 15\$ 75,000
 16 Notwithstanding section 8.33, moneys appropriated
 17 in this section which remain unobligated or unexpended
 18 at the close of the fiscal year shall not revert but
 19 shall remain available to be used for the purpose
 20 designated in the succeeding fiscal year."
 21 3. Page 19, by inserting after line 12, the
 22 following:
 23 "___ Section 301 relating to supporting the
 24 department of agriculture and land stewardship's
 25 administrative division."
 26 4. By renumbering as necessary.

Amendment H-8881 was adopted.

Myers of Johnson asked and received unanimous consent to withdraw amendment H-8895 filed by him from the floor.

Myers of Johnson offered the following amendment H-8902 filed by him from the floor and moved its adoption:

H-8902

- 1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, by inserting before line 31, the
 4 following:
 5 "Sec. ___. STATE FIRE MARSHAL'S OFFICE. In
 6 addition to any allocation of full-time equivalent
 7 positions authorized by the Seventy-eighth General
 8 Assembly during the 2000 Session for the state fire
 9 marshal's office, for the fiscal year beginning July
 10 1, 2000, and ending June 30, 2001, 1.00 additional FTE
 11 position is authorized for the office for inspections
 12 of aboveground petroleum storage tanks."
 13 2. Page 17, by inserting after line 27 the
 14 following:
 15 "Sec. ___. Section 101.22, subsection 4, Code
 16 1999, is amended to read as follows:
 17 4. The registration notice of the owner or
 18 operator to the state fire marshal under subsections 1
 19 through 3 shall be accompanied by a fee of ~~ten~~ fifteen
 20 dollars for each tank included in the notice. All
 21 moneys collected shall be ~~deposited in the general~~
 22 ~~fund~~ retained by the department of public safety and
 23 are appropriated for the use of the state fire
 24 marshal. The annual renewal fee applies to all owners
 25 or operators who filed a registration notice with the

26 state fire marshal pursuant to subsections 1 through
27 3.
28 Sec. __. Section 101.24, subsection 1, unnumbered
29 paragraph 1, Code 1999, is amended to read as follows:
30 Inspect and investigate the facilities and records
31 of owners and operators of aboveground petroleum
32 storage tanks with a capacity of fifteen thousand or
33 more gallons, as necessary to determine compliance
34 with this division and the rules adopted pursuant to
35 this division. An inspection or investigation shall
36 be conducted subject to subsection 4. For purposes of
37 developing a rule, maintaining an accurate inventory,
38 or enforcing this division, the department may:"
39 3. Title page, line 1, by striking the word "for"
40 and inserting the following: "involving state
41 government, including provisions affecting".
42 4. By renumbering as necessary.

Amendment H-8902 was adopted.

Baudler of Adair asked and received unanimous consent to withdraw amendment H-8677 filed by him and Greimann of Story on March 30, 2000.

Murphy of Dubuque offered the following amendment H-8752 filed by him and moved its adoption:

H-8752

1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 16, by inserting after line 32, the
4 following:
5 "Sec. __. PILOT PROJECT FOR REFUND OF APPLICATION
6 FEES BY THE DEPARTMENT OF NATURAL RESOURCES.
7 1. The department of natural resources may
8 establish a pilot project for the refund of all or a
9 portion of fees required to be paid to the department
10 for issuing a stormwater discharge permit pursuant to
11 section 455B.103A, if the department fails to issue
12 the permit in a manner and within a period of time
13 customary for issuing such permits. However, the
14 department is not required to refund any amount of a
15 fee if the failure to issue the permit is primarily
16 caused by the applicant, including the applicant's
17 failure to comply with legal requirements, furnish a
18 completed application or document, or cooperate with
19 the department as required of applicants by the
20 department.
21 2. The department of natural resources shall adopt

22 rules as necessary in order to establish and
23 administer this section.

24 3. The department may consider a decision not to
25 issue a refund under this section as a final agency
26 action which is not subject to a contested case
27 proceeding or further agency review under chapter
28 17A."

29 2. By renumbering as necessary.

Amendment H-8752 was adopted.

Baudler of Adair offered amendment H-8769 filed by him as follows:

H-8769

- 1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 16, by inserting after line 32, the
4 following:
5 "Sec. ____ REDEMPTION OF BEVERAGE CONTAINERS -
6 STUDY.
7 1. The department of natural resources shall
8 conduct a study regarding the redemption of beverage
9 containers as provided in chapter 455C.
10 2. The department shall organize a committee in
11 order to conduct the study.
12 a. A departmental official shall serve on the
13 study committee as a voting member.
14 b. The committee shall also be composed of four
15 members of the general assembly. The members shall be
16 two senators designated by the president of the senate
17 after consultation with the majority and minority
18 leaders of the senate, and two representatives
19 designated by the speaker of the house of
20 representatives after consultation with the majority
21 and minority leaders of the house of representatives.
22 Members of the general assembly shall serve in an ex
23 officio, nonvoting capacity. a member of the general
24 assembly is eligible for per diem and expenses as
25 provided in section 2.10.
26 c. The department shall invite members of the
27 following organizations to serve as voting members of
28 the committee:
29 (1) The Iowa league of cities.
30 (2) The Iowa state association of counties.
31 (3) The Iowa association of business and industry.
32 (4) The Iowa soft drink association.
33 (5) The Iowa environmental council.
34 (6) The Iowa grocery industry association.
35 (7) The Iowa recycling association.

- 36 (8) The Iowa society of solid waste operations.
37 (9) The league of women voters.
38 (10) The owner of a redemption center.
39 d. The committee shall include any other person
40 who wishes to participate as a member of the
41 committee.
42 3. The committee shall study issues related to all
43 of the following:
44 a. Requiring the redemption of beverage holding
45 noncarbonated beverages other than milk, but including
46 tea, water, fruit and vegetable juices and drinks, and
47 sports drinks.
48 b. Increasing the reimbursement to a dealer or
49 other person operating a redemption center from one
50 cent to two cents per empty beverage container

Page 2

- 1 redeemed. The department shall study the feasibility
2 of establishing a schedule which provides for
3 increases in the reimbursement amount.
4 c. Requiring that all beverage containers sold in
5 Iowa have a minimum postconsumer recycled content of
6 twenty-five percent by weight.
7 d. Creating a "Robert D. Ray Beautiful Land Fund"
8 in order to support local and state litter and
9 recycling initiatives. The committee shall consider
10 the feasibility of using moneys from unredeemed
11 deposits in order to support the fund.
12 4. The department shall prepare a report regarding
13 findings and recommendations of the committee,
14 including proposals for legislative action. The
15 report shall be submitted to the governor and general
16 assembly not later than January 10, 2001."

Hahn of Muscatine rose on a point of order that amendment H-8769 was not germane.

The Speaker ruled the point well taken and amendment H-8769 not germane.

Carroll of Poweshiek in the chair at 11:12 p.m.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-8799 filed by him on April 10, 2000.

Weigel of Chickasaw offered the following amendment H-8684 filed by him and Fallon of Polk and moved its adoption:

H-8684

1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 19, by inserting after line 1, the
4 following:

5 "Sec. . NEW SECTION. 455A.14 ADOPT-A-STREAM
6 PROGRAM.

7 1. The department shall establish and administer
8 an adopt-a-stream program for purposes of organizing
9 concerned citizens dedicated to the stewardship of the
10 rivers and streams in the state and certifying
11 sponsors under the program.

12 2. A person may submit an application to the
13 department for purposes of sponsoring a specific
14 portion of a river or stream in order to conduct
15 conservation programs, projects, or activities
16 involving the river or stream. The application shall
17 include, at a minimum, the location of the sponsored
18 portion of a river or stream, a contact person for the
19 sponsor, and the types of programs, projects, or
20 activities that the sponsor proposes to pursue. A
21 sponsor shall receive and file with the application
22 written consent to conduct programs, projects, or
23 activities from property owners located adjacent to
24 the sponsored river or stream. The consent shall
25 include all information required by the department.

26 3. Upon approval of the application by the
27 department, the sponsor shall sign a sponsorship
28 agreement with the department. The agreement shall
29 designate the terms necessary for receiving a
30 completion certificate recognizing the completion of
31 the programs, projects, or activities conducted by the
32 sponsor. The department shall provide the sponsor
33 with a completion certificate when the department
34 determines that the terms of the sponsorship agreement
35 have been met.

36 4. Programs, projects, or activities conducted by
37 a sponsor in the program shall include, but not be
38 limited to, river and stream cleanup, riverbank and
39 streambank stabilization, river and stream habitat
40 improvement, tree and grass planting, water quality
41 monitoring, river and stream access improvement, trail
42 development, and educational programs.

43 5. All rivers and streams in the state are
44 eligible to be sponsored under the program.

45 6. The department may terminate a sponsorship if
46 the department determines that a sponsor is not
47 attempting to fulfill the terms and conditions of the
48 sponsorship agreement."

Amendment H-8684 lost.

Kuhn of Floyd offered the following amendment H-8903 filed by him, Greiner of Washington, May of Worth, and Klemme of Plymouth from the floor and moved its adoption:

H-8903

1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, by inserting after line 32 the
 4 following:
 5 "Sec. 201. 1999 Iowa Acts, chapter 204, section
 6 15, subsection 4, paragraph a, is amended by striking
 7 the paragraph."
 8 2. Page 19, by inserting after line 1 the
 9 following:
 10 "Sec. __. Section 214A.1, Code 1999, is amended
 11 by adding the following new subsections:
 12 NEW SUBSECTION. 2A. "Motor vehicle fuel storage
 13 tank" means an aboveground or belowground container
 14 that is a fixture, used to keep an accumulation of
 15 motor vehicle fuel.
 16 NEW SUBSECTION. 2B. "MTBE" means methyl tertiary
 17 butyl ether.
 18 NEW SUBSECTION. 4A. "Sell" means to sell or to
 19 offer for sale.
 20 Sec. __. Section 214A.2, subsection 4, Code
 21 Supplement 1999, is amended to read as follows:
 22 4. Gasoline Motor vehicle fuel shall not contain
 23 methanol without an equal amount of cosolvent, and
 24 shall not contain more than five percent methanol more
 25 than trace amounts of MTBE, as provided in section
 26 214A.18.
 27 Sec. __. Section 214A.16, Code 1999, is amended
 28 to read as follows:
 29 214A.16 NOTICE OF BLENDED FUEL - DECAL.
 30 All If motor vehicle fuel kept, offer or exposed
 31 for sale, or sold at retail containing over one
 32 percent ethanol, methanol, or any combination of
 33 oxygenate octane enhancers shall be identified as
 34 "with" either "ethanol", "methanol",
 35 "ethanol/methanol", or similar wording on containing a
 36 renewable fuel is sold from a motor vehicle fuel pump,
 37 the pump shall have affixed a decal identifying the
 38 name of the renewable fuel. All diesel fuel kept,
 39 offered, or exposed for sale, or sold at retail
 40 containing over one percent soybean oil by volume
 41 shall be identified as "with soydiesel" or similar
 42 wording on a decal. The decal may be different based
 43 on the type of renewable fuel used. The design and
 44 location of the decal shall be prescribed by
 45 rules adopted by the department. The department shall

46 adopt the rules to be effective by January 1, 1995. A
 47 decal identifying a renewable fuel shall be consistent
 48 with standards adopted pursuant to section 159A.6.
 49 Until the department establishes standards for decals,
 50 the wording shall be on a white adhesive decal with

Page 2

1 black letters at least one-half inch high and at least
 2 one-quarter inch wide placed between thirty and forty
 3 inches above the driveway level on the front sides of
 4 any container or pump from which the motor fuel is
 5 sold. The department may approve an application to
 6 place a decal in a special location on a pump or
 7 container or use a decal with special lettering or
 8 colors, if the decal appears clear and conspicuous to
 9 the consumer. The application shall be made in
 10 writing pursuant to procedures adopted by the
 11 department. Designs for a decal identifying a
 12 renewable fuel shall be consistent with standards
 13 adopted pursuant to section 159A.6.
 14 Sec. . NEW SECTION. 214A.18 MTBE PROHIBITION.
 15 1. A person shall not do any of the following:
 16 a. Sell motor vehicle fuel containing more than
 17 trace amounts of MTBE in this state.
 18 b. Store motor vehicle fuel containing more than
 19 trace amounts of MTBE in a motor vehicle fuel storage
 20 tank located in this state.
 21 2. As used in this section, "trace amounts" means
 22 not more than one-half of one percent by volume."
 23 3. Page 19, by inserting after line 3 the
 24 following:
 25 "Sec. . DELAYED EFFECTIVE DATES. The following
 26 provisions of this Act take effect on January 1, 2001:
 27 1. The amendments to sections 214A.1 and 214A.2,
 28 in this Act.
 29 2. Section 214A.18, as enacted by this Act.
 30 3. Section 201 of this Act, providing for the
 31 elimination of a provision prohibiting the sale of
 32 methyl tertiary butyl ether."

Amendment H-8903 was adopted.

Kreiman of Davis offered amendment H-8886 filed by him and Reynolds of Van Buren from the floor as follows:

H-8886

1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 19, by inserting after line 1, the

4 following:
 5 "Sec. __. Section 483A.24, Code Supplement 1999,
 6 is amended by adding the following new subsection:
 7 **NEW SUBSECTION. 2A.** A person who resides out of
 8 state, but who is otherwise an owner or that person's
 9 tenant, may hunt deer upon the land by obtaining the
 10 same special license required by an owner of land who
 11 resides on the land. However, in order to obtain the
 12 special license, the person must provide documentation
 13 to the department establishing that the person who
 14 resides out of state owns the land. If the person is
 15 a tenant, the person must also provide documentation
 16 establishing the tenancy."
 17 2. By renumbering as necessary.

Sunderbruch of Scott rose on a point of order that amendment H-8886 was not germane.

The Speaker ruled the point well taken and amendment H-8886 not germane.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-8683, previously deferred, filed by him on April 3, 2000.

Greiner of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2430)

The ayes were, 62:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Ford	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Myers	Nelson-Forbes	Raecker
Rants	Rayhons	Richardson	Schrader
Shey	Shoultz	Siegrist, Spkr.	Sukup
Sunderbruch	Teig	Thomson	Van Engelenhoven

Van Fossen	Weidman	Weigel	Welter
Witt	Carroll, Presiding		

The nays were, 34:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Greimann
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	O'Brien	Osterhaus
Parmenter	Reynolds	Scherrman	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Whitead	Wise		

Absent or not voting, 4:

Connors	Frevert	Horbach	Tyrrell
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Greiner of Washington asked and received unanimous consent that **Senate File 2430** be immediately messaged to the Senate.

SENATE MESSAGE CONSIDERED

Senate File 2450, by committee on appropriations, a bill for an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

Read first time and **passed on file**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 13, 2000. Had I been present, I would have voted "aye" on House Joint Resolution 2014.

CHIODO of Polk

I was necessarily absent from the House chamber on April 13, 2000. Had I been present, I would have voted "aye" on Senate File 2429.

JAGER of Black Hawk

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 13, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2315, an act concerning the payment of health and medical insurance coverage costs by cities to retired employees.

House File 2327, an act relating to county levy and expenditure authority involving the risk pool and county mental health, mental retardation, and developmental disabilities services fund by authorizing appropriations from the fund for capital assets used exclusively for purposes of the services fund, authorizing associated county general fund levies and expenditures, and including transition, effective, and applicability dates, and other related provisions.

House File 2328, an act eliminating the regulation of certain dairy trade practices.

House File 2388, an act relating to the implementation of a pilot project pertaining to the concurrent jurisdiction of the juvenile court and the district court relating to modification of child custody and support orders.

Senate File 428, an act relating to the authority of cities and counties to adopt rent control ordinances.

Senate File 2047, an act relating to the powers and duties of county officers with respect to county warrants.

Senate File 2253, an act relating to certain county officers' duties relating to property transfer instruments, records of fees paid to a county, notice of certification of utility liens, and notice of mobile homes departing and entering mobile home parks.

Senate File 2326, an act relating to funding of certain household hazardous material collection efforts and events.

Senate File 2342, an act relating to the creation of a real estate improvement district.

Senate File 2368, an act relating to the family investment program and associated provisions.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

April 13, 2000

Michael Marshall
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Marshall:

I hereby transmit Senate File 2220, an act relating to forcible entry and detainer actions in small claims court following a default on a contract for deed, pursuant to Article III, section 16, of the Constitution of Iowa.

I have a number of concerns with the impact of this legislation on Iowa consumers utilizing real estate contracts that compel me to disapprove it. This legislation is inconsistent with current practices regarding the involvement of the district courts in disputed forfeiture claims. I am not persuaded that changing current small claims court jurisdiction levels is appropriate. I feel that current requirements for a completed forfeiture action in real estate contract cases provides broader procedural protections for consumers than the provisions of this bill. As an example, the current forfeiture process allows those representing consumers in these cases to use a "discovery" process to obtain more information for their clients. Such would not be allowed under the provisions of Senate File 2220. In consultation with the Attorney General, I have also found that this legislation also could expose unwary Iowans to other unscrupulous practices which could result in some individuals losing both their equity and their homes. In short, this legislation proposes to reduce a number of current legal protections extended to Iowans who are purchasing real estate on contract.

For the above reasons, I hereby respectfully disapprove Senate File 2220.

Sincerely,
Thomas J. Vilsack
Governor

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-seven fourth grade students from Westwood Elementary, Ankeny, accompanied by Mrs. Nelson, Mrs. Rollison, Mrs. Eastwood and Mrs. Mery. By Boal of Polk.

Forty-four eighth grade students from River Valley Middle School, Correctionville, Cushing, Quimby and Washta, accompanied by Mr. Nugent, Mr. John Hopp, Mrs. Virginia Reyman, Becky Collins, Barb Utesch, Connie Kimple. By Huseman of Cherokee and Kettering of Sac.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\824 Nellie and William E. Ritchie and the Union Park Neighborhood Association, Des Moines – For their support of urban reforestation by the planting of five hundred trees for the public's enjoyment.
- 2000\825 Geraldine and Gerald Shaffer, Vinton – For celebrating their 60th wedding anniversary.
- 2000\826 Harold Neve, Vinton – For celebrating his 90th birthday.
- 2000\827 Joe and Eileen O'Brien, Estherville – For celebrating their 50th wedding anniversary.
- 2000\828 Dr. William Moreau, Estherville – For being named Chiropractor of the Year in Sports Medicine from the American Chiropractic Association.
- 2000\829 Rose Knudtson, Spencer – For celebrating her 95th birthday.
- 2000\830 Dick and Mary Lou Ayres, Spirit Lake – For celebrating their 50th wedding anniversary.
- 2000\831 Jack and Barbara Harms, Spirit Lake – For celebrating their 50th wedding anniversary.
- 2000\832 Clayton and Eloise Goodell, Lake Park – For celebrating their 50th wedding anniversary.
- 2000\833 Aurelia High School Jazz Band, Aurelia – For winning second place in the Class A Division of the Iowa Jazz Championship.
- 2000\834 Marcus-Meriden-Cleghorn Jazz Band, Marcus – For winning first place in the 1-A Division of the Iowa Jazz Championship.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 786 Ways and Means

Increasing the deduction for pension or retirement income for purposes of the state individual income tax, and including an applicability date provision.

RESOLUTIONS FILED

HCR 122, by Greiner, a concurrent resolution recognizing the accomplishments of John Fletcher Lacey and commemorating the one-hundredth-year anniversary of the Lacey Act.

Laid over under **Rule 25**.

SCR 117, By Dvorsky and Bolckom, a concurrent resolution relating to racist activities intended to harass students and faculty at the University of Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8880	S.F.	2245	Jager of Black Hawk Mascher of Johnson
H—8884	S.F.	2241	Davis of Wapello
H—8892	H.F.	2558	Schrader of Marion
H—8899	H.F.	2378	Senate Amendment
H—8901	H.F.	2572	Huser of Polk
H—8905	H.F.	2496	Senate Amendment
H—8906	H.F.	2572	Huser of Polk
H—8907	H.F.	2548	Senate Amendment

On motion by Rants of Woodbury the House adjourned at 11:58 p.m., until 9:30 a.m., Friday, April 14, 2000.

JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 14, 2000

The House met pursuant to adjournment at 9:34 a.m., Alons of Sioux in the chair.

Prayer was offered by Susan Jennings, the Assistant Chief Clerk.

The Journal of Thursday, April 13, 2000 was approved.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 14th day of April, 2000: House Files 2376, 2391 and 2393.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

On motion by Dolecheck of Ringgold the House adjourned at 9:35 a.m., until 1:00 p.m., Monday, April 17, 2000.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day – Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 17, 2000

The House met pursuant to adjournment at 1:50 p.m., Dix of Butler in the chair.

Prayer was sung by Nikki Peters, a junior at Marshalltown High School.

The Journal of Friday, April 14, 2000 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students from Nora Springs-Rock Falls Community School.

SPECIAL PRESENTATION

Prior to convening, students from the Nora Springs-Rock Falls Peacemakers addressed the House regarding promoting a mediation program accompanied by Layton Zbornik who began the Peacemakers program. He and the students have traveled throughout the midwest promoting their program.

SENATE AMENDMENT CONSIDERED

Nelson-Forbes of Marshall called up for consideration **House File 2433**, a bill for an act relating to community college governance, amended by the Senate, and moved that the House concur in the following Senate amendment H-8862:

H-8862

- 1 Amend House File 2433, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 20, by striking the words
- 4 "certified annual report with the".
- 5 2. Page 1, line 29, by striking the word "eleven"
- 6 and inserting the following: "thirteen".
- 7 3. Page 2, by striking lines 16 through 18 and

- 8 inserting the following:
 9 "() The Iowa association of school boards shall
 10 appoint one member.
 11 () The Iowa state education association shall
 12 appoint one member.
 13 () The Iowa association of business and industry
 14 shall appoint one member."
 15 4. Page 2, by striking lines 24 through 31 and
 16 inserting the following: "education for approval and
 17 adoption."
 18 5. Page 3, by inserting after line 19 the
 19 following:
 20 " _____. A plan to improve sharing of data on student
 21 academic performance and career planning between
 22 school districts and community colleges. The plan
 23 shall be developed utilizing community college
 24 personnel and the bureau of community colleges.
 25 _____. A report on strategic planning transmitted to
 26 the senate and house standing committees on education
 27 and the joint appropriations subcommittee on education
 28 by January 15, 2001."
 29 6. By striking page 3, line 20 through page 4,
 30 line 5.
 31 7. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8862.

Nelson-Forbes of Marshall moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2433)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Hahn	Hansen	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering

Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Siegrist, Spkr.	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Fossen
Weidman	Welter	Whitead	Wise
Witt	Dix, Presiding		

The nays were, 6:

Frevert	Parmenter	Shoultz	Stevens
Warnstadt	Weigel		

Absent or not voting, 4:

Doderer	Grundberg	Heaton	Van Engelenhoven
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

CONSIDERATION OF BILLS Regular Calendar

House File 2573, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates, was taken up for consideration.

Eddie of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2573)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp

Greimann	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Dix, Presiding			

The nays were, none.

Absent or not voting, 3:

Brauns Heaton Van Engelenhoven

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

House File 2569, a bill for an act exempting the sale of livestock ear tags by certain nonprofit organizations from the sales and use taxes, with report of committee recommending passage, was taken up for consideration.

Teig of Hamilton offered the following amendment H-8876 filed by him and moved its adoption:

H-8876

- 1 Amend House File 2569 as follows:
- 2 1. Page 1, line 5, by striking the figure "(3)"
- 3 and inserting the following: "(6)".

Amendment H-8876 was adopted.

Teig of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2569)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carrroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton Van Engelenhoven

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2433, 2569 and 2573.**

SENATE AMENDMENT CONSIDERED

Sukup of Franklin called up for consideration **House File 2548**, a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, sales and use, hotel and motel, real estate transfer, environmental protection charge on petroleum diminution, property, motor fuel, special fuel, cigarette and tobacco products, and inheritance taxes, treatment of motor fuel under the local option taxes, and authorizing tax agreements with Indian tribes, and including effective and retroactive applicability date provisions, amended by the Senate, and moved that the House concur in the following Senate amendment H-8907:

H-8907

1 Amend House File 2548, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 15.331A, subsection 2, Code
6 1999, is amended to read as follows:

7 2. The eligible business or a supporting business
8 shall, not more than ~~six months~~ one year after project
9 completion, make application to the department for any
10 refund of the amount of the taxes paid pursuant to
11 chapter 422 or 423 upon any goods, wares, or
12 merchandise, or services rendered, furnished, or
13 performed, including water, sewer, gas, and electric
14 utility services. The application shall be made in
15 the manner and upon forms to be provided by the
16 department, and the department shall audit the claim
17 and, if approved, issue a warrant to the eligible
18 business or supporting business in the amount of the
19 sales or use tax which has been paid to the state of
20 Iowa under a contract. A claim filed by the eligible
21 business or a supporting business in accordance with
22 this section shall not be denied by reason of a
23 limitation provision set forth in chapter 421, 422, or
24 423.

25 Sec. 2. Section 404.4, unnumbered paragraph 2,
26 Code 1999, is amended to read as follows:

27 An application shall be filed for each new
28 exemption claimed. The first application for an
29 exemption shall be filed by the owner of the property
30 with the governing body of the city or county in which
31 the property is located by February 1 of the

32 assessment year for which the exemption is first
33 claimed, but not later than the year in which all
34 improvements included in the project are first
35 assessed for taxation, unless, upon the request of the
36 owner at any time, the governing body of the city or
37 county provides by resolution that the owner may file
38 an application by February 1 of any other assessment
39 year selected by the governing body in which case the
40 exemption is allowed for the number of years remaining
41 in the exemption schedule selected. The application
42 shall contain, but not be limited to, the following
43 information: The nature of the improvement, its cost,
44 the estimated or actual date of completion, the
45 tenants that occupied the owner's building on the date
46 the city or county adopted the resolution referred to
47 in section 404.2, subsection 1, and which exemption in
48 section 404.3 or in the different schedule, if one has
49 been adopted, will be elected.
50 Sec. 3. Section 421.17, subsection 16, Code

Page 2

1 Supplement 1999, is amended to read as follows:
2 16. To call upon any a state department agency or
3 institution for technical advice and data which may be
4 of value in connection with the work of assessment and
5 taxation the department.
6 Sec. 4. NEW SECTION. 421.46 TAX AGREEMENTS WITH
7 INDIAN TRIBES.
8 1. "Indian country" means the Indian country as
9 defined in 18 U.S.C. § 1151, and includes trust land
10 as defined by the United States secretary of the
11 interior.
12 2. The department and the governing council of an
13 Indian tribe may enter into an agreement to provide
14 for the collection and distribution or refund by the
15 department within Indian country of any tax or fee
16 imposed by the state and administered by the
17 department.
18 An agreement may also provide for the collection
19 and distribution by the department of any tribal tax
20 or fee imposed by tribal ordinance. The agreement may
21 provide for the retention of an administrative fee by
22 the department which fee shall be an agreed upon
23 percentage of the gross revenue of the tribal tax or
24 fee collected.
25 3. The provisions of this section shall not be
26 construed to establish or relinquish any jurisdiction
27 the state or an Indian tribe might have to levy or
28 collect from any person any tax or fee within or
29 without Indian country.
30 Sec. 5. Section 421.60, subsection 2, Code 1999,

31 is amended by adding the following new paragraph:
32 NEW PARAGRAPH. m. (1) The director may abate
33 unpaid state sales and use taxes and local sales and
34 services taxes owed by a retailer in the event that
35 the retailer failed to collect tax from the purchaser
36 as a result of erroneous written advice issued by the
37 department that was specially directed to the retailer
38 by the department and the retailer is unable to
39 collect the tax, interest, or penalties from the
40 purchaser. Before the tax, interest, and penalties
41 shall be abated on the basis of erroneous written
42 advice, the retailer must present a copy of the
43 retailer's request for written advice to the
44 department and a copy of the department's reply. The
45 department shall not maintain a position against the
46 retailer that is inconsistent with the erroneous
47 written advice, except on the basis of subsequent
48 written advice sent by the department to that
49 retailer, or a change in state or federal law, a
50 reported court case to the contrary, a contrary rule

Page 3

1 adopted by the department, a change in material facts
2 or circumstances relating to the retailer, or the
3 retailer's misrepresentation or incomplete or
4 inadequate representation of material facts and
5 circumstances in requesting the written advice.
6 (2) The director shall abate the unpaid state
7 sales and use taxes and any local sales and services
8 taxes owed by a retailer where the retailer failed to
9 collect the tax from the purchaser on the charges paid
10 for access to on-line computer services as a result of
11 erroneous written advice issued by the department
12 regarding the taxability of charges paid for access to
13 on-line computer services. To qualify for the
14 abatement under this subparagraph, the erroneous
15 written advice shall have been issued by the
16 department prior to July 1, 1999, and shall have been
17 specially directed to the retailer by the department.
18 (3) The director shall prepare quarterly reports
19 summarizing each case in which abatement of tax,
20 interest, or penalties was made. However, the report
21 shall not disclose the identity of the taxpayer. An
22 abatement authorized by this paragraph to a retailer
23 shall not preclude the department from proceeding to
24 collect the liability from a purchaser.
25 Sec. 6. Section 422.45, subsection 56, Code
26 Supplement 1999, is amended to read as follows:
27 56. The gross receipts from charges paid to a
28 provider for access to on-line computer services. For
29 purposes of this subsection, "on-line computer

30 service" means a service that provides or enables
31 computer access by multiple users to the internet or
32 to other information made available through a computer
33 server.

34 Sec. 7. Section 422.47, subsection 2, Code
35 Supplement 1999, is amended by striking the
36 subsection.

37 Sec. 8. Section 422.52, subsection 6, paragraph a,
38 Code Supplement 1999, is amended to read as follows:

39 a. If a purchaser fails to pay tax imposed by this
40 division to the retailer required to collect the tax,
41 then in addition to all of the rights, obligations,
42 and remedies provided, the tax is payable by the
43 purchaser directly to the department, and sections
44 422.50, 422.51, 422.52, 422.54, 422.55, 422.56,
45 422.57, 422.58, and 422.59 apply to the purchaser.
46 For failure, the retailer and purchaser are liable,
47 unless the circumstances described in section 421.60,
48 subsection 2, paragraph "m", or section 422.47,
49 subsection 3, paragraph "b" or "e", or subsection 4,
50 paragraph "b" or "d", are applicable.

Page 4

1 Sec. 9. Section 422.53, subsection 3, Code
2 Supplement 1999, is amended to read as follows:
3 3. The department shall grant and issue to each
4 applicant a permit for each place of business within
5 the state. A permit is not assignable and is valid
6 only for the person in whose name it is issued and for
7 the transaction of business at the place designated or
8 a place of relocation within the state if the
9 ownership remains the same.

10 Sec. 10. Section 422.110, unnumbered paragraph 1,
11 Code Supplement 1999, is amended to read as follows:

12 In lieu of the fuel tax refund provided in section
13 452A.17, a person or corporation subject to taxation
14 under divisions II or III of this chapter may elect to
15 receive an income tax credit. The person or
16 corporation which elects to receive an income tax
17 credit shall cancel its refund permit obtained under
18 section 452A.18 within thirty days after the first day
19 of its tax year or the permit becomes invalid at that
20 time. For the purposes of this section, "person"
21 includes a person claiming a tax credit based upon the
22 person's pro rata share of the earnings from a
23 partnership, limited liability company, or corporation
24 which is not subject to a tax under division II or III
25 of this chapter as a partnership, limited liability
26 company, or corporation. If the election to receive
27 an income tax credit has been made, it remains
28 effective for at least one tax year, and for

29 subsequent tax years unless a change is requested and
30 a new refund permit applied for within thirty days
31 after the first day of the person's or corporation's
32 tax year. The income tax credit shall be the amount
33 of the Iowa fuel tax paid on fuel purchased by the
34 person or corporation and is subject to the conditions
35 provided in section 452A.17 with the exception that
36 the income tax credit is not available for refunds
37 relating to casualty losses, transport diversions,
38 pumping credits, blending errors, idle time, power
39 takeoffs, reefer units, and exports by eligible
40 purchasers distributors.

41 Sec. 11. Section 422A.1, Code 1999, is amended by
42 adding the following new unnumbered paragraph after
43 unnumbered paragraph 1:

44 NEW UNNUMBERED PARAGRAPH. Within ten days of the
45 election at which a majority of those voting on the
46 question favors the imposition, repeal, or change in
47 the rate of the hotel and motel tax, the county
48 auditor shall give written notice by sending a copy of
49 the abstract of votes from the favorable election to
50 the director of revenue and finance.

Page 5

1 Sec. 12. Section 422B.8, unnumbered paragraph 1,
2 Code Supplement 1999, is amended to read as follows:
3 A local sales and services tax at the rate of not
4 more than one percent may be imposed by a county on
5 the gross receipts taxed by the state under chapter
6 422, division IV. A local sales and services tax
7 shall be imposed on the same basis as the state sales
8 and services tax or in the case of the use of natural
9 gas, natural gas service, electricity, or electric
10 service on the same basis as the state use tax and
11 shall not be imposed on the sale of any property or on
12 any service not taxed by the state, except the tax
13 shall not be imposed on the gross receipts from the
14 sale of motor fuel or special fuel as defined in
15 chapter 452a which is consumed for highway use or in
16 watercraft or aircraft if the fuel tax is paid on the
17 transaction and a refund has not or will not be
18 allowed, on the gross receipts from the rental of
19 rooms, apartments, or sleeping quarters which are
20 taxed under chapter 422a during the period the hotel
21 and motel tax is imposed, on the gross receipts from
22 the sale of equipment by the state department of
23 transportation, on the gross receipts from the sale of
24 self-propelled building equipment, pile drivers,
25 motorized scaffolding, or attachments customarily
26 drawn or attached to self-propelled building
27 equipment, pile drivers, and motorized scaffolding,

28 including auxiliary attachments which improve the
29 performance, safety, operation, or efficiency of the
30 equipment and replacement parts and are directly and
31 primarily used by contractors, subcontractors, and
32 builders for new construction, reconstruction,
33 alterations, expansion, or remodeling of real property
34 or structures, and on the gross receipts from the sale
35 of a lottery ticket or share in a lottery game
36 conducted pursuant to chapter 99E and except the tax
37 shall not be imposed on the gross receipts from the
38 sale or use of natural gas, natural gas service,
39 electricity, or electric service in a city or county
40 where the gross receipts from the sale of natural gas
41 or electric energy are subject to a franchise fee or
42 user fee during the period the franchise or user fee
43 is imposed. A local sales and services tax is
44 applicable to transactions within those incorporated
45 and unincorporated areas of the county where it is
46 imposed and shall be collected by all persons required
47 to collect state gross receipts taxes. However, a
48 person required to collect state retail sales tax
49 under chapter 422, division IV, is not required to
50 collect local sales and services tax on transactions

Page 6

1 delivered within the area where the local sales and
2 services tax is imposed unless the person has physical
3 presence in that taxing area. All cities contiguous
4 to each other shall be treated as part of one
5 incorporated area and the tax would be imposed in each
6 of those contiguous cities only if the majority of
7 those voting in the total area covered by the
8 contiguous cities favor its imposition.
9 Sec. 13. Section 422E.3, subsection 2, Code
10 Supplement 1999, is amended to read as follows:
11 2. The tax shall be imposed on the same basis as
12 the state sales and services tax or in the case of the
13 use of natural gas, natural gas service, electricity,
14 or electric service on the same basis as the state use
15 tax and shall not be imposed on the sale of any
16 property or on any service not taxed by the state,
17 except the tax shall not be imposed on the gross
18 receipts from the sale of motor fuel or special fuel
19 as defined in chapter 452A which is consumed for
20 highway use or in watercraft or aircraft if the fuel
21 tax is paid on the transaction and a refund has not or
22 will not be allowed, on the gross receipts from the
23 rental of rooms, apartments, or sleeping quarters
24 which are taxed under chapter 422A during the period
25 the hotel and motel tax is imposed, on the gross
26 receipts from the sale of equipment by the state

27 department of transportation, on the gross receipts
28 from the sale of self-propelled building equipment,
29 pile drivers, motorized scaffolding, or attachments
30 customarily drawn or attached to self-propelled
31 building equipment, pile drivers, and motorized
32 scaffolding, including auxiliary attachments which
33 improve the performance, safety, operation, or
34 efficiency of the equipment, and replacement parts and
35 are directly and primarily used by contractors,
36 subcontractors, and builders for new construction,
37 reconstruction, alterations, expansion, or remodeling
38 of real property or structures, and on the gross
39 receipts from the sale of a lottery ticket or share in
40 a lottery game conducted pursuant to chapter 99E and
41 except the tax shall not be imposed on the gross
42 receipts from the sale or use of natural gas, natural
43 gas service, electricity, or electric service in a
44 city or county where the gross receipts from the sale
45 of natural gas or electric energy are subject to a
46 franchise fee or user fee during the period the
47 franchise or user fee is imposed.
48 Sec. 14. Section 423.4, subsection 9, Code
49 Supplement 1999, is amended to read as follows:
50 9. Vehicles subject to registration which are

Page 7

1 transferred from a business or individual conducting a
2 business within this state as a sole proprietorship,
3 ~~or partnership, or limited liability company~~ to a
4 corporation formed by the sole proprietorship, ~~or~~
5 ~~partnership, or limited liability company~~ for the
6 purpose of continuing the business when all of the
7 stock of the corporation so formed is owned by the
8 sole proprietor and the sole proprietor's spouse, ~~or~~
9 by all the partners in the case of a partnership, ~~or~~
10 by all of the members in the case of a limited
11 liability company. This exemption is equally
12 available where the vehicles subject to registration
13 are transferred from a corporation to a sole
14 proprietorship, ~~or partnership, or limited liability~~
15 ~~company~~ formed by that corporation for the purpose of
16 continuing the business when all of the incidents of
17 ownership are owned by the same person or persons who
18 were stockholders of the corporation.
19 This exemption also applies where the vehicles
20 subject to registration are transferred from a
21 corporation as part of the liquidation of the
22 corporation to its stockholders if within three months
23 of such transfer the stockholders retransfer those
24 vehicles subject to registration to a sole
25 proprietorship, partnership, or limited liability

26 company for the purpose of continuing the business of
27 the corporation when all of the incidents of ownership
28 are owned by the same person or persons who were
29 stockholders of the corporation.

30 Sec. 15. Section 424.10, subsections 1 and 3, Code
31 Supplement 1999, are amended to read as follows:

32 1. As soon as practicable after a return is filed
33 and in any event within ~~five~~ three years after the
34 return is filed the department shall examine it,
35 assess and determine the charge due if the return is
36 found to be incorrect, and give notice to the
37 depositor of ~~such~~ the assessment and determination as
38 provided in subsection 2. The period for the
39 examination and determination of the correct amount of
40 the charge is unlimited in the case of a false or
41 fraudulent return made with the intent to evade the
42 charge or in the case of a failure to file a return.
43 If the determination that a return is incorrect is the
44 result of an audit of the books and records of the
45 depositor, the charge, or additional charge, if any is
46 found due, shall be assessed and determined and the
47 notice to the depositor shall be given by the
48 department within one year after the completion of the
49 examination of the books and records.

50 3. If the amount paid is greater than the correct

Page 8

1 charge, penalty, and interest due, the department
2 shall refund the excess, with interest after sixty
3 days from the date of payment at the rate in effect
4 under section 421.7, pursuant to rules prescribed by
5 the director. However, the director shall not allow a
6 claim for refund that has not been filed with the
7 department within ~~five~~ three years after the charge
8 payment upon which a refund is claimed became due, or
9 one year after the charge payment was made, whichever
10 time is later. A determination by the department of
11 the amount of charge, penalty, and interest due, or
12 the amount of refund for any excess amount paid, is
13 final unless the person aggrieved by the determination
14 appeals to the director for a revision of the
15 determination within sixty days from the date of the
16 notice of determination of charge, penalty, and
17 interest due or refund owing. The director shall
18 grant a hearing, and upon hearing the director shall
19 determine the correct charge, penalty, and interest
20 due or refund owing, and notify the appellant of the
21 decision by mail. The decision of the director is
22 final unless the appellant seeks judicial review of
23 the director's decision under section 424.13.

24 Sec. 16. Section 424.10, subsection 2, Code

25 Supplement 1999, is amended to read as follows:
 26 2. If a return required by this chapter is not
 27 filed, or if a return when filed is incorrect or
 28 insufficient and the maker fails to file a corrected
 29 or sufficient return within twenty days after the
 30 return is required by notice from the department, the
 31 department shall determine the amount of charge due
 32 from information as the department may be able to
 33 obtain and, if necessary, may estimate the charge on
 34 the basis of external indices or factors. The
 35 department shall give notice of the determination to
 36 the person liable for the charge. The determination
 37 shall fix the charge unless the person against whom it
 38 is assessed shall, within sixty days after the date of
 39 the notice of the determination, apply to the director
 40 for a hearing or unless the ~~taxpayer~~ person against
 41 whom it is assessed contests the determination by
 42 paying the ~~tax~~ charge, interest, and penalty and
 43 timely filing a claim for refund. At the hearing
 44 evidence may be offered to support the determination
 45 or to prove that it is incorrect. After the hearing
 46 the director shall give notice of the decision to the
 47 person liable for the charge.
 48 If a depositor's, receiver's, or other person's
 49 challenge relates to the diminution rate, the burden
 50 of proof upon the challenger shall only be satisfied

Page 9

1 by clear and convincing evidence.
 2 Sec. 17. Section 424.12, Code 1999, is amended to
 3 read as follows:
 4 424.12 RECORDS REQUIRED.
 5 It ~~shall be~~ is the duty of every depositor required
 6 to make a report and pay any charge under this
 7 chapter, to preserve such records as the director may
 8 require, and it ~~shall be~~ is the duty of every
 9 depositor to preserve for a period of ~~five~~ three years
 10 all invoices and other records; and all such books,
 11 invoices, and other records shall be open to
 12 examination at any time by the department, and shall
 13 be made available within this state for ~~such~~
 14 examination upon reasonable notice when the director
 15 shall so order. When requested to do so by any person
 16 from whom a charge payer is seeking credit, or with
 17 whom the charge payer is negotiating the sale of any
 18 personal property, or by any other person having a
 19 legitimate interest in such information, the director,
 20 upon being satisfied that such a situation exists,
 21 shall inform ~~such~~ that person as to the amount of
 22 unpaid charges due by the charge payer under the
 23 ~~provisions of this chapter.~~ The giving of ~~such~~

24 information under such circumstances shall not be
25 deemed a violation of section 422.72 as applied to
26 this chapter.

27 Section 422.72 applies to this chapter as if the
28 environmental protection charge were a tax.

29 Sec. 18. Section 424.13, subsection 2, Code 1999,
30 is amended to read as follows:

31 2. For cause and upon a showing by the director
32 that collection of the ~~tax~~ charge in dispute is in
33 doubt, the court may order the petitioner to file with
34 the clerk a bond for the use of the respondent, with
35 sureties approved by the clerk, in the amount of ~~tax~~
36 the charge appealed from, conditioned that the
37 petitioner shall perform the orders of the court.

38 Sec. 19. Section 424.15, unnumbered paragraph 1,
39 Code 1999, is amended to read as follows:

40 If it appears that, as a result of mistake, an
41 amount of a charge, penalty, or interest has been paid
42 which was not due under ~~the provisions of this~~
43 chapter, then ~~such that~~ such amount shall be refunded to
44 ~~such person~~ the charge payer by the department. A
45 claim for refund that has not been filed with the
46 department within ~~five~~ three years after the charge
47 payment upon which a refund is claimed became due, or
48 one year after ~~such that~~ such charge payment was made,
49 whichever time is the later, shall not be allowed by
50 the director.

Page 10

1 Sec. 20. Section 427.1, subsection 14, unnumbered
2 paragraph 1, Code Supplement 1999, is amended to read
3 as follows:

4 A society or organization claiming an exemption
5 under subsection 5 or subsection 8 shall file with the
6 assessor not later than ~~April 15~~ February 1 a
7 statement upon forms to be prescribed by the director
8 of revenue and finance, describing the nature of the
9 property upon which the exemption is claimed and
10 setting out in detail any uses and income from the
11 property derived from the rentals, leases, or other
12 uses of the property not solely for the appropriate
13 objects of the society or organization. Upon the
14 filing and allowance of the claim, the claim shall be
15 allowed on the property for successive years without
16 further filing as long as the property is used for the
17 purposes specified in the original claim for
18 exemption. When the property is sold or transferred,
19 the county recorder shall provide notice of the
20 transfer to the assessor. The notice shall describe
21 the property transferred and the name of the person to
22 whom title to the property is transferred.

23 Sec. 21. Section 427.1, subsection 16, Code
24 Supplement 1999, is amended to read as follows:
25 **16. REVOKING OR MODIFYING EXEMPTION.** Any taxpayer
26 or any taxing district may make application to the
27 director of revenue and finance for revocation or
28 modification for any exemption, based upon alleged
29 violations of this chapter. The director of revenue
30 and finance may also on the director's own motion set
31 aside or modify any exemption which has been granted
32 upon property for which exemption is claimed under
33 this chapter. The director of revenue and finance
34 shall give notice by mail to the taxpayer or taxing
35 district applicant and to the societies or
36 organizations claiming an exemption upon property,
37 exemption of which is questioned before or by the
38 director of revenue and finance, and shall hold a
39 hearing prior to issuing any order for revocation or
40 modification. An order made by the director of
41 revenue and finance revoking or modifying an exemption
42 shall be applicable to the tax year commencing with
43 the tax year in which the application is made to the
44 ~~director of revenue and finance or the tax year~~
45 commencing with the tax year in which the director's
46 own motion is filed. An order made by the director of
47 revenue and finance revoking or modifying an exemption
48 is subject to judicial review in accordance with
49 chapter 17A, the Iowa administrative procedure Act.
50 Notwithstanding the terms of that Act, petitions for

Page 11

1 judicial review may be filed in the district court
2 having jurisdiction in the county in which the
3 property is located, and must be filed within thirty
4 days after any order revoking or modifying an
5 exemption is made by the director of revenue and
6 finance.
7 Sec. 22. Section 427.1, subsection 20, Code
8 Supplement 1999, is amended to read as follows:
9 **20. IMPOUNDMENT STRUCTURES.** The impoundment
10 structure and any land underlying an impoundment
11 located outside an incorporated city, which are not
12 developed or used directly or indirectly for
13 nonagricultural income-producing purposes and which
14 are maintained in a condition satisfactory to the soil
15 and water conservation district commissioners of the
16 county in which the impoundment structure and the
17 impoundment are located. A person owning land which
18 qualifies for a property tax exemption under this
19 subsection shall apply to the county assessor each
20 year ~~before the first of July~~ not later than February
21 1 for the exemption. The application shall be made on

22 forms prescribed by the department of revenue and
23 finance. The first application shall be accompanied
24 by a copy of the water storage permit approved by the
25 administrator of the environmental protection division
26 of the department of natural resources and a copy of
27 the plan for the construction of the impoundment
28 structure and the impoundment. The construction plan
29 shall be used to determine the total acre-feet of the
30 impoundment and the amount of land which is eligible
31 for the property tax exemption status. The county
32 assessor shall annually review each application for
33 the property tax exemption under this subsection and
34 submit it, with the recommendation of the soil and
35 water conservation district commissioners, to the
36 board of supervisors for approval or denial. An
37 applicant for a property tax exemption under this
38 subsection may appeal the decision of the board of
39 supervisors to the district court.

40 **PARAGRAPH DIVIDED.** As used in this subsection,
41 "impoundment" means a reservoir or pond which has a
42 storage capacity of at least eighteen acre-feet of
43 water or sediment at the time of construction;
44 "storage capacity" means the total area below the
45 crest elevation of the principal spillway including
46 the volume of any excavation in the area; and
47 "impoundment structure" means a dam, earthfill, or
48 other structure used to create an impoundment.
49 Sec. 23. Section 427.1, subsection 22, unnumbered
50 paragraph 2, Code Supplement 1999, is amended to read

Page 12

1 as follows:
2 Application for this exemption shall be filed with
3 the commissioners of the soil and water conservation
4 district in which the property is located, not later
5 than ~~April 15~~ February 1 of the assessment year, on
6 forms provided by the department of revenue and
7 finance. The application shall describe and locate
8 the property to be exempted and have attached to it an
9 aerial photo of that property on which is outlined the
10 boundaries of the property to be exempted. In the
11 case of an open prairie which is or includes a gully
12 area susceptible to severe erosion, an approved
13 erosion control plan must accompany the application.
14 Upon receipt of the application, the commissioners
15 shall certify whether the property is eligible to
16 receive the exemption. The commissioners shall not
17 withhold certification of the eligibility of property
18 because of the existence upon the property of an
19 abandoned building or structure which is not used for
20 economic gain. If the commissioners certify that the

21 property is eligible, the application shall be
22 forwarded to the board of supervisors by May 1 of that
23 assessment year with the certification of the eligible
24 acreage. An application must be accompanied by an
25 affidavit signed by the applicant that if an exemption
26 is granted, the property will not be used for economic
27 gain during the assessment year in which the exemption
28 is granted.

29 Sec. 24. Section 427.1, subsection 30, Code
30 Supplement 1999, is amended to read as follows:
31 30. MOBILE HOME PARK STORM SHELTER. A structure
32 constructed as a storm shelter at a mobile home park
33 as defined in section 435.1. An application for this
34 exemption shall be filed with the assessing authority
35 not later than ~~April fifteenth~~ February 1 of the first
36 year for which the exemption is requested, on forms
37 provided by the department of revenue and finance.
38 The application shall describe and locate the storm
39 shelter to be exempted. If the storm shelter
40 structure is used exclusively as a storm shelter, all
41 of the structure's assessed value shall be exempt from
42 taxation. If the storm shelter structure is not used
43 exclusively as a storm shelter, the storm shelter
44 structure shall be assessed for taxation at seventy-
45 five percent of its value as commercial property.
46 Sec. 25. Section 427.16, subsection 2, Code 1999,
47 is amended to read as follows:
48 2. Application for the exemption shall be filed
49 with the assessor, not later than ~~March 1~~ February 1
50 of the assessment year, on forms provided by the

Page 13

1 department of revenue and finance. The exemption
2 application shall include an approved application for
3 certified substantial rehabilitation from the state
4 historic preservation officer and documentation of
5 additional property tax relief or financial assistance
6 currently allowed for the real property. Upon receipt
7 of the application, the assessor shall certify whether
8 or not the property is eligible to receive the
9 exemption and shall forward the application to the
10 board.

11 Sec. 26. Section 427C.3, Code 1999, is amended to
12 read as follows:

13 427C.3 FOREST RESERVATION.

14 A forest reservation shall contain not less than
15 two hundred growing forest trees on each acre. If the
16 area selected is a forest containing the required
17 number of growing forest trees, it shall be accepted
18 as a forest reservation under this chapter provided
19 application is made or on file on or before ~~April 15~~

20 February 1 of the exemption year. If any buildings
 21 are standing on an area selected as a forest
 22 reservation under this section or a fruit-tree
 23 reservation under section 427C.7 one acre of that area
 24 shall be excluded from the tax exemption. However,
 25 the exclusion of that acre shall not affect the area's
 26 meeting the acreage requirement of section 427C.2.

27 Sec. 27. Section 427C.7, Code 1999, is amended to
 28 read as follows:

29 427C.7 FRUIT-TREE RESERVATION – DURATION OF
 30 EXEMPTION.

31 A fruit-tree reservation shall contain on each
 32 acre, at least forty apple trees, or seventy other
 33 fruit trees, growing under proper care and annually
 34 pruned and sprayed. A reservation may be claimed as a
 35 fruit-tree reservation, under this chapter, for a
 36 period of eight years after planting provided
 37 application is made or on file on or before ~~April 15~~
 38 February 1 of the exemption year.

39 Sec. 28. Section 428A.8, Code 1999, is amended by
 40 adding the following new unnumbered paragraph:
 41 NEW UNNUMBERED PARAGRAPH. Any tax or additional
 42 tax found to be due shall be collected by the county
 43 recorder. If the county recorder is unable to collect
 44 the tax, it will be collected by the director of
 45 revenue and finance in the same manner as taxes are
 46 collected in chapter 422, division III. If collected
 47 by the director of revenue and finance, the director
 48 shall pay the county its proportionate share of the
 49 tax. Section 422.25, subsections 1, 2, 3, and 4,
 50 sections 422.26, 422.28 to 422.30, and 422.73,

Page 14

1 consistent with this chapter, apply with respect to
 2 the collection of any tax or additional tax found to
 3 be due, in the same manner and with the same effect as
 4 if the deed, instrument, or writing were an income tax
 5 return within the meaning of those statutes.

6 Sec. 29. Section 437A.3, subsection 1, unnumbered
 7 paragraph 1, Code Supplement 1999, is amended to read
 8 as follows:

9 "Assessed value" means the base year assessed
 10 value, as adjusted by section 437A.19, subsection 2.
 11 "Base year assessed value", for a taxpayer other than
 12 an electric company, natural gas company, or electric
 13 cooperative, means the value attributable to property
 14 identified in section 427A.1, subsection 1, paragraph
 15 "h", certified by the department of revenue and
 16 finance to the county auditors for the assessment date
 17 of January 1, 1997, and the value attributable to
 18 property identified in section 427A.1 and section

19 427B.17, subsection 5, as certified by the local
 20 assessors to the county auditors for the assessment
 21 date of January 1, 1997. However, "base year assessed
 22 value", for purposes of property of a taxpayer that is
 23 a municipal utility, which property is not a major
 24 addition, was initially assessed to the taxpayer as of
 25 January 1, 1998, and is not located in a county where
 26 the taxpayer had property that was assessed for
 27 purposes of this chapter as of January 1, 1997, is the
 28 value attributable to such property for the assessment
 29 date of January 1, 1998.

30 Sec. 30. Section 450.4, subsection 5, Code 1999,
 31 is amended to read as follows:

32 5. On the value of that portion of any lump sum or
 33 installment payments which will be includable as net
 34 income as defined in section 422.7 as received by a
 35 beneficiary under an annuity which was purchased under
 36 an employees pension or retirement plan.

37 Sec. 31. Section 450.4, Code 1999, is amended by
 38 adding the following new subsections:

39 NEW SUBSECTION. 7. The value of that portion of
 40 any lump sum or installment payments which are
 41 received by a beneficiary under an annuity which was
 42 purchased under an employee's pension or retirement
 43 plan where the employee is a nonresident of Iowa at
 44 the time of death.

45 NEW SUBSECTION. 8. The value of that portion of
 46 any lump sum or installment payments which are
 47 received by a beneficiary under an annuity which was
 48 purchased under an employee's pension or retirement
 49 pan which was excluded from net income as set forth in
 50 section 422.7, subsection 31.

Page 15

1 Sec. 32. Section 450.10, subsection 4, Code 1999,
 2 is amended to read as follows:

3 4. When the property or any interest therein in
 4 property or income therefrom from property, taxable
 5 under the provisions of this chapter, passes to any
 6 firm, corporation, or society organized for profit
 7 either under the laws of this state or of any other
 8 state, territory, province or country, including
 9 fraternal and social organizations which do not
 10 qualify for exemption under sections 170(c) and 2055
 11 of the Internal Revenue Code, the rate of tax imposed
 12 shall be as follows:

13 Fifteen percent on the entire amount so passing.

14 Sec. 33. Section 452A.2, Code Supplement 1999, is
 15 amended by adding the following new subsections:

16 NEW SUBSECTION. 4A. "Denatured ethanol" means
 17 ethanol that is to be blended with gasoline, has been

18 derived from cereal grains, complies with American
 19 society of testing materials designation D-4806-95b,
 20 and may be denatured only as specified in Code of
 21 Federal Regulations, Titles 20, 21, and 27. Alcohol
 22 and denatured ethanol have the same meaning in this
 23 chapter.

24 NEW SUBSECTION. 18A. "Racing fuel" means leaded
 25 gasoline of one hundred ten octane or more that does
 26 not meet American society of testing materials
 27 designation D-4814 for gasoline and is sold in bulk
 28 for use in nonregistered motor vehicles.

29 Sec. 34. Section 452A.2, subsection 17, paragraph
 30 a, Code Supplement 1999, is amended to read as
 31 follows:

32 a. All products commonly or commercially known or
 33 sold as gasoline, including ethanol blended gasoline,
 34 casinghead, and absorption or natural gasoline,
 35 regardless of their classifications or uses, and
 36 including transmix which serves as a buffer between
 37 fuel products in the pipeline distribution process.

38 Sec. 35. Section 452A.3, subsection 5, paragraph
 39 a, Code Supplement 1999, is amended by adding the
 40 following new unnumbered paragraph:

41 NEW UNNUMBERED PARAGRAPH. Tax shall not be paid
 42 when the sale of alcohol occurs within a terminal from
 43 an alcohol manufacturer to an Iowa licensed supplier.
 44 The tax shall be paid by the Iowa licensed supplier
 45 when the invoiced gross gallonage of the alcohol or
 46 the alcohol part of ethanol blended gasoline is
 47 withdrawn from a terminal for delivery in this state.

48 Sec. 36. Section 452A.17, subsection 1, paragraph
 49 a, Code Supplement 1999, is amended by adding the
 50 following new subparagraph:

Page 16

1 NEW SUBPARAGRAPH. (10) Racing fuel.

2 Sec. 37. EFFECTIVE AND APPLICABILITY DATES. This
 3 Act, being deemed of immediate importance, takes
 4 effect upon enactment, except as follows:

5 1. Sections 15, 17, 19, 20, 22, 23, 24, 25, 26,
 6 and 27 of this Act, amending Code sections 424.10,
 7 424.12, 424.15, 427.1, 427.16, 427C.3, and 427C.7,
 8 take effect January 1, 2001, and apply to claims filed
 9 on or after that date.

10 2. Sections 30, 31, and 32 of this Act, amending
 11 Code sections 450.4 and 450.10, take effect July 1,
 12 2000, for estates of decedents dying on or after that
 13 date.

14 3. Section 29 of this Act applies retroactively to
 15 January 1, 2000, for tax years beginning on and after
 16 that date."

17 2. Title page, lines 6 and 7, by striking the
18 words "cigarette and tobacco products,".

Roll call was requested by Schrader of Marion and Chiodo of Polk.

On the question "Shall the House concur in the Senate amendment H-8907?" (H.F. 2548)

The ayes were, 50:

Bell	Bradley	Brunkhorst	Bukta
Cataldo	Chiodo	Cohoon	Connors
Cormack	Davis	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Greimann
Grundberg	Holveck	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 49:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Brauns	Carroll	Dolecheck	Drake
Eddie	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson-Forbes	Raecker
Rants	Rayhons	Shey	Siegrist, Spkr.
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Fossen	Weidman	Welter
Dix,			
Presiding			

Absent or not voting, 1:

Van Engelenhoven

The motion prevailed and the House concurred in the Senate amendment H-8907.

Sukup of Franklin moved that the bill, as amended by the Senate

and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2548)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Dix, Presiding

The nays were, 1:

Jager

Absent or not voting, 3:

Heaton

Lord

Van Engelenhoven

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House stood at ease at 2:53 p.m., until the fall of the gavel.

The House resumed session at 4:28 p.m., Speaker pro tempore Sukup in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-two members present, twenty-eight absent.

Unfinished Business Calendar

Senate File 2241, a bill for an act relating to the consolidation of certain criminal offenses concerning computer access, damage, or theft, video rental theft, election bribery, and voting duress, with report of committee recommending passage, was taken up for consideration.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8446 filed by him on March 21, 2000.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8448 filed by him on March 21, 2000.

Ford of Polk offered the following amendment H-8668 filed by him and Baudler of Adair and moved its adoption:

H-8668

1 Amend Senate File 2241, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 123.3, Code 1999, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 12A. "Designated security
8 employee" means an agent or employee of a licensee or
9 permittee who is primarily employed for security
10 purposes.

11 Sec. 2. Section 123.31, Code 1999, is amended by
12 adding the following new subsection:

13 NEW SUBSECTION. 6A. A statement, if required by
14 the local authority indicating whether all designated
15 security employees have received training and
16 certification as provided in section 123.32."

17 Sec. 3. Section 123.32, Code 1999, is amended by
18 adding the following new subsection:

19 NEW SUBSECTION. 3A. A local authority, as a
20 condition of obtaining a license or permit may require
21 a designated security employee as defined in section

22 123.3, to be trained and certified in security
 23 methods. The training shall include but is not
 24 limited to mediation techniques, civil rights or
 25 unfair practices awareness as provided in section
 26 216.7, and providing instruction on the proper
 27 physical restraint methods used against a person who
 28 has become combative."

29 2. Title page, by striking lines 2 and 3, and
 30 inserting the following: "and to security employee
 31 training and to the issuance of a liquor license or
 32 permit."

33 3. By renumbering as necessary.

Amendment H-8668 was adopted.

Ford of Polk offered the following amendment H-8738 filed by him
 and moved its adoption:

H-8738

1 Amend Senate File 2241 as passed by the Senate as
 2 follows:

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

5 "Section 1. Section 124.401, subsection 1,
 6 paragraph a, subparagraph (2), unnumbered paragraph 1,
 7 Code Supplement 1999, is amended to read as follows:
 8 More than five kilograms of a any compound, mixture
 9 or, preparation, or substance containing a detectable
 10 amount of any of the following:

11 Sec. 2. Section 124.401, subsection 1, paragraph
 12 a, subparagraph (2), subparagraph subdivisions (a),
 13 (b), and (c), Code Supplement 1999, are amended by
 14 striking the subparagraph subdivisions.

15 Sec. 3. Section 124.401, subsection 1, paragraph
 16 a, subparagraph (2), subparagraph subdivision (f),
 17 Code Supplement 1999, is amended to read as follows:

18 (f) Any compound, mixture, or preparation which
 19 contains any quantity of any of the substances
 20 referred to in subparagraph subdivisions (a) through
 21 (e) this subparagraph (2).

22 Sec. 4. Section 124.401, subsection 1, paragraph
 23 a, subparagraph (3), Code Supplement 1999, is amended
 24 to read as follows:

25 (3) More than fifty grams of a any compound,
 26 mixture or, preparation, or substance described in
 27 subparagraph (2) which contains cocaine base
 28 containing a detectable amount of any of the
 29 following:

30 (a) Coca leaves, except coca leaves and extracts
 31 of coca leaves from which cocaine, ecgonine, and

32 derivatives of ecgonine or their salts have been
33 removed.
34 (b) Cocaine, its salts, optical and geometric
35 isomers, and salts of isomers.
36 (c) Ecgonine, its derivatives, their salts,
37 isomers, and salts of isomers.
38 (d) Cocaine base.
39 Sec. 5. Section 124.401, subsection 1, paragraph
40 b, subparagraph (2), Code Supplement 1999, is amended
41 by striking the subparagraph.
42 Sec. 6. Section 124.401, subsection 1, paragraph
43 b, subparagraph (3), Code Supplement 1999, is amended
44 to read as follows:
45 (3) More than five grams but not more than fifty
46 grams of a any compound, mixture, preparation, or
47 substance described in subparagraph (2) which contains
48 cocaine base, containing a detectable amount of any of
49 the following:
50 (a) Coca leaves, except coca leaves and extracts

Page 2

1 of coca leaves from which cocaine, ecgonine, and
2 derivatives of ecgonine or their salts have been
3 removed.
4 (b) Cocaine, its salts, optical and geometric
5 isomers, and salts of isomers.
6 (c) Ecgonine, its derivatives, their salts,
7 isomers, and salts of isomers.
8 (d) Cocaine base.
9 Sec. 7. Section 124.401, subsection 1, paragraph
10 c, subparagraph (2), Code Supplement 1999, is amended
11 by striking the subparagraph.
12 Sec. 8. Section 124.401, subsection 1, paragraph
13 c, subparagraph (3), Code Supplement 1999, is amended
14 to read as follows:
15 (3) Five grams or less of a any compound, mixture,
16 preparation, or substance described in subparagraph
17 (2) which contains cocaine base, containing a
18 detectable amount of any of the following:
19 (a) Coca leaves, except coca leaves and extracts
20 of coca leaves from which cocaine, ecgonine, and
21 derivatives of ecgonine or their salts have been
22 removed.
23 (b) Cocaine, its salts, optical and geometric
24 isomers, and salts of isomers.
25 (c) Ecgonine, its derivatives, their salts,
26 isomers, and salts of isomers.
27 (d) Cocaine base.
28 Sec. 9. Section 232.22, subsection 1, paragraph e,
29 subparagraph (2), Code 1999, is amended to read as
30 follows:

- 31 (2) A mixture or substance containing cocaine, its
32 salts, optical and geometric isomers, and salts of
33 isomers, and if the act was committed by an adult, it
34 would be a violation of section 124.401, subsection 1,
35 paragraph "a", subparagraph ~~(2)~~ (3), subparagraph
36 subdivision (b), paragraph "b", subparagraph ~~(2)~~ (3),
37 subparagraph subdivision (b), or paragraph "c",
38 subparagraph ~~(2)~~ (3), subparagraph subdivision (b)."
39 2. Title page, by striking lines 2 and 3, and
40 inserting the following: "and relating to criminal
41 offenses concerning cocaine, or cocaine-related
42 substances."
43 3. By renumbering as necessary.

Amendment H-8738 was adopted.

Davis of Wapello offered amendment H-8884 filed by him as follows:

H-8884

- 1 Amend Senate File 2241, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 124.401, subsection 5,
6 unnumbered paragraph 1, Code Supplement 1999, is
7 amended to read as follows:
8 It is unlawful for any person knowingly or
9 intentionally to possess a controlled substance unless
10 such substance was obtained directly from, or pursuant
11 to, a valid prescription or order of a practitioner
12 while acting in the course of the practitioner's
13 professional practice, or except as otherwise
14 authorized by this chapter. Any person who violates
15 this subsection is guilty of a serious misdemeanor for
16 a first offense. A person who commits a violation of
17 this subsection and who has previously been convicted
18 of violating this ~~subsection~~ chapter or chapter 124A,
19 124B, or 453B is guilty of an aggravated misdemeanor.
20 A person who commits a violation of this subsection
21 and has previously been convicted two or more times of
22 violating this ~~subsection~~ chapter or chapter 124A,
23 124B, or 453B is guilty of a class "D" felony."
24 2. Title page, lines 1 and 2, by striking the
25 words "consolidation of certain criminal offenses
26 concerning" and inserting the following: "criminal
27 offenses concerning possession of a controlled
28 substance,"
29 3. By renumbering as necessary.

Shoultz of Black Hawk rose on a point of order that amendment H-8884 was not germane.

The Speaker ruled the point not well taken and amendment H-8884 germane.

Millage of Scott moved to defer Senate File 2241.

A non-record roll call was requested.

The ayes were 45, nays 51.

The motion to defer lost.

On motion by Davis of Wapello amendment H-8884 was adopted.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8447 filed by him on March 21, 2000.

Parmenter of Story asked and received unanimous consent to withdraw amendment H-8338 filed by him on March 14, 2000.

The following amendment H-8918 filed by Baudler of Adair from the floor was adopted by unanimous consent, placing out of order lines 29 through 32 of amendment H-8668, lines 39 through 42, page 2, of amendment H-8738 and lines 24 through 28 of amendment H-8884, all previously adopted:

H-8918

- 1 Amend Senate File 2241, as passed by the Senate, as
- 2 follows:
- 3 1. Title page by striking lines 1 through 3 and
- 4 inserting the following: "An Act relating to
- 5 penalties and regulations concerning certain criminal
- 6 offenses and liquor licenses and permits."

Baudler of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2241)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Hahn	Hansen
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Siegrist, Spkr.	Stevens	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Sukup,	
		Presiding	

The nays were, 3:

Doderer	Fallon	Parmenter
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Absent or not voting, 2:

Grundberg	Heaton
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2474, a bill for an act providing for the adoption of administrative rules requiring school districts and accredited nonpublic schools to adopt policies relating to

health services, media services programs and guidance programs as part of the accreditation standards applicable to school districts.

Also: That the Senate has on April 17, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2448, a bill for an act establishing a health enhancement and value-added energy initiative, providing for revenues, the expenditure of moneys, and providing for penalties.

MICHAEL E. MARSHALL, Secretary

Ways and Means Calendar

House File 2568, a bill for an act relating to the taxation of property used by the Iowa national guard, was taken up for consideration.

SENATE FILE 2444 SUBSTITUTED FOR HOUSE FILE 2568

Larson of Linn asked and received unanimous consent to substitute Senate File 2444 for House File 2568.

Senate File 2444, a bill for an act relating to the taxation of property used by the Iowa national guard, was taken up for consideration.

Larson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2444)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunckhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Eddie	Falck	Foege	Ford
Frevert	Garman	Gipp	Greimann
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin

Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, 2:

Drees Fallon

Absent or not voting, 2:

Doderer Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2444** be immediately messaged to the Senate.

Appropriations Calendar

House File 2567, a bill for an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations, was taken up for consideration.

Millage of Scott offered the following amendment H-8911 filed by him from the floor and moved its adoption:

H-8911

- 1 Amend House File 2567 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. STATE COURTS – JUSTICES, JUDGES, AND
- 5 MAGISTRATES.
- 6 1. The salary rates specified in subsection 2 are
- 7 for the fiscal year beginning July 1, 2000, effective
- 8 for the pay period beginning June 23, 2000, and for
- 9 subsequent fiscal years until otherwise provided by

10 the general assembly. The salaries provided for in
 11 this section shall be paid from funds appropriated to
 12 the judicial branch from the salary adjustment fund or
 13 if the appropriation is not sufficient, from the funds
 14 appropriated to the judicial branch pursuant to any
 15 Act of the general assembly.

16 2. The following annual salary rates shall be paid
 17 to the persons holding the judicial positions
 18 indicated during the fiscal year beginning July 1,
 19 2000, effective with the pay period beginning June 23,
 20 2000, and for subsequent pay periods.

21 a. Chief justice of the supreme court:	
22	\$ 117,400
23 b. Each justice of the supreme court:	
24	\$ 113,200
25 c. Chief judge of the court of appeals:	
26	\$ 113,100
27 d. Each associate judge of the court of appeals:	
28	\$ 108,900
29 e. Each chief judge of a judicial district:	
30	\$ 107,900
31 f. Each district judge except the chief judge of a	
32 judicial district:	
33	\$ 103,500
34 g. Each district associate judge:	
35	\$ 90,200
36 h. Each associate juvenile judge:	
37	\$ 90,200
38 i. Each associate probate judge:	
39	\$ 90,200
40 j. Each judicial magistrate:	
41	\$ 26,900
42 k. Each senior judge:	
43	\$ 6,000

44 Sec. 2. SALARY RATE LIMITS. Persons receiving the
 45 salary rates established under section 1 of this Act
 46 shall not receive any additional salary adjustments
 47 provided by this Act.

48 Sec. 3. ELECTIVE EXECUTIVE OFFICIALS.

49 1. The annual salary rates specified in this
 50 section are effective for the fiscal year beginning

Page 2

1 July 1, 2000, with the pay period beginning June 23,
 2 2000, and for subsequent fiscal years until otherwise
 3 provided by the general assembly. The salaries
 4 provided for in this section shall be paid from funds
 5 appropriated to the department or agency specified in
 6 this section from the salary adjustment fund or if the
 7 appropriation is not sufficient, from the funds
 8 appropriated to the department or agency pursuant to

9 any Act of the general assembly.

10 2. The following annual salary rates shall be paid

11 to the person holding the position indicated:

12 a. OFFICE OF THE GOVERNOR

13 (1) Salary for the governor:

14 \$ 107,482

15 (2) Salary for the lieutenant governor:

16 \$ 76,698

17 b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

18 Salary for the secretary of agriculture:

19 \$ 87,990

20 c. DEPARTMENT OF JUSTICE

21 Salary for the attorney general:

22 \$ 105,430

23 d. OFFICE OF THE AUDITOR OF STATE

24 Salary for the auditor of state:

25 \$ 87,990

26 e. OFFICE OF THE SECRETARY OF STATE

27 Salary for the secretary of state:

28 \$ 87,990

29 f. OFFICE OF THE TREASURER OF STATE

30 Salary for the treasurer of state:

31 \$ 87,990

32 Sec. 4. APPOINTED STATE OFFICERS. The governor

33 shall establish a salary for appointed nonelected

34 persons in the executive branch of state government

35 holding a position enumerated in section 5 of this Act

36 within the range provided, by considering, among other

37 items, the experience of the individual in the

38 position, changes in the duties of the position, the

39 incumbent's performance of assigned duties, and

40 subordinates' salaries. If a department charged with

41 information technology is created by the general

42 assembly, the governor shall establish a salary for

43 the director of the department within salary range 9

44 as provided in section 5 of this Act. However, the

45 attorney general shall establish the salary for the

46 consumer advocate, the chief justice of the supreme

47 court shall establish the salary for the state court

48 administrator, the ethics and campaign disclosure

49 board shall establish the salary of the executive

50 director, and the state fair board shall establish the

Page 3

1 salary of the secretary of the state fair board, each

2 within the salary range provided in section 5 of this

3 Act.

4 The governor, in establishing salaries as provided

5 in section 5 of this Act, shall take into

6 consideration other employee benefits which may be

7 provided for an individual including, but not limited

8 to, housing.

9 A person whose salary is established pursuant to
10 section 5 of this Act and who is a full-time, year-
11 round employee of the state shall not receive any
12 other remuneration from the state or from any other
13 source for the performance of that person's duties
14 unless the additional remuneration is first approved
15 by the governor or authorized by law. However, this
16 provision does not exclude the reimbursement for
17 necessary travel and expenses incurred in the
18 performance of duties or fringe benefits normally
19 provided to employees of the state.

20 Sec. 5. STATE OFFICERS – SALARY RATES AND RANGES.

21 The following annual salary ranges are effective for
22 the positions specified in this section for the fiscal
23 year beginning July 1, 2000, and for subsequent fiscal
24 years until otherwise provided by the general
25 assembly. The governor or other person designated in
26 section 4 of this Act shall determine the salary to be
27 paid to the person indicated at a rate within the
28 salary ranges indicated from funds appropriated by the
29 general assembly for that purpose.

30 1. The following are salary ranges 1 through 5 for
31 the fiscal year beginning July 1, 2000, effective with
32 the pay period beginning June 23, 2000:

33 SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
34 a. Range 1	\$ 8,800	\$29,000
35 b. Range 2	\$32,200	\$58,500
36 c. Range 3	\$44,100	\$68,200
37 d. Range 4	\$53,100	\$78,000
38 e. Range 5	\$62,400	\$87,800

39 2. The following are range 1 positions: There are
40 no range 1 positions for the fiscal year beginning
41 July 1, 2000.

42 3. The following are range 2 positions:
43 administrator of the arts division of the department
44 of cultural affairs, administrators of the division of
45 persons with disabilities, the division on the status
46 of women, the division on the status of African-
47 Americans, the division of deaf services, and the
48 division of Latino affairs of the department of human
49 rights, and administrator of the division of
50 professional licensing and regulation of the

Page 4

1 department of commerce.

2 4. The following are range 3 positions:
3 administrator of the division of emergency management
4 of the department of public defense, administrator of
5 the division of criminal and juvenile justice planning
6 of the department of human rights, administrator of

7 the division of community action agencies of the
 8 department of human rights, executive director of the
 9 commission of veterans affairs, and chairperson and
 10 members of the employment appeal board of the
 11 department of inspections and appeals.

12 5. The following are range 4 positions:
 13 superintendent of banking, superintendent of credit
 14 unions, administrator of the alcoholic beverages
 15 division of the department of commerce, state public
 16 defender, and chairperson, vice chairperson, and
 17 members of the board of parole.

18 6. The following are range 5 positions: consumer
 19 advocate, drug policy coordinator, labor commissioner,
 20 workers' compensation commissioner, administrator of
 21 the historical division of the department of cultural
 22 affairs, administrator of the public broadcasting
 23 division of the department of education, and
 24 commandant of the veterans home.

25 7. The following are salary ranges 6 through 9 for
 26 the fiscal year beginning July 1, 2000, effective with
 27 the pay period beginning June 23, 2000:

28 SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
29 a. Range 6.....	\$48,200	\$ 78,000
30 b. Range 7.....	\$66,000	\$ 88,500
31 c. Range 8.....	\$70,800	\$102,700
32 d. Range 9.....	\$79,000	\$122,500

33 8. The following are range 6 positions: director
 34 of the department of human rights, director of the
 35 Iowa state civil rights commission, executive director
 36 of the college student aid commission, director of the
 37 department for the blind, and executive director of
 38 the ethics and campaign disclosure board.

39 9. The following are range 7 positions: director
 40 of the department of cultural affairs, director of the
 41 department of elder affairs, and director of the law
 42 enforcement academy.

43 10. The following are range 8 positions: the
 44 administrator of the state racing and gaming
 45 commission of the department of inspections and
 46 appeals, director of the department of inspection and
 47 appeals, director of the department of general
 48 services, director of the department of personnel,
 49 commissioner of public safety, commissioner of
 50 insurance, executive director of the Iowa finance

Page 5

1 authority, director of revenue and finance, director
 2 of the department of natural resources, director of
 3 the department of corrections, and chairperson of the
 4 utilities board. The other members of the utilities
 5 board shall receive an annual salary within a range of

6 not less than 90 percent but not more than 95 percent
7 of the annual salary of the chairperson of the
8 utilities board.

9 11. The following are range 9 positions: director
10 of the department of education, director of human
11 services, director of the department of economic
12 development, executive director of the state board of
13 regents, director of the state department of
14 transportation, director of the department of
15 workforce development, lottery commissioner, director
16 of public health, the state court administrator,
17 secretary of the state fair board, and the director of
18 the department of management.

19 Sec. 6. PUBLIC EMPLOYMENT RELATIONS BOARD.

20 1. The salary rates specified in this section are
21 effective for the fiscal year beginning July 1, 2000,
22 with the pay period beginning June 23, 2000, and for
23 subsequent fiscal years until otherwise provided by
24 the general assembly. The salaries provided for in
25 this section shall be paid from funds appropriated to
26 the public employment relations board from the salary
27 adjustment fund, or if the appropriation is not
28 sufficient from funds appropriated to the public
29 employment relations board pursuant to any other Act
30 of the general assembly.

31 2. The following annual salary rates shall be paid
32 to the persons holding the positions indicated:

- 33 a. Chairperson of the public employment relations
34 board:
35\$ 68,700
- 36 b. Two members of the public employment relations
37 board:
38\$ 64,000

39 Sec. 7. COLLECTIVE BARGAINING AGREEMENTS FUNDED -
40 GENERAL FUND. There is appropriated from the general

41 fund of the state to the salary adjustment fund for
42 distribution by the department of management to the
43 various state departments, boards, commissions,
44 councils, and agencies, including the state board of
45 regents, for the fiscal year beginning July 1, 2000,
46 and ending June 30, 2001, the amount of \$42,173,997,
47 or so much thereof as may be necessary, to fully fund
48 the following annual pay adjustments, expense
49 reimbursements, and related benefits:

50 1. The collective bargaining agreement negotiated

Page 6

1 pursuant to chapter 20 for employees in the blue
2 collar bargaining unit.

3 2. The collective bargaining agreement negotiated
4 pursuant to chapter 20 for employees in the public

- 5 safety bargaining unit.
- 6 3. The collective bargaining agreement negotiated
7 pursuant to chapter 20 for employees in the security
8 bargaining unit.
- 9 4. The collective bargaining agreement negotiated
10 pursuant to chapter 20 for employees in the technical
11 bargaining unit.
- 12 5. The collective bargaining agreement negotiated
13 pursuant to chapter 20 for employees in the
14 professional fiscal and staff bargaining unit.
- 15 6. The collective bargaining agreement negotiated
16 pursuant to chapter 20 for employees in the university
17 of northern Iowa faculty bargaining unit.
- 18 7. The collective bargaining agreement negotiated
19 pursuant to chapter 20 for employees in the clerical
20 bargaining unit.
- 21 8. The collective bargaining agreement negotiated
22 pursuant to chapter 20 for employees in the
23 professional social services bargaining unit.
- 24 9. The collective bargaining agreement negotiated
25 pursuant to chapter 20 for employees in the community-
26 based corrections bargaining unit.
- 27 10. The collective bargaining agreement negotiated
28 pursuant to chapter 20 for employees in the judicial
29 branch of government bargaining unit.
- 30 11. The collective bargaining agreement negotiated
31 pursuant to chapter 20 for employees in the patient
32 care bargaining unit.
- 33 12. The collective bargaining agreement negotiated
34 pursuant to chapter 20 for employees in the science
35 bargaining unit.
- 36 13. The collective bargaining agreement negotiated
37 pursuant to chapter 20 for employees in the state
38 university of Iowa graduate student bargaining unit.
- 39 14. The collective bargaining agreement negotiated
40 pursuant to chapter 20 for employees in the state
41 university of Iowa hospital and clinics tertiary
42 health care bargaining unit.
- 43 15. The annual pay adjustments, related benefits,
44 and expense reimbursements referred to in sections 8
45 and 9 of this Act for employees not covered by a
46 collective bargaining agreement.
- 47 **Sec. 8. NONCONTRACT STATE EMPLOYEES – GENERAL.**
- 48 1. a. For the fiscal year beginning July 1, 2000,
49 the maximum salary levels of all pay plans provided
50 for in section 19A.9, subsection 2, as they exist for

Page 7

- 1 the fiscal year ending June 30, 2000, shall be
2 increased by 3 percent for the pay period beginning
3 June 23, 2000, and any additional changes in the pay

4 plans shall be approved by the governor.

5 b. For the fiscal year beginning July 1, 2000,
6 employees may receive a step increase or the
7 equivalent of a step increase.

8 2. The pay plans for state employees who are
9 exempt from chapter 19A and who are included in the
10 department of revenue and finance's centralized
11 payroll system shall be increased in the same manner
12 as provided in subsection 1, and any additional
13 changes in any executive branch pay plans shall be
14 approved by the governor.

15 3. This section does not apply to members of the
16 general assembly, board members, commission members,
17 salaries of persons set by the general assembly
18 pursuant to this Act, or set by the governor, other
19 persons designated in section 4 of this Act, employees
20 designated under section 19A.3, subsection 5, and
21 employees covered by 581 IAC 4.6(3).

22 4. The pay plans for the bargaining eligible
23 employees of the state shall be increased in the same
24 manner as provided in subsection 1, and any additional
25 changes in such executive branch pay plans shall be
26 approved by the governor. As used in this section,
27 "bargaining eligible employee" means an employee who
28 is eligible to organize under chapter 20, but has not
29 done so.

30 5. The policies for implementation of this section
31 shall be approved by the governor.

32 Sec. 9. STATE EMPLOYEES – STATE BOARD OF REGENTS.

33 Funds from the appropriation in section 7 of this Act
34 shall be allocated to the state board of regents for
35 the purposes of providing increases for state board of
36 regents employees covered by section 7 of this Act and
37 for employees not covered by a collective bargaining
38 agreement as follows:

39 1. For regents merit system employees and merit
40 supervisory employees to fund for the fiscal year,
41 increases comparable to those provided for similar
42 contract-covered employees in this Act.

43 2. For faculty members and professional and
44 scientific employees to fund for the fiscal year,
45 percentage increases comparable to those provided for
46 contract-covered employees in section 7, subsection 6,
47 of this Act.

48 Sec. 10. APPROPRIATIONS FROM ROAD FUNDS.

49 1. There is appropriated from the road use tax
50 fund to the salary adjustment fund for the fiscal year

Page 8

1 beginning July 1, 2000, and ending June 30, 2001, the
2 following amount, or so much thereof as may be

3 necessary, to be used for the purpose designated:
 4 To supplement other funds appropriated by the
 5 general assembly:
 6 \$ 1,113,641

7 2. There is appropriated from the primary road
 8 fund to the salary adjustment fund, for the fiscal
 9 year beginning July 1, 2000, and ending June 30, 2001,
 10 the following amount, or so much thereof as may be
 11 necessary, to be used for the purpose designated:
 12 To supplement other funds appropriated by the
 13 general assembly:
 14 \$ 5,682,160

15 3. Except as otherwise provided in this Act, the
 16 amounts appropriated in subsections 1 and 2 shall be
 17 used to fund the annual pay adjustments, expense
 18 reimbursements, and related benefits for public
 19 employees as provided in this Act.

20 Sec. 11. SPECIAL FUNDS - AUTHORIZATION. To
 21 departmental revolving, trust, or special funds,
 22 except for the primary road fund or the road use tax
 23 fund, for which the general assembly has established
 24 an operating budget, a supplemental expenditure
 25 authorization is provided, unless otherwise provided,
 26 in an amount necessary to fund salary adjustments as
 27 otherwise provided in this Act.

28 Sec. 12. GENERAL FUND SALARY MONEYS. Funds
 29 appropriated from the general fund of the state in
 30 this Act relate only to salaries supported from
 31 general fund appropriations of the state except for
 32 employees of the state board of regents. The funds
 33 appropriated from the general fund of the state for
 34 employees of the state board of regents shall exclude
 35 general university indirect costs and general
 36 university federal funds.

37 Sec. 13. FEDERAL FUNDS APPROPRIATED. All federal
 38 grants to and the federal receipts of the agencies
 39 affected by this Act which are received and may be
 40 expended for purposes of this Act are appropriated for
 41 those purposes and as set forth in the federal grants
 42 or receipts.

43 Sec. 14. USE OF SURPLUS HEALTH INSURANCE FUNDS.
 44 The executive council shall transfer an amount, as
 45 determined by the department of management, from the
 46 health insurance surplus account to the health
 47 insurance premium operating account for the fiscal
 48 year beginning July 1, 2000, to reduce insurance
 49 premiums. Any amount remaining in the health
 50 insurance premium operating account at the end of the

2 transferred to the health insurance surplus account.
3 Sec. 15. STATE TROOPER MEAL ALLOWANCE. The sworn
4 peace officers in the department of public safety who
5 are not covered by a collective bargaining agreement
6 negotiated pursuant to chapter 20 shall receive the
7 same per diem meal allowance as the sworn peace
8 officers in the department of public safety who are
9 covered by a collective bargaining agreement
10 negotiated pursuant to chapter 20.

11 Sec. 16. SALARY MODEL COORDINATOR. Of the funds
12 appropriated by section 7 of this Act, \$133,800 for
13 the fiscal year beginning July 1, 2000, is allocated
14 to the department of management for salary and support
15 of the salary model coordinator who shall work in
16 conjunction with the legislative fiscal bureau to
17 maintain the state's salary model used for analyzing,
18 comparing, and projecting state employee salary and
19 benefit information, including information relating to
20 employees of the state board of regents. The
21 department of revenue and finance, the department of
22 personnel, the five institutions under the
23 jurisdiction of the state board of regents, the eight
24 judicial district departments of correctional
25 services, and the state department of transportation
26 shall provide salary data to the department of
27 management and the legislative fiscal bureau to
28 operate the state's salary model. The format and
29 frequency of provision of the salary data shall be
30 determined by the department of management and the
31 legislative fiscal bureau. The information shall be
32 used in collective bargaining processes under chapter
33 20 and in calculating the funding needs contained
34 within the annual salary adjustment legislation. A
35 state employee organization as defined in section
36 20.3, subsection 4, may request information produced
37 by the model, but the information provided shall not
38 contain information attributable to individual
39 employees.

40 Sec. 17. Section 546.2, subsection 2, Code 1999,
41 is amended to read as follows:

42 2. The chief administrative officer of the
43 department is the director. The director shall be
44 appointed annually by the governor from among those
45 individuals who serve as heads of the divisions within
46 the department. ~~The appointment shall rotate among~~
47 ~~the division heads such that the division head of any~~
48 ~~one division shall not be appointed to be the director~~
49 ~~for a second year until such time as each division~~
50 ~~head has served as the director.~~ A division head

Page 10

1 appointed to be the director shall fulfill the
2 responsibilities and duties of the director in
3 addition to the individual's responsibilities and
4 duties as the head of a division. ~~However, the~~
5 ~~administrator of the alcoholic beverages division~~
6 ~~shall serve as director until June 30, 1995. The~~
7 director shall serve at the pleasure of the governor.
8 If the office of director becomes vacant, the vacancy
9 shall be filled in the same manner as the original
10 appointment was made.
11 Sec. 18. Section 7H.1, Code Supplement 1999, is
12 repealed."

Amendment H-8911 was adopted.

SENATE FILE 2450 SUBSTITUTED FOR HOUSE FILE 2567

Millage of Scott asked and received unanimous consent to substitute Senate File 2450 for House File 2567.

Senate File 2450, a bill for an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations, was taken up for consideration.

Millage of Scott offered the following amendment H-8910 filed by him from the floor and moved its adoption:

H-8910

- 1 Amend Senate File 2450, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by striking lines 29 through 33 and
- 4 inserting the following: "state."

Amendment H-8910 was adopted.

Rants of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2450)

The ayes were, 92:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foege	Ford
Frevert	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Siegrist, Spkr.	Stevens	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Whitead	Wise	Witt	Sukup, Presiding

The nays were, 7:

Alons	Fallon	Houser	Johnson
Van Fossen	Weigel	Welter	

Absent or not voting, 1:

Doderer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent to immediately message **Senate File 2450** to the Senate.

HOUSE FILE 2567 WITHDRAWN

Millage of Scott asked and received unanimous consent to withdraw House File 2567 from further consideration by the House.

HOUSE FILE 2568 WITHDRAWN

Larson of Linn asked and received unanimous consent to withdraw House File 2568 from further consideration by the House.

House File 2563, a bill for an act exempting from the sales and use taxes the gross receipts from all sales of goods and services used in fulfillment of a construction contract for a nonprofit hospital, providing for refunds, and including an effective and retroactive applicability date provision, was taken up for consideration.

Blodgett of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2563)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Hornbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Carroll,	
		Presiding	

The nays were, 1:

Fallon

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2570, a bill for an act exempting the increase in assessed value of a farm structure due to improvements made to the structure to preserve it as a barn, was taken up for consideration.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-8914 filed by him from the floor.

Houser of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2570)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Cataldo	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sukup
Sunderbruch	Taylor, D.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	

The nays were, 2:

Huser Taylor, T.

Absent or not voting, 2:

Boddicker Millage

Under the provision of Rule 76, conflict of interest, Carroll of Poweshiek (presiding), refrained from voting.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2419, a bill for an act providing for limitations on investments by city hospitals, with report of committee recommending passage, was taken up for consideration.

Blodgett of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2419)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell

Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Millage Rants

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 2576, by Rants and Schrader, a bill for an act providing a death benefit for certain volunteer emergency services providers killed in the line of duty and providing a standing appropriation.

Read first time and referred to committee on **appropriations**.

SENATE MESSAGE CONSIDERED

Senate File 2448, by committee on ways and means, a bill for an act establishing a health enhancement and value-added energy initiative, providing for revenues, the expenditure of moneys, and providing for penalties.

Read first time and referred to committee on **appropriations**.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2563, 2570** and **Senate File 2419**.

The House stood at ease at 6:03 p.m., until the fall of the gavel.

The House resumed session at 6:17 p.m., Carroll of Poweshiek in the chair.

MOTION TO RECONSIDER

Sukup of Franklin moved to reconsider the vote by which House File 2548 found on page 1542 of the House Journal passed the House and was placed on its last reading.

Roll call was requested by Schrader of Marion and T. Taylor of Linn.

On the question "Shall the House reconsider the vote by which House File 2548 passed the House?"

The ayes were, 52:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Dix	Dolecheck
Drake	Eddie	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Mertz	Metcalf
Millage	Nelson-Forbes	Raecker	Rants
Rayhons	Shey	Siegrist, Spkr.	Sukup
Sunderbruch	Teig	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Carroll, Presiding

The nays were, 47:

Bell	Brunkhorst	Bukta	Cataldo
Chiodo	Cohoon	Connors	Cormack
Davis	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Ford
Garman	Greimann	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Thomson	Warnstadt	Weigel
Whitead	Wise	Witt	

Absent or not voting, 1:

Frevert

The motion to reconsider prevailed.

Bradley of Clinton moved to reconsider the vote by which the Senate amendment H-8907, printed on pages 1525 through 1541 of the House Journal, to House File 2548 was concurred in by the House on April 17, 2000.

Roll call was requested by Schrader of Marion and Myers of Johnson.

On the question "Shall the House reconsider the vote by which it concurred in the Senate amendment H-8907?"

The ayes were, 51:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Dix	Dolecheck
Drake	Eddie	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson-Forbes	Raecker	Rants	Rayhons
Shey	Siegrist, Spkr.	Sukup	Sunderbruch
Teig	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Welter	Carroll,	
		Presiding	

The nays were, 47:

Bell	Brunkhorst	Bukta	Cataldo
Chiodo	Cohoon	Connors	Cormack
Davis	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Ford
Garman	Greimann	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Thomson	Warnstadt	Weigel
Whitead	Wise	Witt	

Absent or not voting, 2:

Frevert	Mertz
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The motion prevailed and the House reconsidered the Senate amendment H-8907.

Sukup of Franklin moved that the House concur in the Senate amendment H-8907.

Roll call was requested by Schrader of Marion and T. Taylor of Linn.

On the question "Shall the House concur in the Senate amendment H-8907?" (H.F. 2548)

The ayes were, 47:

Bell	Brunkhorst	Bukta	Cataldo
Chiodo	Cohoon	Connors	Cormack
Davis	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Ford
Garman	Greimann	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Thomson	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 52:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Dix	Dolecheck
Drake	Eddie	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Mertz	Metcalf
Millage	Nelson-Forbes	Raecker	Rants
Rayhons	Shey	Siegrist, Spkr.	Sukup
Sunderbruch	Teig	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Carroll, Presiding

Absent or not voting, 1:

Frevert

The motion lost and the House refused to concur in the Senate amendment H-8907.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2548** be immediately messaged to the Senate.

MOTION TO RECONSIDER
(Senate File 2241)

I move to reconsider the vote by which Senate File 2241 passed the House on April 17, 2000.

MILLAGE of Scott

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Monday, April 17, 2000. Had I been present, I would have voted "aye" on House Files 2433, 2569 and 2573.

HEATON of Henry

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 17th day of April, 2000: House Files 2470, 2486, 2492, 2510 and 2522.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 14, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2146, an act relating to the authority of the board of educational examiners over certification and licensing of para-educators and practitioners.

House File 2331, an act relating to operating a motorboat or sailboat while intoxicated and providing penalties.

House File 2394, an act to eliminate the regulation of frozen food locker plants by the department of agriculture and land stewardship.

House File 2423, an act creating a brownfield redevelopment program and fund and a brownfield redevelopment advisory council.

House File 2442, an act relating to international relations including the creation of an international relations advisory council and the designation of legislative and executive branch protocol officers.

House File 2542, an act relating to distributions made to and income from missing property of certain persecuted victims of World War II and their heirs, including effective and retroactive applicability dates.

Senate File 324, an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

Senate File 2158, an act relating to the limitation on deposits which may be held by a depository institution or holding company and establishment of a procedure for determining compliance with such limitation, providing for the Act's applicability, and providing an effective date.

Senate File 2248, an act relating to the college student aid commission's membership, duties, and authority, and related federal employment reports.

Senate File 2254, an act relating to child support, immunity from liability for financial institutions relating to data matching and levies against accounts, including medical support and payment of costs to financial institutions for data matching and automation program development and providing for retroactive applicability.

Senate File 2307, an act relating to public and workplace safety and wage collection laws administered by the labor commissioner, including changes in the regulation of boilers in places of public assembly and of elevator installers, and of employers under the wage payment collection law.

Senate File 2416, an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Also: That on April 17, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2376, an act relating to veterans preference in public employment.

House File 2393, an act relating to the certification of persons as confinement site manure applicators, providing for fees, and making penalties applicable.

Senate File 2079, an act relating to the prohibition of shipping or importing into the state, or the offering for sale, selling, transporting, distributing, or possessing within the state, of cigarettes and tobacco products which were previously exported from or which are manufactured for use outside the United States, making penalties applicable, and providing an effective date.

Senate File 2366, an act relating to the purchase, possession, and sale of cigarettes and tobacco products and providing penalties.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

April 14, 2000

Michael Marshall
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Marshall:

I hereby transmit Senate File 2274, an act declaring Executive Order number 7 and Executive Order number 11, enacted by this office on September 14, 1999, null and void.

I am unable to approve Senate File 2274 and hereby transmit it to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

I am profoundly disappointed that the legislature has chosen to invest valuable state resources to draft, debate, and pass this bill. I have made it very clear from the outset that Executive Order number 7 and Executive Order number 11 constitutes good state policy and are constitutionally sound.

Both orders constitute the appropriate exercise of gubernatorial authority under Iowa law. Executive Order number 7 does not depart from the policy expressly stated in the Iowa Code, which states that "it is the policy of this state to provide equal opportunity in state employment to all persons."

It is unnecessary to submit the provisions set out in Executive Order number 7 to the general assembly for legislative approval. Any attempt by the legislature to portray this order as clandestine legislation fails to recognize that the executive branch may adopt policies that administer state statutes when such administration does not contravene those statutes. It also ignores the fact that the Iowa Senate followed a similar legal interpretation when it redrafted the Legislative Council's Affirmative Action Policy to provide protection to persons, regardless of sexual orientation, without presenting the new policy to the governor for approval through the ordinary course of the legislative process.

Executive Order number 11 also constitutes a valid exercise of gubernatorial authority. Iowa law permits state agencies to waive their enforcement of agency rules in compliance with state and federal law. A number of state agencies currently issue waivers under certain circumstances. As the supreme executive magistrate for the state, the holder of this office possesses the legal authority to direct executive branch agencies to adopt a common waiver provision. By signing Senate File 2274 into law, I would disrupt the balance between our two branches of government by relinquishing authority vested within the executive branch.

The executive orders send a clear message that all persons within the executive branch of state government will be afforded an equal opportunity in employment. They also ensure that individuals and businesses will benefit from an efficient, economical, and responsive state government.

For the above reasons, I hereby respectfully disapprove of Senate File 2274.

Sincerely,
Thomas J. Vilsack
Governor

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-six fifth grade students from Pleasant Valley School, Pleasant Valley, accompanied by Mark Wilson. By Bradley of Clinton.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

2000\835 Rhoda Sebastian, Davenport – For celebrating her 87th birthday.

2000\836 Vera Paulina Schnack, Davenport – For celebrating her 85th birthday.

2000\837 Frances and Russell Venator, Ottumwa – For celebrating their 62nd wedding anniversary.

2000\838 Dot Short, Ottumwa – For celebrating her 90th birthday.

2000\839 Irene D. Caviness, Ottumwa – For celebrating her 93rd birthday.

- 2000\840 Carroll J. White, Ottumwa – For celebrating his 80th birthday.
- 2000\841 Tiffany Rumbaugh, Mingo – For being named a United States National Award Winner in History and Government by the United States Achievement Academy.
- 2000\842 Agnes Lynch, Wacoma – For celebrating her 80th birthday.
- 2000\843 Maggie Keck, Bonaparte – For celebrating her 100th birthday.
- 2000\844 Ed and Ruth Drobny, Fairfield – For celebrating their 65th wedding anniversary.
- 2000\845 North High School Jazz Band and Director Larry Kisor, Sioux City – For winning the 4A Iowa State Jazz Championship.
- 2000\846 Marilyn and Elmer Cech, Ely – For celebrating their 50th wedding anniversary.
- 2000\847 Edna M. Mixdorf, Jesup – For celebrating her 92nd birthday.
- 2000\848 Tony Fruth, Manchester – For celebrating his 80th birthday.
- 2000\849 David Anderson, Dunlap – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\850 Fern and Rex Sells, Toledo – For celebrating their 65th wedding anniversary.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2575), providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism development program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 17, 2000.

RESOLUTION FILED

HCR 123, by Mundie, a concurrent resolution requesting that the President of the United States, the United States Secretary of Agriculture, and the United States Congress immediately take all actions necessary to reevaluate and amend the 1996 "Freedom to Farm Bill" in order to preserve family farms.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8908	H.F.	2530	Holmes of Scott
H—8909	H.F.	2560	Jager of Black Hawk
H—8912	S.F.	2245	Blodgett of Cerro Gordo
H—8913	S.F.	2245	Huser of Polk
H—8915	S.F.	2433	Falck of Fayette
H—8916	H.F.	2572	Mascher of Johnson
H—8917	H.F.	2571	Dix of Butler
H—8919	H.F.	2496	Wise of Lee
H—8920	H.F.	2530	Wise of Lee
			Jenkins of Black Hawk

On motion by Rants of Woodbury the House adjourned at 7:30 p.m., until 8:45 a.m., Tuesday, April 18, 2000.

Correction to Journal of April 13, 2000

Page 1473 – Amendment H-8849 was adopted and should have been printed as follows:

H-8849

1 Amend Senate File 2429, as passed by the Senate, as
 2 follows:
 3 1. Page 18, by inserting after line 6 the
 4 following:
 5 "Sec. 100. Section 232.190, Code 1999, is amended
 6 to read as follows:
 7 232.190 COMMUNITY GRANT FUND.
 8 1. A community grant fund is established in the
 9 state treasury under the control of the division of
 10 criminal and juvenile justice planning of the
 11 department of human rights for the purposes of
 12 awarding grants under this section. The criminal and
 13 juvenile justice planning advisory council and the

14 juvenile justice advisory council shall assist the
 15 division in administering grants awarded under this
 16 section. The departments of education, human
 17 services, public health, and public safety, and the
 18 governor's alliance on substance abuse shall advise
 19 the division on grant application and selection award
 20 criteria and performance measures for the programs.
 21 Not more than five percent of the moneys appropriated
 22 to the fund shall be used for administrative purposes.
 23 2. ~~A city, county, or entity organized under~~
 24 chapter 28E Any decategorization governance board
 25 organized in accordance with section 232.188 may apply
 26 to the division for a grant ~~on a matching basis to~~
 27 fund juvenile crime prevention programs that emphasize
 28 positive youth development. The match may be obtained
 29 from private sources, other state programs, or federal
 30 programs. The division shall adopt rules establishing
 31 required matching fund levels that progressively
 32 increase as applicants receive a second or subsequent
 33 year of consecutive funding through the community
 34 grant fund. The division shall not accept an
 35 application for a fourth or subsequent consecutive
 36 year of funding. However, cities, counties, or
 37 entities organized under chapter 28E receiving grants
 38 prior to July 1, 1998, may apply and receive funding
 39 for an additional two consecutive years beyond June
 40 30, 1998 for awarding of grant moneys, including but
 41 not limited to data factors and a methodology for use
 42 in allocating moneys among the decategorization
 43 projects based upon a project's proportion of the
 44 state's population of children.
 45 3. Applications for moneys from the community
 46 grant fund shall ~~define the geographical boundaries of~~
 47 ~~the site chosen to benefit from the funds from this~~
 48 ~~program and shall demonstrate a collaborative effort~~
 49 ~~by all relevant local government and school officials~~
 50 ~~and service agencies with authority, responsibilities,~~

Page 2

1 or other interests within the chosen site
 2 decategorization project area. Proposed plans set
 3 forth in the applications shall reflect a community-
 4 wide consensus in how to remediate community problems
 5 related to juvenile crime and shall describe how the
 6 funds from this program will be used in a manner
 7 consistent with the human investment strategy of the
 8 state as developed pursuant to section 8A-1. Services
 9 provided under a grant through this program shall be
 10 comprehensive, preventive, community-based, and shall
 11 utilize flexible delivery systems and promote youth
 12 development. The division shall establish a point

13 system for determining eligibility for grants from the
 14 fund based upon the nature and breadth of the proposed
 15 community juvenile crime prevention plans and the
 16 extent to which the proposals include viable plans to
 17 sustain the funding and local governance of the
 18 proposed juvenile crime prevention services and
 19 activities following the proposed grant period. A
 20 plan for grant moneys under this section shall be a
 21 part of or be consistent with the annual child welfare
 22 services plan developed by the governance board of the
 23 decategorization project area and submitted to the
 24 department of human services and Iowa empowerment
 25 board pursuant to section 232.188.
 26 4. The division shall provide potential applicants
 27 for grant moneys decategorization governance boards
 28 with information describing comprehensive community
 29 planning techniques and performance measures for this
 30 program and. The division shall establish a
 31 monitoring system for this program that requires
 32 participating cities, counties, and entities organized
 33 under chapter ~~28E~~ decategorization governance boards
 34 to report information with which to measure program
 35 performance. The division shall solicit input from
 36 cities, counties, and service providing agencies on
 37 the establishment of program performance measures and
 38 the structure of the program monitoring system.
 39 Applications for grant moneys shall state specific
 40 results sought to be obtained by any service or
 41 activity funded by a grant under this section and
 42 shall describe how their desired results are related
 43 to the program's performance measures.
 44 5. This section is repealed effective June 30,
 45 ~~2000~~ 2005. The division of criminal and juvenile
 46 justice planning shall annually submit ~~an annual~~ a
 47 report to the general assembly by January 15 regarding
 48 the program's performance measures and the
 49 effectiveness of the services and activities funded
 50 under this section."

Page 3

- 1 2. Page 19, by inserting after line 7 the
- 2 following:
- 3 "4. Section 100 of this Act, relating to the
- 4 community grant fund, being deemed of immediate
- 5 importance, takes effect upon enactment."
- 6 3. By renumbering as necessary.

JOURNAL OF THE HOUSE

One Hundredth Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 18, 2000

The House met pursuant to adjournment at 8:48 a.m., Speaker Siegrist in the chair.

Prayer and song were offered by Reverend Bob Connors, pastor of the Union Park Christian Church, Des Moines. He is the brother of the Honorable John Connors, state representative from Polk County.

The Journal of Monday, April 17, 2000 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2541, a bill for an act expanding the number of counties that may designate unincorporated areas containing private lakes as rural improvement zones and setting the limits for the standby taxes imposed in those zones.

Also: That the Senate has on April 17, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2561, a bill for an act providing for interest on delinquent assessments payable to the Iowa egg council.

Also: That the Senate has on April 17, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2438, a bill for an act relating to the creation of a water quality district, providing for the levy of a tax, and providing for other properly related matters.

Also: That the Senate has on April 18, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2447, a bill for an act relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and

fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2438, by committee on ways and means, a bill for an act relating to the creation of a water quality district, providing for the levy of a tax, and providing for other properly related matters.

Read first time and referred to committee on **ways and means**.

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 292, a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential, with report of committee recommending passage, was taken up for consideration.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 292)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foege
Frevert	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter

Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Chiodo	Fallon	Ford	Hansen
--------	--------	------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2213, a bill for an act relating to on-site presence of a pipeline company representative during farmland improvements near pipelines, with report of committee recommending passage, was taken up for consideration.

Dix of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2213)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Frevert	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien

Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Ford Hansen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 292 and 2213.**

RULES SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend the rules for a meeting of the committee on appropriations immediately upon recess.

SENATE MESSAGE CONSIDERED

Senate File 2447, by Iverson and Gronstal, a bill for an act relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation.

Read first time and **passed on file.**

On motion by Rants of Woodbury, the House was recessed at 9:32 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:08 p.m., Speaker Siegrist in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2441, a bill for an act relating to the transferability of the investment tax credit under the new jobs and income program and including an effective date and applicability provision.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATIONS

Hoffman of Crawford introduced to the House the Honorable Donald Gries former state representative from Crawford County.

Stevens of Dickinson introduced to the House the Honorable Josephine Gruhn former state representative from Dickinson County.

SENATE AMENDMENT CONSIDERED

Grundberg of Polk called up for consideration **House File 2378**, a bill for an act relating to requirements of and authorizations for schools and area education agencies, and providing an effective date, amended by the Senate amendment H-8899 as follows:

H-8899

- 1 Amend House File 2378, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. **NEW SECTION.** 256E.6 LEGISLATIVE
- 6 **FINDINGS AND INTENT.**
- 7 1. The general assembly finds that classroom
- 8 management is often difficult and complex, that
- 9 students are from diverse racial, ethnic, and social
- 10 backgrounds, and that behavioral disorders and special
- 11 education needs abound. Teachers, therefore, must be
- 12 prepared to effectively manage classrooms, to

13 communicate with and engage parents in their child's
14 education, to assess students' developmental needs,
15 and to organize and work in teams. While student
16 needs are great, the nation is experiencing a teacher
17 shortage.

18 2. Therefore, it is the intent of the general
19 assembly that the department of education encourage
20 each school district to develop and implement a
21 volunteer program that utilizes a valuable, tested
22 human resource, Iowa's retired teachers and
23 administrators, by inviting these experienced
24 educators to return to the schools as volunteer
25 mentors and aides. a volunteer mentor is not a mentor
26 as defined in section 256E.1, and is ineligible for
27 awards made under section 256E.4."

28 2. Page 1, by inserting before line 1 the
29 following:

30 "Section 1. NEW SECTION. 262.76 ASSIGNMENT OF
31 STUDENT TEACHERS – ACCREDITED NONPUBLIC SCHOOLS.

32 The state board of regents shall adopt rules
33 authorizing approved practitioner preparation program
34 faculty to assign a student enrolled in the program to
35 an accredited nonpublic school for student teaching
36 experience if the coursework and the curriculum the
37 student is assigned to teach are nonsectarian,
38 nonreligious, and would reasonably be expected to be
39 taught in any public school district in the state."

40 3. By striking page 2, line 12 through page 3,
41 line 1.

42 4. Page 3, by striking lines 23 through 34.

43 5. By striking page 4, line 14 through page 5,
44 line 4.

45 6. Page 5, by striking lines 5 through 23 and
46 inserting the following:

47 "Sec. __. Section 283A.2, subsection 3, paragraph
48 b, unnumbered paragraph 1, and paragraph c, as enacted
49 by 1999 Iowa Acts, chapter 147, section 1, are amended
50 to read as follows:

Page 2

1 The board of directors of a school district that
2 wishes to provide safe, reasonable student access to a
3 school breakfast program, rather than operate or
4 provide for the operation of a school breakfast
5 program at a specific attendance center within the
6 school district shall develop an alternative site plan
7 to operate the school breakfast program at another
8 attendance center or other site within the school
9 district and shall annually certify to the department
10 that the plan meets the following criteria:

11 c. The board of directors of a school district

12 that wishes to provide access to a school breakfast
 13 program in accordance with paragraph "b", shall notify
 14 the parent, guardian, or legal or actual custodian of
 15 a child enrolled in the district of the school
 16 district's intention to develop and implement a plan
 17 to provide school breakfast programs ~~only in certain~~
 18 ~~attendance centers at an alternative site~~. At any
 19 time in which the school district proposes to make
 20 substantive changes to a plan certified with the
 21 department of education, the notification requirements
 22 of this paragraph shall apply."

23 7. Title page, line 2, by striking the words "
 24 and providing an effective date".

25 8. By renumbering, relettering, or redesignating
 26 and correcting internal references as necessary.

Grundberg of Polk offered amendment H-8922, to the Senate amendment H-8899, filed by her from the floor as follows:

H-8922

1 Amend the Senate amendment, H-8899, to House File
 2 2378, as passed by the House, as follows:

3 1. Page 1, by inserting before line 28 the
 4 following:

5 "Sec. ____ Section 272.12, Code 1999, as amended
 6 by 2000 Iowa Acts, House File 2146, section 5, if
 7 enacted, is amended to read as follows::

8 272.12 PARA-EDUCATOR CERTIFICATES.

9 The board of educational examiners shall adopt
 10 rules pursuant to chapter 17A relating to a voluntary
 11 certification system for para-educators. The rules
 12 shall specify rights, responsibilities, levels, and
 13 qualifications for the certificate. Applicants shall
 14 be disqualified for any reason specified in section
 15 272.6 or in administrative rule. Notwithstanding
 16 section 272.6, subsection 1, paragraph "a", the board
 17 may issue a para-educator certificate to a person who
 18 is at least eighteen years of age. A person holding a
 19 para-educator certificate shall not perform the duties
 20 of a licensed practitioner. A certificate issued
 21 pursuant to this chapter shall not be considered a
 22 teacher or administrator license for any purpose
 23 specified by law, including the purposes specified
 24 under this chapter or chapter 279."

25 2. Page 1, by striking lines 28 through 39.

26 3. Page 1, by striking lines 40 and 41.

27 4. Page 1, by inserting after line 42 the
 28 following:

29 " ____ Page 3, by inserting before line 35 the
 30 following:

31 "Sec. ____ Section 296.1, Code 1999, is amended to
32 read as follows:
33 296.1 INDEBTEDNESS AUTHORIZED.
34 Subject to the approval of the voters thereof,
35 school districts are hereby authorized to contract
36 indebtedness and to issue general obligation bonds to
37 provide funds to defray the cost of purchasing,
38 building, furnishing, reconstructing, repairing,
39 improving, or remodeling a schoolhouse or schoolhouses
40 and additions thereto, gymnasium, stadium, field
41 house, school bus garage, teachers' or
42 superintendent's home or homes, and procuring a site
43 or sites therefor, or purchasing land to add to a site
44 already owned, or procuring and improving a site for
45 an athletic field, or improving a site already owned
46 for an athletic field, and for any one or more of such
47 purposes. Taxes for the payment of said bonds shall
48 be levied in accordance with chapter 76, and said such
49 bonds shall mature within a period not exceeding
50 twenty years from date of issue, shall bear interest

Page 2

1 at a rate or rates not exceeding that permitted by
2 chapter 74A, and shall be of such form as the board of
3 directors of such school district shall by resolution
4 provide, but the aggregate indebtedness of any school
5 district shall not exceed five percent of the actual
6 value of the taxable property within said the school
7 district, as ascertained by the last preceding state
8 and county tax lists. The bonds may be sold at public
9 or private sale at a price as may be determined by the
10 board of directors. Such bonds may be sold at not
11 less than ninety-eight percent of par or may be
12 exchanged for other bonds at not less than ninety-
13 eight percent of par."

14 ____ Page 4, by inserting after line 13 the
15 following:

16 "Sec. ____ Section 298.22, unnumbered paragraph 1,
17 Code 1999, is amended to read as follows:

18 All of said bonds shall be substantially in the
19 form provided for county bonds, but subject to changes
20 that will conform them to the action of the board
21 providing therefor; shall run not more than twenty
22 years, and may be sooner paid if so nominated in the
23 bond; bear a rate of interest not exceeding that
24 permitted by chapter 74A, payable semiannually; be
25 signed by the president and countersigned by the
26 secretary of the board of directors; and ~~shall not be~~
27 ~~disposed of for less than par value, nor issued for~~
28 ~~other purposes than this chapter provides~~ be sold at
29 public or private sale at a price as may be determined

30 by the board of directors. Such bonds may be sold at
31 not less than ninety-eight percent of par or may be
32 exchanged for other bonds at not less than ninety-
33 eight percent of par."

34 5. Page 1, by striking lines 43 and 44.

35 6. Page 2, by inserting after line 22 the
36 following:

37 "Sec. ____ Section 403.19, subsection 2, Code
38 1999, as amended by 2000 Iowa Acts, Senate File 2089,
39 section 2, is amended to read as follows:

40 2. That portion of the taxes each year in excess
41 of such amount shall be allocated to and when
42 collected be paid into a special fund of the
43 municipality to pay the principal of and interest on
44 loans, moneys advanced to, or indebtedness, whether
45 funded, refunded, assumed, or otherwise, including
46 bonds issued under the authority of section 403.9,
47 subsection 1, incurred by the municipality to finance
48 or refinance, in whole or in part, an urban renewal
49 project within the area, and to provide assistance for
50 low and moderate income family housing as provided in

Page 3

1 section 403.22, except that taxes for the regular and
2 voter-approved physical plant and equipment levy of a
3 school district imposed pursuant to section 298.2 and
4 taxes for the payment of bonds and interest of each
5 taxing district must be collected against all taxable
6 property within the taxing district without limitation
7 by the provisions of this subsection. However, all or
8 a portion of the taxes for the physical plant and
9 equipment levy shall be paid by the school district to
10 the municipality if the municipality certifies to the
11 ~~school district by July 1~~ county auditor the amount of
12 such levy that is necessary to pay the principal and
13 interest on indebtedness incurred by the municipality
14 to finance an urban renewal project, which
15 indebtedness was incurred before July 1, 2000. If the
16 county auditor concurs with the certification, the
17 auditor shall notify the school district by July 1.
18 ~~Such~~ The school district shall pay over the amount
19 certified by November 1 following ~~certification~~
20 notification to the school district. Unless and until
21 the total assessed valuation of the taxable property
22 in an urban renewal area exceeds the total assessed
23 value of the taxable property in such area as shown by
24 the last equalized assessment roll referred to in
25 subsection 1, all of the taxes levied and collected
26 upon the taxable property in the urban renewal area
27 shall be paid into the funds for the respective taxing
28 districts as taxes by or for the taxing districts in

29 the same manner as all other property taxes. When
30 such loans, advances, indebtedness, and bonds, if any,
31 and interest thereon, have been paid, all moneys
32 thereafter received from taxes upon the taxable
33 property in such urban renewal area shall be paid into
34 the funds for the respective taxing districts in the
35 same manner as taxes on all other property.

36 Sec. ____ Section 422E.4, unnumbered paragraph 1,
37 Code Supplement 1999, is amended to read as follows:

38 The board of directors of a school district shall
39 be authorized to issue negotiable, interest-bearing
40 school bonds, without election, and utilize tax
41 receipts derived from the sales and services tax for
42 school infrastructure purposes for principal and
43 interest repayment. Proceeds of the bonds issued
44 pursuant to this section shall be utilized solely for
45 school infrastructure needs as school infrastructure
46 is defined in section 422E.1, subsection 3. Issuance
47 of bonds pursuant to this section shall be permitted
48 only in a district which has imposed a local sales and
49 services tax for school infrastructure purposes
50 pursuant to section 422E.2. The provisions of

Page 4

1 sections 298.22 through 298.24 shall apply regarding
2 the form, rate of interest, registration, redemption,
3 and recording of bond issues pursuant to this section,
4 with the exception that the maximum period during
5 which principal on the bonds is payable shall not
6 exceed a ten-year period, or the date of repeal stated
7 on the ballot proposition. Bonds issued pursuant to
8 this section may be sold at public or private sale at
9 a price as may be determined by the board of directors
10 of the school district. Such bonds may be sold at not
11 less than ninety-eight percent of par or may be
12 exchanged for other bonds at not less than ninety-
13 eight percent of par."

14 7. By renumbering as necessary.

The House stood at ease at 1:21 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 2378, amendment H-8922 to the Senate amendment H-8899, at 3:00 p.m., Dix of Butler in the chair.

Cohoon of Des Moines offered the following amendment H-8931, to amendment H-8922 to the Senate amendment H-8899 filed by him from the floor and moved its adoption:

H-8931

- 1 Amend the amendment, H-8922, to the Senate
2 amendment, H-8899, to House File 2378, as passed by
3 the House, as follows:
- 4 1. Page 1, line 26, by striking the figure "41."
5 and inserting the following: "41 and inserting the
6 following:
7 " ____ Page 2, by striking lines 14 through 25 and
8 inserting the following:
9 "1. The school year shall begin on the first day
10 of July and each regularly established elementary and
11 secondary school shall begin no sooner than a day
12 during the calendar week in which the first twenty-
13 fifth day of September August falls but no later than
14 the first Monday in December. However, if the first
15 twenty-fifth day of September August falls on a
16 Sunday, school may begin on a day during the calendar
17 week which immediately precedes the first twenty-fifth
18 day of September August. School shall continue for at
19 least one hundred eighty days, except as provided in
20 subsection 3, and may be maintained during the entire
21 calendar year. However, if the".
22 ____ By striking page 2, line 35 through page 3,
23 line 1."
24 2. Page 2, by striking line 34.
25 3. By renumbering as necessary.

Amendment H-8931 lost.

Bukta of Clinton offered the following amendment H-8938, to amendment H-8922 to the Senate amendment H-8899 filed by her from the floor and moved its adoption:

H-8938

- 1 Amend the amendment, H-8922, to the Senate
2 amendment, H-8899, to House File 2378, as passed by
3 the House, as follows:
- 4 1. Page 3, by striking lines 18 and 19 and
5 inserting the following: "~~Such~~ The school district
6 shall pay over at least one-half of the amount
7 certified by November 1 and the remainder by May 1
8 following certification".

Amendment H-8938 was adopted.

Division was requested on amendment H-8922 to the Senate amendment H-8899 as follows:

Page 1 – Lines 3 through 25, Division A; Line 26, Division B; Lines 27 through 50, Division A.

Page 2 – Lines 1 through 33, Division A; Line 34, Division B; Line 35 through the rest of the amendment, Division A.

On motion by Grundberg of Polk amendment H-8922A to the Senate amendment H-8899 was adopted, placing amendment H-8926 to the Senate amendment H-8899, filed by Cohoon of Des Moines from the floor, out of order.

Grundberg of Polk moved the adoption of amendment H-8922B to the Senate amendment H-8899.

Amendment H-8922B was adopted.

On motion by Grundberg of Polk the House concurred in the Senate amendment H-8899, as amended.

Grundberg of Polk moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2378)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherman

Schrader	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Rants Siegrist, Spkr.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2008, a bill for an act providing residency status to certain members of the armed forces for purposes of hunting, fishing, and fur harvesting.

Also: That the Senate has on April 18, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2145, a bill for an act providing for the utilization of budget enrollment in determining gifted and talented program funding, and providing an effective date.

Also: That the Senate has on April 18, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2550, a bill for an act relating to the Iowa educational savings plan trust and providing an effective date.

Also: That the Senate has on April 18, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2450, a bill for an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

Also: That the Senate has on April 18, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2454, a bill for an act relating to the designation of a "Bill of Rights Day".

MICHAEL E. MARSHALL, Secretary

Sukup of Franklin in the chair at 3:34 p.m.

CONSIDERATION OF BILL
Appropriations Calendar

House File 2555, a bill for an act relating to and making appropriations from the tobacco settlement fund, was taken up for consideration.

Heaton of Henry offered amendment H-8930 filed by him from the floor as follows:

H-8930

- 1 Amend House File 2555 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. TOBACCO SETTLEMENT FUND -
- 5 APPROPRIATIONS TO DEPARTMENTS. There is appropriated
- 6 from the tobacco settlement fund created in section
- 7 12.65 to the following departments for the fiscal year
- 8 beginning July 1, 2000, and ending June 30, 2001, the
- 9 following amounts, or so much thereof as is necessary,
- 10 to be used for the purposes designated:
- 11 1. To the department of human services:
- 12 a. Beginning November 1, 2000, to increase the
- 13 reimbursement rate for all noninstitutional medical
- 14 assistance providers, excluding anesthesia and dental
- 15 services, to the rate in effect on January 1, 2000,
- 16 under the fee schedule established for Iowa under the
- 17 federal Medicare program that incorporates the
- 18 resource-based relative value scale methodology:
- 19 \$ 6,000,000
- 20 b. To increase the reimbursement rate to 75
- 21 percent of the usual and customary rate for the fiscal
- 22 year July 1, 2000, through June 30, 2001, for dental
- 23 services under the medical assistance program:
- 24 \$ 3,600,000
- 25 c. To provide a cost-of-living adjustment for the
- 26 fiscal year July 1, 2000, through June 30, 2001, of 5
- 27 percent to rehabilitative treatment and support
- 28 services providers under the medical assistance
- 29 program:
- 30 \$ 3,100,000

31 The cost of living adjustment for rehabilitative
32 treatment and support services providers shall be
33 applied to each individual provider's state audited
34 rate.

35 d. To provide a cost-of-living adjustment for the
36 fiscal year July 1, 2000, through June 30, 2001, of 5
37 percent to adoption, independent living, shelter care,
38 and home studies services providers:

39 \$ 500,000

40 The cost-of-living adjustment for licensed or
41 approved shelter care providers shall be applied to
42 each individual licensed or approved shelter care
43 provider's state audited rate. On or before August 1,
44 2000, the department shall recalculate the statewide
45 average cost of shelter care to include the total
46 amount of the individual providers' cost-of-living
47 adjustments. The cost-of-living adjustment percentage
48 specified in this lettered paragraph shall be applied
49 directly to the state's audited shelter care per diem
50 reimbursement rate.

Page 2

1 e. To increase the reimbursement rate for the
2 fiscal year July 1, 2000, through June 30, 2001, for
3 hospitals under the medical assistance program by 3
4 percent over the reimbursement rate in effect on June
5 30, 2000:

6 \$ 2,300,000

7 f. To increase the reimbursement rate for the
8 fiscal year July 1, 2000, through June 30, 2001, for
9 home health care services under the medical assistance
10 program to the rate provided for such services under
11 the federal Medicare program:

12 \$ 2,400,000

13 g. To increase the reimbursement rate for the
14 fiscal year July 1, 2000, through June 30, 2001, for
15 critical access hospitals under the medical assistance
16 program to the rate provided for such hospitals under
17 the federal Medicare program:

18 \$ 250,000

19 h. To provide for expansion of home health care
20 services and habilitative day care under the medical
21 assistance program for children with special needs:

22 \$ 4,400,000

23 i. To provide for expansion of respite care
24 services provided through home and community-based
25 waivers under the medical assistance program:

26 \$ 1,200,000

27 j. To increase the reimbursement rate for the
28 fiscal year July 1, 2000, through June 30, 2001, to
29 service providers under the purview of the department

30 of human services by 1 percent over the rates in
 31 effect on June 30, 2000:
 32 \$ 550,000

33 Of the funds appropriated to the department of
 34 human services under this subsection, \$182,381 shall
 35 be used to meet the maintenance of effort requirements
 36 under the state supplementary assistance program.

37 The department of human services shall conduct a
 38 review of the reimbursement rates for providers of
 39 dental services and shall submit a report of its
 40 findings to the governor and the general assembly on
 41 or before December 1, 2000.

42 The department of human services may adopt
 43 emergency rules to implement this subsection.

44 2. To the department of human services to
 45 supplement the children's health insurance program
 46 appropriation:
 47 \$ 200,000

48 The department shall not utilize an earned income
 49 deduction in computing income eligibility under the
 50 children's health insurance program.

Page 3

1 3. To the department of human services for
 2 performance of the evaluation required under this
 3 subsection:
 4 \$ 35,000

5 The department of human services shall seek a
 6 waiver from the health care financing administration
 7 of the United States department of health and human
 8 services to implement a pilot project in fiscal year
 9 2000-2001 to study the effects of providing continuous
 10 eligibility for children under the medical assistance
 11 program. If the waiver is approved, the pilot project
 12 shall be implemented in one rural and one urban
 13 county, and the department shall enter into a contract
 14 with an entity outside of the department to perform an
 15 evaluation of the pilot project. The evaluating
 16 entity shall coordinate its efforts with efforts of
 17 the United States department of health and human
 18 services relating to evaluation of continuous
 19 eligibility. The evaluating entity shall submit a
 20 report to the general assembly on or before December
 21 15, 2000, regarding the findings of the pilot project
 22 including, but not limited to, any increased costs
 23 which may be incurred through continuous eligibility.
 24 The report shall also include recommendations for
 25 discontinuation or expansion of the pilot project.

26 4. To the Iowa department of public health:
 27 a. For additional substance abuse treatment under
 28 the substance abuse treatment program:

29 \$ 11,900,000
 30 (1) The department shall use funds appropriated in
 31 this paragraph to enhance the quality of and to expand
 32 the capacity to provide 24-hour substance abuse
 33 treatment programs.
 34 (2) The department shall use funds appropriated in
 35 this paragraph to expand the length of individual
 36 client substance abuse treatment plans, as necessary
 37 to reduce program recidivism.
 38 (3) The department shall use funds appropriated in
 39 this paragraph to share research-based best practices
 40 for treatment with substance abuse treatment
 41 facilities.
 42 (4) The department shall use funds appropriated in
 43 this paragraph to develop a results-based funding
 44 approach for substance abuse treatment services.
 45 (5) The department shall use funds appropriated in
 46 this paragraph to develop a program to encourage
 47 individuals who are successfully managing their
 48 substance abuse problems to serve as role models.
 49 b. For development of a healthy Iowans 2010 plan
 50 within the Iowa department of public health and for

Page 4

1 not more than the following full-time equivalent
 2 positions:
 3 \$ 2,800,000
 4 FTEs 4.00
 5 (1) Of the funds appropriated in this paragraph,
 6 not more than \$1,500,000 shall be used for core public
 7 health functions, including home health care and
 8 public health nursing services, contracted through a
 9 formula by local boards of health, to enhance disease
 10 and injury prevention services.
 11 (2) Of the funds appropriated in this paragraph,
 12 not more than \$400,000 shall be used for the
 13 implementation and support of a coordinated system of
 14 delivery of trauma and emergency medical services.
 15 (3) Of the funds appropriated in this paragraph,
 16 not more than \$437,000 shall be used for the
 17 establishment of a state poison control center.
 18 (4) Of the funds appropriated in this paragraph,
 19 not more than \$300,000 shall be used for the
 20 development of scientific and medical expertise in
 21 environmental epidemiology.
 22 (5) Of the funds appropriated in this paragraph,
 23 not more than \$163,000 shall be used to implement
 24 prevention strategies of Healthy Iowans 2010 to
 25 address the leading causes of death in Iowa.
 26 5. To the department of corrections:
 27 \$ 610,000

28 a. Of the funds appropriated in this subsection,
 29 \$127,217 is allocated to the second judicial district
 30 department of correctional services to replace expired
 31 federal funding for day programming.

32 b. Of the funds appropriated in this subsection,
 33 \$35,359 is allocated to the third judicial district
 34 department of correctional services to replace expired
 35 federal funding for the drug court program.

36 c. Of the funds appropriated in this subsection,
 37 \$191,731 is allocated to the fourth judicial district
 38 department of correctional services for a drug court
 39 program.

40 d. Of the funds appropriated in this subsection,
 41 \$255,693 is allocated to the fifth judicial district
 42 department of correctional services to replace expired
 43 funding for the drug court program.

44 Sec. 2. TOBACCO SETTLEMENT FUND – APPROPRIATION
 45 – IOWA DEPARTMENT OF PUBLIC HEALTH. There is
 46 appropriated from the tobacco settlement fund created
 47 in section 12.65 to the Iowa department of public
 48 health for the fiscal period beginning April 1, 2000,
 49 and ending June 30, 2001, the following amounts, or so
 50 much thereof as is necessary, for the purpose

Page 5

1 designated, and for not more than the following full-
 2 time equivalent positions:
 3 For a tobacco use prevention and control program,
 4 including efforts at the state and local levels, as
 5 provided by the 2000 Session of the Seventy-eighth
 6 General Assembly:

7	\$ 9,345,394
8	FTEs 7.00

9 1. Of the funds appropriated in this section,
 10 \$1,782,420 shall be used to expand activities that
 11 ensure compliance with section 453A.2 and other laws
 12 and ordinances prohibiting the sale of tobacco
 13 products to persons under 18 years of age. Funds
 14 allocated in this subsection and used for the purposes
 15 of this subsection shall supplement, not supplant,
 16 other funds received or used to enforce these laws and
 17 ordinances.

18 The director of public health shall dedicate
 19 sufficient resources to promote and ensure retailer
 20 compliance with tobacco laws and ordinances relating
 21 to persons under 18 years of age, and shall prioritize
 22 the state's compliance in the allocation of available
 23 funds with section 218 of H.R. 3424 as enacted in
 24 Division B, Section 1000(a)(4) of H.R. 3194, and as
 25 incorporated by cross-reference in the conference
 26 report, H. Rept. 106-479 to H.R. 3194, as enacted in

27 Pub. L. No. 106-113.

28 2. Of the funds appropriated in this section, not
29 more than \$300,000 shall be used to conduct a
30 statewide youth summit on tobacco use prevention and
31 control. The summit shall be held no later than August
32 15, 2000.

33 3. Of the full-time equivalent positions
34 authorized under this section, two full-time
35 equivalent positions shall be utilized to provide for
36 enforcement of tobacco laws and regulations under
37 contracts entered into between the Iowa department of
38 public health and the alcoholic beverages division of
39 the department of commerce.

40 4. Of the funds appropriated in this section, not
41 more than \$525,759 shall be expended on administration
42 and management of the program.

43 Sec. 3. PURCHASE OF SERVICE CONTRACT PROVIDERS -
44 REIMBURSEMENT INCREASE. There is appropriated from
45 the tobacco settlement fund created in section 12.65
46 to the property tax relief fund created in section
47 426B.1 for the fiscal year beginning July 1, 2000, and
48 ending June 30, 2001, the following amount, or so much
49 thereof as is necessary, to be used for the purposes
50 designated:

Page 6

1 For assistance to certain counties with limited
2 county mental health, mental retardation, and
3 developmental disabilities services fund balances to
4 pay reimbursement increases in accordance with this
5 section:
6 \$ 2,000,000

7 1. For the purposes of this section unless the
8 context otherwise requires:

9 a. "Adjusted actual cost" means a POS provider's
10 cost as computed using the financial and statistical
11 report for the provider's fiscal year which ended
12 during the state fiscal year beginning July 1, 1998,
13 as adjusted by multiplying those actual costs by 103.4
14 percent or the percentage adopted by the risk pool
15 board in accordance with subsection 3, paragraph "c".

16 b. "Host county" means the county in which the
17 primary offices of a POS provider are located.
18 However, if a POS provider operates a separate program
19 in more than one county, "host county" means the
20 county in which the separate program is operated.

21 c. "Purchase of service provider" or "POS
22 provider" means a provider of sheltered work, work
23 activity, supported employment, job placement, enclave
24 services, adult day care, transportation, supported
25 community living services, or adult residential

26 services paid by a county from the county's services
27 fund created in section 331.424A under a state
28 purchase of service or county contract.
29 d. "Risk pool board" means the same as used in
30 section 426B.5, subsection 3.
31 e. "Services fund" means the same as defined in
32 section 331.424A.
33 2. a. For the fiscal year beginning July 1, 2000,
34 the counties receiving state payments from the
35 property tax relief fund shall provide a reimbursement
36 rate increase for the fiscal year to eligible POS
37 providers. The purpose of the reimbursement rate
38 increase is to assist POS providers that have
39 increased the compensation of their service staff.
40 The reimbursement rate increase shall apply to POS
41 services provided during the entire fiscal year
42 beginning July 1, 2000.
43 b. In order to be eligible, a POS provider's
44 adjusted actual cost of providing a service must be in
45 excess of the reimbursement rate paid to the provider
46 by the county as of June 30, 2000, and the excess cost
47 must be attributable, at least in part, to service
48 staff compensation. The documentation used in
49 determining whether actual costs have increased for a
50 POS provider shall be the applicable amounts submitted

Page 7

1 to the host county in the provider's annual financial
2 and statistical reports, completed in accordance with
3 department of human services' rules for purchase of
4 services. The determination shall be made by
5 comparing the applicable amounts in the report for the
6 POS provider's fiscal year which ended during state
7 fiscal year 1998-1999, with the applicable amounts in
8 the report for the POS provider's fiscal year which
9 ended during state fiscal year 1999-2000.
10 c. The host county shall increase the POS
11 provider's reimbursement rate to the POS provider's
12 adjusted actual cost, subject to a maximum of 5
13 percent over the reimbursement rates paid by the host
14 county to that POS provider as of June 30, 2000. The
15 reimbursement rate increase approved by the host
16 county shall be accepted by all other counties that
17 have an arrangement with the POS provider for
18 provision of the program or service.
19 3. a. If a county projects that payment of the
20 reimbursement rate increase required pursuant to this
21 section will cause the county to expend from the
22 services fund during the fiscal year beginning July 1,
23 2000, an amount in excess of the sum of 100 percent of
24 the county's budgeted expenses for that fiscal year

25 and any amount of the county's previous fiscal year
26 ending services fund balance in excess of 25 percent
27 of the county's gross expenditures from the services
28 fund in the previous fiscal year, the county may apply
29 for assistance from the moneys appropriated in this
30 section. The board may accept or reject an
31 application for assistance in whole or in part. The
32 decision of the board is final.

33 b. The funding appropriated in this section shall
34 be administered separately from other funding
35 administered by the risk pool board pursuant to
36 section 426B.5, subsection 3. On or before September
37 1, 2000, the risk pool board shall adopt rules, and
38 implement forms, deadlines, application procedures,
39 and other provisions necessary for distributing
40 assistance moneys to such counties. The risk pool
41 board may adopt the rules on an emergency basis under
42 section 17A.4, subsection 2, and section 17A.5,
43 subsection 2, paragraph "b", to implement the
44 procedures and requirements and the rules shall be
45 effective immediately upon filing unless a later date
46 is specified in the rules. Any rules adopted in
47 accordance with this paragraph shall also be published
48 as a notice of intended action as provided in section
49 17A.4.

50 c. If the funds appropriated in this section are

Page 8

1 insufficient to pay the total amount of assistance to
2 all counties that are determined by the risk pool
3 board to be eligible for assistance under this
4 subsection, the total amount of assistance shall be
5 prorated among the eligible counties by the risk pool
6 board. However, if the risk pool board determines
7 that prorating the amount of assistance would be
8 required, in addition to or in lieu of prorating the
9 amount of assistance, the risk pool board may adopt a
10 different percentage for the definition of "adjusted
11 actual cost" used in this section. If a different
12 percentage is adopted, the percentage shall be
13 applicable to reimbursement rates payable throughout
14 the fiscal year. A county may delay payment of the
15 reimbursement rate increase required by this section
16 until the risk pool board has completed action as to
17 adopting or not adopting a different percentage for
18 the definition of "adjusted actual cost". Moneys
19 appropriated in this section that remain unencumbered
20 or unobligated at the close of the fiscal year shall
21 revert to the tobacco settlement fund.
22 d. If a county receiving assistance in accordance
23 with this subsection does not levy the maximum amount

24 allowed for the county's mental health, mental
 25 retardation, and developmental disabilities services
 26 fund under section 331.424a for the fiscal year
 27 beginning July 1, 2000, the county shall repay the
 28 assistance provided to the county in accordance with
 29 this subsection in the succeeding fiscal year. The
 30 repayment amount shall be limited to the amount by
 31 which the actual amount levied was less than the
 32 maximum amount allowed. Repayments shall be credited
 33 to the tobacco settlement fund.

34 4. The department of human services, in
 35 consultation with the risk pool board, shall develop
 36 and submit a recommendation on or before December 1,
 37 2000, to the governor and the general assembly
 38 addressing provisions for counties receiving
 39 assistance under this section to continue receiving
 40 that assistance in subsequent fiscal years.

41 Sec. 4. SAVINGS ACCOUNT FOR HEALTHY IOWANS. There
 42 is appropriated from the tobacco settlement fund
 43 created in section 12.65 to the savings account for
 44 healthy Iowans established within the tobacco
 45 settlement fund, for the fiscal year beginning July 1,
 46 2000, and ending June 30, 2001, the following amount:
 47 \$ 3,800,000

48 Sec. 5. REVERSION. Any moneys appropriated under
 49 this Act which are unexpended or unencumbered at the
 50 end of the fiscal period ending June 30, 2001, shall

Page 9

1 revert to the tobacco settlement fund.
 2 Sec. 6. Section 249A.3, subsection 1, Code
 3 Supplement 1999, is amended by adding the following
 4 new paragraph after paragraph k:
 5 NEW PARAGRAPH. kk. Is an infant whose income is
 6 not more than two hundred percent of the federal
 7 poverty level, as defined by the most recently revised
 8 income guidelines published by the United States
 9 department of health and human services.

10 Sec. 7. NEW SECTION. 249A.20 NONINSTITUTIONAL
 11 HEALTH PROVIDERS - REIMBURSEMENT.

12 Beginning November 1, 2000, the department shall
 13 use the federal Medicare resource-based relative value
 14 scale methodology to reimburse all applicable
 15 noninstitutional health providers, excluding
 16 anesthesia and dental services, that on June 30, 2000,
 17 are reimbursed on a fee-for-service basis for
 18 provision of services under the medical assistance
 19 program. The department shall apply the federal
 20 Medicare resource-based relative value scale
 21 methodology to such health providers in the same
 22 manner as the methodology is applied under the federal

23 Medicare program and shall not utilize the resource-
 24 based relative value scale methodology in a manner
 25 that discriminates between such health providers. The
 26 reimbursement schedule shall be adjusted, annually, on
 27 July 1, and shall provide for reimbursement that is
 28 not less than the reimbursement provided under the fee
 29 schedule established for Iowa under the federal
 30 Medicare program in effect on January 1 of that
 31 calendar year.

32 Sec. 8. Section 514I.8, subsection 1, Code 1999,
 33 is amended to read as follows:

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

Page 10

1 of health and human services.

2 Sec. 9. Section 514I.8, subsection 2, paragraph c,
 3 Code 1999, is amended to read as follows:

4 c. Is a member of a family whose ~~adjusted gross~~
 5 income does not exceed ~~one~~ two hundred ~~eighty five~~
 6 percent of the federal poverty level, as defined in 42
 7 U.S.C. § 9902(2), including any revision required by
 8 such section.

9 Sec. 10. Section 514I.10, Code 1999, is amended to
 10 read as follows:

11 514I.10 COST SHARING.

12 1. Cost sharing for eligible children whose family
 13 ~~adjusted gross~~ income is at or below one hundred fifty
 14 percent of the federal poverty level shall not exceed
 15 the standards permitted under 42 U.S.C. §
 16 1396(o)(a)(3) or § 1396(o)(b)(1).

17 2. Cost sharing for eligible children whose family
 18 ~~adjusted gross~~ income is between one hundred fifty
 19 percent and ~~one~~ two hundred ~~eighty five~~ percent of the
 20 federal poverty level shall include a premium or
 21 copayment amount which is at least a minimum amount

22 but which does not exceed five percent of the annual
 23 family ~~adjusted-gross~~ income. The amount of the
 24 premium or the copayment amount shall be based on a
 25 ~~sliding fee scale established by rule which is based~~
 26 ~~on family adjusted-gross income and the size of the~~
 27 ~~family.~~

28 Sec. 11. EMERGENCY RULES. If specifically
 29 authorized by a provision of this Act, the department
 30 of human services may adopt administrative rules under
 31 section 17A.4, subsection 2, and section 17A.5,
 32 subsection 2, paragraph "b", to implement the
 33 provisions and the rules shall become effective
 34 immediately upon filing, unless the effective date is
 35 delayed by the administrative rules review committee,
 36 notwithstanding section 17A.4, subsection 5, and
 37 section 17A.8, subsection 9, or a later effective date
 38 is specified in the rules. Any rules adopted in
 39 accordance with the provisions of this section shall
 40 also be published as notice of intended action as
 41 provided in section 17A.4.

42 Sec. 12. EFFECTIVE DATE - RETROACTIVE
 43 APPLICABILITY. Section 2 of this Act, relating to
 44 appropriation of funding for the appropriation of
 45 funds to the Iowa department of public health for a
 46 tobacco use prevention and control program, being
 47 deemed of immediate importance, takes effect upon
 48 enactment and is retroactively applicable to April 1,
 49 2000."

50 2. Title page, line 2, by inserting after the

Page 11

1 word "fund" the following: "providing an effective
 2 date, and providing for retroactive applicability".

Murphy of Dubuque offered the following amendment H-8932, to amendment H-8930, filed by him from the floor and moved its adoption:

H-8932

1 Amend the amendment, H-8930, to House File 2555 as
 2 follows:

3 1. Page 1, line 33, by striking the word
 4 "audited" and inserting the following: "negotiated".

5 2. Page 1, line 43, by striking the word
 6 "audited" and inserting the following: "negotiated".

7 3. Page 1, line 49, by striking the word
 8 "audited" and inserting the following: "negotiated".

9 4. Page 2, by striking lines 29 and 30, and
 10 inserting the following: "service providers under the

- 11 purview of the department of human services, with the
- 12 exception of family support subsidy providers, by up
- 13 to 1 percent over the rates in".
- 14 5. By renumbering as necessary.

Amendment H-8932 was adopted.

Murphy of Dubuque offered the following amendment H-8933, to amendment H-8930, filed by him from the floor and moved its adoption:

H-8933

- 1 Amend the amendment, H-8930, to House File 2555 as
- 2 follows:
- 3 1. Page 2, by striking lines 48 through 50.

Amendment H-8933 was adopted.

Carroll of Poweshiek offered the following amendment H-8941, to amendment H-8930, filed by him from the floor and moved its adoption:

H-8941

- 1 Amend the amendment, H-8930 to House File 2555 as
- 2 follows:
- 3 1. Page 10, line 41, by inserting after the
- 4 figure "17A.4" the following: "no later than June 14,
- 5 2000".
- 6 2. Page 10, line 49, by inserting after the
- 7 figure "2000." the following: "Section 11 of this
- 8 Act, being deemed of immediate importance, takes
- 9 effect upon enactment."

Amendment H-8941 was adopted.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment H-8940, to amendment H-8930, filed by him from the floor.

The House stood at ease at 3:59 p.m., until the fall of the gavel.

The House resumed session at 4:07 p.m., Speaker pro tempore Sukup in the chair.

Blodgett of Cerro Gordo offered the following amendment H-8945, to amendment H-8930, filed by him from the floor and moved its adoption:

H-8945

- 1 Amend the amendment, H-8930, to House File 2555 as
- 2 follows:
- 3 1. Page 2, by striking lines 37 through 41 and
- 4 inserting the following:
- 5 "The department of human services shall conduct a
- 6 review of reimbursement rates and the reimbursement
- 7 methodology for providers of dental services,
- 8 including the feasibility of changing from a system
- 9 that is based upon a percentage of the usual,
- 10 customary, and reasonable rates to one that is
- 11 percentile-based, and shall submit a report of its
- 12 findings to the governor and the general assembly on
- 13 or before December 1, 2000."

Amendment H-8945 was adopted.

On motion by Heaton of Henry amendment H-8930, as amended, was adopted, placing amendment H-8778 filed by Metcalf of Polk on April 6, 2000, out of order.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2555)

The ayes were, 100:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carrall	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn

Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 115, a concurrent resolution urging citizen participation in and cooperation with the conducting of the year 2000 census.

Also: That the Senate has on April 18, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 121, a concurrent resolution to urge and petition the United States Department of Agriculture to make lands which are under the conservation reserve program eligible for grazing by livestock.

Also: That the Senate has on April 18, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing effective dates and retroactive applicability provisions.

Also: That the Senate has on April 18, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2430, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 2577, by committee on ways and means, a bill for an act relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 2441, by committee on ways and means, a bill for an act relating to the transferability of the investment tax credit under the new jobs and income program and including an effective date and applicability provision.

Read first time and referred to committee on **ways and means**.

Senate File 2454, by Iverson and Gronstal, a bill for an act relating to the designation of a "Bill of Rights Day".

Read first time and referred to committee on **state government**.

Speaker Siegrist in the chair at 4:37 p.m.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2378 and 2555**.

SENATE AMENDMENT CONSIDERED

Hansen of Pottawattamie called up for consideration **House File 2496**, a bill for an act providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date, amended by the Senate amendment H-8905 as follows:

H-8905

- 1 Amend House File 2496, as passed by the House, as
- 2 follows:
- 3 1. By striking page 6, line 2 through page 7,
- 4 line 22, and inserting the following:
- 5 "4. AT-RISK PROGRAMS AND ALTERNATIVE SCHOOLS.
- 6 a. In order to provide additional funding to
- 7 school districts for programs serving at-risk pupils
- 8 and alternative school pupils in secondary schools, a
- 9 supplementary weighting plan for at-risk pupils is
- 10 adopted. A supplementary weighting of four hundred
- 11 sixty-nine one-hundred-thousandths per pupil shall be
- 12 assigned to the percentage of pupils in a school
- 13 district enrolled in grades one through six, as
- 14 reported by the school district on the basic
- 15 educational data survey for the base year, who are
- 16 eligible for free and reduced price meals under the
- 17 federal National School Lunch Act and the federal
- 18 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785,
- 19 multiplied by the budget enrollment in the school
- 20 district; and a supplementary weighting of one hundred
- 21 fifty-two one-hundred-thousandths per pupil shall be
- 22 assigned to pupils included in the budget enrollment
- 23 of the school district. Amounts received as
- 24 supplementary weighting for at-risk pupils shall be
- 25 utilized by a school district to develop or maintain
- 26 at-risk pupils' programs, which may include
- 27 alternative school programs.
- 28 b. Notwithstanding paragraph "a", a school
- 29 district which received supplementary weighting for an
- 30 alternative high school program for the school budget
- 31 year beginning July 1, 1999, shall receive an amount
- 32 of supplementary weighting for the next three school
- 33 budget years as follows:
- 34 (1) For the budget year beginning July 1, 2000,
- 35 the greater of the amount of supplementary weighting
- 36 determined pursuant to paragraph "a", or sixty-five
- 37 percent of the amount received for the budget year
- 38 beginning July 1, 1999.
- 39 (2) For the budget year beginning July 1, 2001,

40 the greater of the amount of supplementary weighting
41 determined pursuant to paragraph "a", or forty percent
42 of the amount received for the budget year beginning
43 July 1, 1999.

44 (3) For the budget year beginning July 1, 2002,
45 and succeeding budget years, the amount of
46 supplementary weighting determined pursuant to
47 paragraph "a".

48 For the purposes of this paragraph "b", the amount
49 received for the budget year beginning July 1, 1999,
50 shall be adjusted according to the provisions of

Page 2

1 section 257.6 based upon reports filed under section
2 11.6. The adjusted amount shall be used as the basis
3 for any guarantees or reductions.

4 If a school district receives an amount pursuant to
5 this paragraph "b" which exceeds the amount the
6 district would otherwise have received pursuant to
7 paragraph "a", the department of management shall
8 annually determine the amount of the excess that would
9 have been state aid and the amount that would have
10 been property tax if the school district had generated
11 that amount pursuant to paragraph "a", and shall
12 include the amounts in the state aid payments and
13 property tax levies of school districts. The
14 department of management shall recalculate the
15 supplementary weighting amount received each year to
16 reflect the amount of the reduction in funding from
17 one budget year to the next pursuant to subparagraphs
18 (1) through (3). It is the intent of the general
19 assembly that when weights are recalculated under this
20 subsection, the total amounts generated by each weight
21 shall be approximately equal.

22 c. If the amount to be received under paragraph
23 "a" or "b" by a school district or a consortium of
24 school districts is less than fifty thousand dollars
25 and the school district or consortium received funds
26 under section 279.51, subsection 1, paragraph "c" or
27 "e", Code 1999, for school-based youth services during
28 the budget year beginning July 1, 1999, such school
29 district or consortium shall receive a total amount
30 under this subsection of fifty thousand dollars for
31 each of the budget years beginning July 1, 2000, and
32 July 1, 2001. The department of management shall
33 adjust the supplementary weighting of a school
34 district or the school district acting as the fiscal
35 agent for a consortium eligible under this paragraph
36 in a manner to assure that the district or the
37 consortium receives the total sum of fifty thousand
38 dollars as guaranteed in this paragraph. If the

39 consortium elects not to continue a school based youth
40 service program, the funds shall be distributed
41 equally to the school districts in the consortium.
42 This paragraph is repealed effective July 1, 2002, for
43 budget years beginning on or after that date. To the
44 extent possible, the total amount of moneys generated
45 by the enactment of this subsection, including this
46 paragraph, shall be equivalent to the amount generated
47 under this subsection without the inclusion of this
48 paragraph. The department of management shall adjust
49 the weighting assigned in this subsection to reflect
50 this intent."

Page 3

1 2. Page 7, line 33, by inserting after the word
2 "section," the following: "A pupil attending an
3 alternative program or an at-risk pupils' program,
4 including alternative high school programs, is not
5 eligible for supplementary weighting under subsection
6 2."

7 3. Page 7, by inserting after line 33 the
8 following:
9 "7. SCHOOL FINANCE APPROPRIATIONS REPORT. The
10 department of education shall annually prepare a
11 report regarding school finance provisions or programs
12 receiving a standing appropriation, including
13 supplementary weighting programs. The report shall
14 provide information regarding amounts received or
15 accessed by school districts pursuant to the
16 provisions or programs, whether the amounts received
17 represent an increase or decrease over amounts
18 received during the previous budget year and the
19 percentage increase or decrease, conclusions regarding
20 the adequacy of amounts received by school districts
21 and whether the amounts received are equitable between
22 school districts based upon input from the school
23 districts and analysis by the department, and the
24 rationale for current trends being observed by the
25 department and projections regarding possible trends
26 in the future. The report shall be submitted to the
27 general assembly by January 1 each year, and copies of
28 the report shall be forwarded to the chairpersons and
29 members of the committee on education in the senate
30 and in the house of representatives."

31 4. Page 7, by inserting before line 34 the
32 following:
33 "Sec. __. Section 279.51, subsection 1,
34 unnumbered paragraph 1, Code Supplement 1999, is
35 amended to read as follows:
36 There is appropriated from the general fund of the
37 state to the department of education for the fiscal

38 year beginning July 1, ~~1998~~ 2000, and each succeeding
39 fiscal year, the sum of ~~fifteen~~ twelve million ~~three~~
40 five hundred sixty thousand dollars.
41 Sec. ____ Section 279.51, subsection 1, paragraphs
42 c and e, Code Supplement 1999, are amended by striking
43 the paragraphs.
44 Sec. ____ Section 279.51, subsection 3, Code
45 Supplement 1999, is amended by striking the
46 subsection."
47 5. By renumbering, relettering, or redesignating
48 and correcting internal references as necessary.

Wise of Lee asked and received unanimous consent to withdraw amendment H-8919, to the Senate amendment H-8905, filed by him on April 17, 2000.

Millage of Scott offered the following amendment H-8925, to the Senate amendment H-8905, filed by him from the floor and moved its adoption:

H-8925

1 Amend the Senate amendment, H-8905, to House File
2 2496, as passed by the House, as follows:
3 1. Page 1, by striking lines 10 and 11 and
4 inserting the following: "adopted. A supplementary
5 weighting of forty-eight ten-thousandths per pupil
6 shall be".
7 2. Page 1, by striking line 21 and inserting the
8 following: "fifty-six one-hundred-thousandths per
9 pupil shall be".
10 3. By striking page 1, line 48 through page 2,
11 line 3.

Amendment H-8925 was adopted.

Hansen of Pottawattamie moved that the House concur in the Senate amendment H-8905, as amended.

Carroll of Poweshiek in the chair at 5:05 p.m.

Roll call was requested by Weigel of Chickasaw and Speaker Siegrist.

On the question "Shall the House concur in the Senate amendment H-8905, as amended?" (H.F. 2496)

The ayes were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Cormack
Dix	Dolecheck	Drake	Eddie
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Rayhons	Shey
Siegrist, Spkr.	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Weidman
Welter	Carroll, Presiding		

The nays were, 45:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Davis	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Frevert	Greimann
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Taylor, D.	Taylor, T.	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

Absent or not voting, 1:

Van Fossen

The motion prevailed and the House concurred in the Senate amendment H-8905, as amended.

Hansen of Pottawattamie moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2496)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Witt	Carroll, Presiding		

The nays were, 2:

Falck Wise

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2496** be immediately messaged to the Senate.

HOUSE REFUSED TO CONCUR

Nelson-Forbes of Marshall called up for consideration **Senate File 2429**, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the

department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing effective dates and retroactive applicability provisions, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-8943 to the House amendment:

H-8943

1 Amend the House amendment, S-5415, to Senate File
2 2429, as passed by the Senate, as follows:
3 1. Page 1, by inserting after line 40 the
4 following:
5 " ____ Page 16, line 23, by striking the figure
6 "1,290,000" and inserting the following:
7 "1,210,000". "
8 2. Page 1, by inserting after line 44 the
9 following:
10 " ____ Page 16, by inserting after line 32 the
11 following:
12 "4A. Of the funds appropriated in subsection 1,
13 \$80,000 is allocated as follows:
14 a. Not more than \$50,000 shall be used to
15 supplement amounts otherwise budgeted for the
16 childhood lead poisoning prevention program.
17 b. Remaining moneys allocated in this subsection
18 shall be used for costs associated with the child
19 fatality review committee provisions under section
20 135.43, as enacted by 2000 Iowa Acts, House File 2377,
21 the expansion of the age range for child death case
22 review provisions as enacted under 2000 Iowa Acts,
23 House File 2365, and the Iowa domestic abuse death
24 review team provisions as enacted under 2000 Iowa
25 Acts, House File 2362." "
26 3. By striking page 1, line 45 through page 2,
27 line 17 and inserting the following:
28 " ____ Page 17, by inserting after line 5 the
29 following:
30 "Sec. ____ HORSE ASSOCIATIONS - GAMBLING
31 TREATMENT PROGRAM. For the fiscal year beginning July
32 1, 2000, and ending June 30, 2001, an amount of the
33 tax revenue received by the state racing and gaming
34 commission pursuant to section 99D.15, subsections 1,
35 3, and 4, equal to three-tenths of one percent of the
36 gross sum wagered by the pari-mutuel method is
37 appropriated to the department of agriculture and land
38 stewardship. Amounts appropriated pursuant to this
39 section shall be allocated to the Iowa quarter horse
40 racing association, the Iowa thoroughbred breeders and
41 owners association, and the Iowa harness horse
42 association in an amount based upon each association's
43 percentage of total foals delivered during 2000 and

44 shall be used to increase and enhance awareness of
 45 pari-mutuel horse racing events and opportunities in
 46 the state. Activities funded under this section may
 47 include but are not limited to raising public
 48 awareness of the social problems created by addictive
 49 gaming behavior. Moneys appropriated in this section
 50 that remain unencumbered or unobligated at the close

Page 2

1 of the fiscal year shall not revert but shall remain
 2 available for expenditure for the purpose designated
 3 in the succeeding fiscal year." "
 4 4. By renumbering, relettering, or redesignating
 5 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H-8943, to the House amendment.

SENATE AMENDMENT CONSIDERED

Greiner of Washington called up for consideration **Senate File 2430**, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-8944 to the House amendment:

H-8944

1 Amend the House amendment, S-5431, to Senate File
 2 2430, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:
 6 " ____ Page 1, line 14, by striking the figure
 7 "2,251,660" and inserting the following:
 8 "2,301,660."
 9 2. Page 1, by striking lines 3 and 4.
 10 3. Page 2, by striking lines 31 through 48.
 11 4. Page 3, line 46, by striking the words "ten
 12 fifteen" and inserting the following: "ten".
 13 5. Page 4, by striking lines 16 through 27.
 14 6. By striking page 5, line 43 through page 6,
 15 line 2.
 16 7. Page 6, by striking lines 3 through 7.
 17 8. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8944, to the House amendment.

Greiner of Washington moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2430)

The ayes were, 73:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Drake	Eddie
Foege	Ford	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larkin	Larson	Lord
Martin	Metcalf	Millage	Myers
Nelson-Forbes	Raecker	Rants	Rayhons
Reynolds	Richardson	Schrader	Shey
Shoultz	Siegrist, Spkr.	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Weigel	Welter	Wise	Witt
Carroll,			
Presiding			

The nays were, 27:

Bell	Bukta	Cataldo	Chiodo
Dotzler	Drees	Falck	Fallon
Frevrt	Greimann	Huser	Jochum
Kreiman	Kuhn	Mascher	May
Mertz	Mundie	Murphy	O'Brien
Osterhaus	Parmenter	Scherrman	Stevens
Thomas	Warnstadt	Whitead	

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2429 and 2430.**

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, April 13, 2000. Had I been present, I would have voted "nay" on amendment H-8695 to Senate File 2428, and "nay" on amendment H-8696 to Senate File 2428.

BOAL of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 18th day of April, 2000: House Files 2135, 2153, 2424, 2485 and 2521.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 18, 2000, he approved and transmitted to the Secretary of State the following bill:

House File 2391, an act establishing a criminal offense relating to theft detection shielding devices and theft detection devices and providing a penalty.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Ten students from the Job Corp Training Center, Denison, accompanied by Ike Johnson. By Hoffman of Crawford.

Fifty-one fifth grade students from Monroe Elementary School, Monroe. By Schrader of Marion.

SUBCOMMITTEE ASSIGNMENTS

House File 2576

Appropriations: Horbach, Chair; Cormack, Dix, Falck and Wise.

Senate File 2448

Appropriations: Jacobs, Chair; Hansen and Mertz.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 2576, a bill for an act providing a death benefit for certain volunteer emergency services providers killed in the line of duty and providing a standing appropriation.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2000.

RESOLUTION FILED

HR 123, by Mascher, Foegen, Myers, and Brauns, a resolution honoring Representative Minnette Doderer.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8921 H.F. 2530 Jenkins of Black Hawk

H—8923	H.F.	2576	Baudler of Adair Garman of Story Cormack of Webster
H—8924	H.F.	2530	Wise of Lee Jenkins of Black Hawk
H—8927	H.F.	2576	Martin of Scott
H—8928	H.F.	2530	Hoffman of Crawford
H—8929	H.F.	2530	Witt of Black Hawk
H—8934	H.F.	2530	Chiodo of Polk
H—8935	H.F.	2530	Chiodo of Polk
H—8936	H.F.	2530	Chiodo of Polk
H—8937	H.F.	2530	Chiodo of Polk
H—8939	H.F.	2008	Senate Amendment
H—8942	H.F.	2559	Warnstadt of Woodbury
H—8946	H.F.	2560	Reynolds of Van Buren
H—8947	H.F.	2530	Murphy of Dubuque
H—8948	S.F.	2447	Hoffman of Crawford

On motion by Rants of Woodbury the House adjourned at 5:58 p.m., until 8:45 a.m., Wednesday, April 19, 2000.

JOURNAL OF THE HOUSE

One Hundred First Calendar Day – Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 19, 2000

The House met pursuant to adjournment at 8:50 a.m., Speaker Siegrist in the chair.

Prayer was offered by the Honorable David Lord, state representative from Dallas County.

The Journal of Tuesday, April 18, 2000 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Alons of Sioux, until his arrival, on request of Rants of Woodbury.

SPECIAL PRESENTATION

Dix of Butler presented to Betty Millen a certificate of recognition for her many years of service in the Iowa House.

The House rose and expressed its appreciation.

INTRODUCTION OF BILLS

House File 2578, by committee on ways and means, a bill for an act relating to the size of an estate that may be distributed by affidavit, making related changes, and providing for the Act's applicability.

Read first time and placed on the **ways and means calendar**.

House File 2579, by Rants, a bill for an act creating a tobacco settlement authority Act, authorizing the issuance of bonds, and providing an effective date.

Read first time and referred to committee on **appropriations**.

CONSIDERATION OF BILLS
Unfinished Business Calendar

House File 2459, a bill for an act relating to regulation and inspection of health care facilities including the establishment of a quality-based inspections system, was taken up for consideration.

Sukup of Franklin in the chair at 9:12 a.m.

Witt of Black Hawk asked and received unanimous consent to withdraw amendment H-8075 filed by him on February 28, 2000.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8078 filed by him on February 29, 2000.

Blodgett of Cerro Gordo offered the following amendment H-8238 filed by him and moved its adoption:

H-8238

- 1 Amend House File 2459 as follows:
- 2 1. Page 1, by striking lines 26 through 28, and
- 3 inserting the following: "inspection or unless in the
- 4 course of the complaint investigation a violation is
- 5 evident to the inspector. Upon arrival".
- 6 2. Page 2, by inserting after line 14, the
- 7 following:
- 8 "1A. The department of inspections and appeals
- 9 shall convene an advisory committee of stakeholders to
- 10 monitor the development and ongoing refinement of the
- 11 criteria to be used in conducting a quality-based
- 12 inspection system. The advisory committee shall
- 13 consult with the department of inspections and appeals
- 14 regarding the ongoing distribution of the most current
- 15 criteria to all appropriate stakeholders."
- 16 3. By renumbering as necessary.

Amendment H-8238 was adopted.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8172 filed by him on March 6, 2000.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8137 filed by Brunkhorst of Bremer on March 1, 2000.

SENATE FILE 2144 SUBSTITUTED FOR HOUSE FILE 2459

Blodgett of Cerro Gordo asked and received unanimous consent to substitute Senate File 2144 for House File 2459.

Senate File 2144, a bill for an act relating to regulation and inspection of health care facilities including the establishment of a quality-based inspections system, was taken up for consideration.

Blodgett of Cerro Gordo offered the following amendment H-8496 filed by him and moved its adoption:

H-8496

- 1 Amend Senate File 2144, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 3, by inserting after the word
- 4 "The" the following: "protection and".

Amendment H-8496 was adopted.

Blodgett of Cerro Gordo offered the following amendment H-8374 filed by him and moved its adoption:

H-8374

- 1 Amend Senate File 2144 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 23, by striking the words
- 4 "oversight and communications," and inserting the
- 5 following: "administration and regulation, to the
- 6 committees on human resources of both houses,".
- 7 2. Page 3, line 3, by striking the words
- 8 "oversight and communications" and inserting the
- 9 following: "administration and regulation and by the
- 10 committees on human resources of both houses".

Amendment H-8374 was adopted.

Blodgett of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2144)

The ayes were, 94:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Bukta	Carroll
Cataldo	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Sukup, Presiding		

The nays were, 2:

Sunderbruch Van Fossen

Absent or not voting, 4:

Alons Brunkhorst Grundberg O'Brien

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2459 WITHDRAWN

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw House File 2459 from further consideration by the House.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2144** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Brauns of Muscatine called up for consideration **House File 2008**, a bill for an act providing residency status to certain members of the armed forces for purposes of hunting, fishing, and fur harvesting, amended by the Senate, and moved that the House concur in the following Senate amendment H-8939:

H-8939

- 1 Amend House File 2008, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 7 the
- 4 following:
- 5 "Sec. ___. 2000 Iowa Acts, House File 2486,
- 6 section 5, if enacted, is amended to read as follows:
- 7 SEC. 5. Section 483A.1A, subsection 4, Code 1999,
- 8 is amended by adding the following new paragraph:
- 9 d. e. Is registered to vote in this state."
- 10 2. Page 1, by striking line 22 and inserting the
- 11 following: "fishing and, if, In lieu of carrying the
- 12 person's earnings statement, the military person may
- 13 also claim residency if the person is registered to
- 14 vote in this state. If a deer or wild turkey is
- 15 taken, the military person shall".
- 16 3. Page 1, by striking lines 24 through 32 and
- 17 inserting the following: "appropriate tag to
- 18 transport the animal. No a license shall not be".
- 19 4. By renumbering, relettering, or redesignating
- 20 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8939.

Brauns of Muscatine moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2008)

The ayes were, 94:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Bukta	Carroll
Cataldo	Chiodo	Cohon	Connors

Cormack	Davis	Dix	Doderer
Dotzler	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shultz	Siegrist, Spkr.
Stevens	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Sukup, Presiding		

The nays were, none.

Absent or not voting, 6:

Alons	Brunkhorst	Dolecheck	Drake
Jenkins	O'Brien		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **House File 2008** be immediately messaged to the Senate.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 109

Hansen of Pottawattamie called up for consideration House Concurrent Resolution 109, a concurrent resolution requesting that the Governor annually designate the week in June beginning with Father's Day, as prostate cancer awareness week, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **House Concurrent Resolution 109** be immediately messaged to the Senate.

The House stood at ease at 9:40 a.m., until the fall of the gavel.

The House resumed session at 10:05 a.m., Speaker Siegrist in the chair.

On motion by Rants of Woodbury, the House was recessed at 10:08 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:15 p.m., Speaker Siegrist in the chair.

INTRODUCTION OF BILLS

House File 2580, by committee on ways and means, a bill for an act relating to the deadline for municipalities to file annual financial reports on urban renewal areas.

Read first time and placed on the **ways and means calendar**.

House File 2581, by committee on ways and means, a bill for an act relating to the authorization of the Iowa higher education loan authority to make loans and issue obligations to make loans to entities other than educational institutions, and to finance projects to be leased to educational institutions, and providing that the obligations and income from obligations are exempt from taxation.

Read first time and placed on the **ways and means calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2197, a bill for an act relating to the determination of fair value of the shares of dissenting shareholders of a bank or bank holding company.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2455, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2455, by Iverson and Gronstal, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates.

Read first time and referred to committee on **transportation**.

Rants of Woodbury asked and received unanimous consent to suspend the rules for the immediate consideration of House File 2577.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2577, a bill for an act relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation, was taken up for consideration.

Teig of Hamilton offered the following amendment H-8969 filed by him from the floor and moved its adoption:

H-8969

- 1 Amend House File 2577 as follows:
- 2 1. Page 3, by inserting after line 25 the
- 3 following:
- 4 "Sec. ____ **NEW SECTION.** 15F.105 BENEFITS.
- 5 Any applicant awarded financial assistance by the
- 6 board under both the vision Iowa program established

7 in section 15F.302 and the community attraction and
8 tourism program established in section 15F.202 shall
9 provide and pay at least fifty percent of the cost of
10 a standard medical insurance plan for all full-time
11 employees working at the project after the completion
12 of the project for which financial assistance was
13 received."

14 2. Page 9, line 27, by inserting after the word
15 "located" the following: "or to persons living
16 outside the state".

17 3. Page 9, by striking lines 34 and 35.

18 4. Page 17, by inserting after line 11 the
19 following:

20 "Sec. . NEW SECTION. 12.81 GENERAL AND
21 SPECIFIC BONDING POWERS – SCHOOL INFRASTRUCTURE
22 PROGRAM.

23 1. The treasurer of state may issue bonds for
24 purposes of the school infrastructure program
25 established in section 292.2. Excluding the issuance
26 of refunding bonds, the treasurer of state shall not
27 issue bonds which result in the deposit of bond
28 proceeds of more than fifty million dollars into the
29 school infrastructure fund. The treasurer of state
30 shall have all of the powers which are necessary to
31 issue and secure bonds and carry out the purposes of
32 the fund. The treasurer of state may issue bonds in
33 principal amounts which are necessary to provide funds
34 for the fund as provided by this section, the payment
35 of interest on the bonds, the establishment of
36 reserves to secure the bonds, the costs of issuance of
37 the bonds, other expenditures of the treasurer of
38 state incident to and necessary or convenient to carry
39 out the bond issue for the fund, and all other
40 expenditures of the treasurer of state necessary or
41 convenient to administer the fund. The bonds are
42 investment securities and negotiable instruments
43 within the meaning of and for purposes of the uniform
44 commercial code.

45 2. Bonds issued under this section are payable
46 solely and only out of the moneys, assets, or revenues
47 of the school infrastructure fund and any bond reserve
48 funds, all of which may be deposited with trustees or
49 depositories in accordance with bond or security
50 documents and pledged by the treasurer of state to the

Page 2

1 payment thereof. Bonds issued under this section
2 shall contain on their face a statement that the bonds
3 do not constitute an indebtedness of the state. The
4 treasurer of state shall not pledge the credit or
5 taxing power of this state or any political

6 subdivision of this state or make bonds issued
7 pursuant to this section payable out of any moneys
8 except those in the school infrastructure fund.
9 3. The proceeds of bonds issued by the treasurer
10 of state and not required for immediate disbursement
11 may be deposited with a trustee or depository as
12 provided in the bond documents and invested or
13 reinvested in any investment approved by the treasurer
14 of state and specified in the trust indenture,
15 resolution, or other instrument pursuant to which the
16 bonds are issued without regard to any limitation
17 otherwise provided by law.
18 4. The bonds shall be:
19 a. In a form, issued in denominations, executed in
20 a manner, and payable over terms and with rights of
21 redemption, and be subject to such other terms and
22 conditions as prescribed in the trust indenture,
23 resolution, or other instrument authorizing their
24 issuance.
25 b. Negotiable instruments under the laws of the
26 state and may be sold at prices, at public or private
27 sale, and in a manner, as prescribed by the treasurer
28 of state. Chapters 73A, 74, 74A, and 75 do not apply
29 to the sale or issuance of the bonds.
30 c. Subject to the terms, conditions, and covenants
31 providing for the payment of the principal, redemption
32 premiums, if any, interest, and other terms,
33 conditions, covenants, and protective provisions
34 safeguarding payment, not inconsistent with this
35 section and as determined by the trust indenture,
36 resolution, or other instrument authorizing their
37 issuance.
38 5. The bonds are securities in which public
39 officers and bodies of this state; political
40 subdivisions of this state; insurance companies and
41 associations and other persons carrying on an
42 insurance business; banks, trust companies, savings
43 associations, savings and loan associations, and
44 investment companies; administrators, guardians,
45 executors, trustees, and other fiduciaries; and other
46 persons authorized to invest in bonds or other
47 obligations of the state, may properly and legally
48 invest funds, including capital, in their control or
49 belonging to them.
50 6. Bonds must be authorized by a trust indenture,

Page 3

1 resolution, or other instrument of the treasurer of
2 state. However, a trust indenture, resolution, or
3 other instrument authorizing the issuance of bonds may
4 delegate to an officer of the issuer the power to

5 negotiate and fix the details of an issue of bonds.
6 7. Neither the resolution, trust agreement, nor
7 any other instrument by which a pledge is created
8 needs to be recorded or filed under the Iowa uniform
9 commercial code to be valid, binding, or effective.
10 8. Bonds issued under the provisions of this
11 section are declared to be issued for a general public
12 and governmental purpose and all bonds issued under
13 this section shall be exempt from taxation by the
14 state of Iowa and the interest on the bonds shall be
15 exempt from the state income tax and the state
16 inheritance and estate tax.
17 9. Subject to the terms of any bond documents,
18 moneys in the school infrastructure fund may be
19 expended for administration expenses.
20 10. The treasurer of state may issue bonds for the
21 purpose of refunding any bonds or notes issued
22 pursuant to this section then outstanding, including
23 the payment of any redemption premiums thereon and any
24 interest accrued or to accrue to the date of
25 redemption of the outstanding bonds or notes. Until
26 the proceeds of bonds issued for the purpose of
27 refunding outstanding bonds or notes are applied to
28 the purchase or retirement of outstanding bonds or
29 notes or the redemption of outstanding bonds or notes,
30 the proceeds may be placed in escrow and be invested
31 and reinvested in accordance with the provisions of
32 this section. The interest, income, and profits
33 earned or realized on an investment may also be
34 applied to the payment of the outstanding bonds or
35 notes to be refunded by purchase, retirement, or
36 redemption. After the terms of the escrow have been
37 fully satisfied and carried out, any balance of
38 proceeds and interest earned or realized on the
39 investments may be returned and deposited in the
40 school infrastructure fund. All refunding bonds shall
41 be issued and secured and subject to the provisions of
42 this chapter in the same manner and to the same extent
43 as other bonds issued pursuant to this section.
44 Sec. __, NEW SECTION, 12.82 SCHOOL
45 INFRASTRUCTURE AND RESERVE FUNDS.
46 1. A school infrastructure fund is created and
47 established as a separate and distinct fund in the
48 state treasury under the control of the department of
49 education. The fund shall be used for purposes of the
50 school infrastructure program established in section

Page 4

1 292.2.
2 2. Revenue for the school infrastructure fund
3 shall include, but is not limited to, the following,

4 which shall be deposited with the treasurer of state
5 or its designee as provided by any bond or security
6 documents and credited to the fund:

7 a. The proceeds of bonds issued to capitalize and
8 pay the costs of the fund and investment earnings on
9 the proceeds.

10 b. Interest attributable to investment of money in
11 the fund or an account of the fund.

12 c. Moneys in the form of a devise, gift, bequest,
13 donation, federal or other grant, reimbursement,
14 repayment, judgment, transfer, payment, or
15 appropriation from any source intended to be used for
16 the purposes of the fund.

17 3. Moneys in the school infrastructure fund are
18 not subject to section 8.33. Notwithstanding section
19 12C.7, subsection 2, interest or earnings on moneys in
20 the fund shall be credited to the fund.

21 4. The treasurer of state may establish reserve
22 funds to secure one or more issues of bonds or notes
23 issued pursuant to section 12.81. The treasurer of
24 state may deposit in a reserve fund established under
25 this subsection the proceeds of the sale of its bonds
26 or notes and other money which is made available from
27 any other source. The treasurer of state may allow a
28 reserve fund established under this subsection to be
29 depleted.

30 Sec. __. **NEW SECTION. 12.83 PLEDGES.**

31 1. It is the intention of the general assembly
32 that a pledge made in respect of bonds or notes shall
33 be valid and binding from the time the pledge is made,
34 that the money or property so pledged and received
35 after the pledge by the authority shall immediately be
36 subject to the lien of the pledge without physical
37 delivery or further act, and that the lien of the
38 pledge shall be valid and binding as against all
39 parties having claims of any kind in tort, contract,
40 or otherwise against the treasurer of state whether or
41 not the parties have notice of the lien.

42 2. The state pledges to and agrees with the
43 holders of bonds or notes issued under section 12.81,
44 that the state will not limit or alter the rights and
45 powers vested in the treasurer of state to fulfill the
46 terms of a contract made by the treasurer of state
47 with respect to the bonds or notes, or in any way
48 impair the rights and remedies of the holders until
49 the bonds and notes, together with the interest on
50 them including interest on unpaid installments of

1 interest, and all costs and expenses in connection
2 with an action or proceeding by or on behalf of the

3 holders, are fully met and discharged. The treasurer
4 of state is authorized to include this pledge and
5 agreement of the state, as it refers to holders of
6 bonds or notes of the authority, in a contract with
7 the holders.

8 Sec. . NEW SECTION. 12.84 LIMITATIONS,
9 Bonds or notes issued pursuant to section 12.81 are
10 not debts of the state, or of any political
11 subdivision of the state and do not constitute a
12 pledge of the faith and credit of the state or a
13 charge against the general credit or general fund of
14 the state. The issuance of any bonds or notes
15 pursuant to section 12.81 by the treasurer of state
16 does not directly, indirectly, or contingently
17 obligate the state or a political subdivision of the
18 state to apply moneys from, or to levy or pledge any
19 form of taxation whatever to, the payment of the bonds
20 or notes. Bonds and notes issued under section 12.81
21 are payable solely and only from the sources and
22 special fund provided in section 12.82. Expenses
23 incurred in carrying out sections 12.81 through 12.83,
24 this section, and section 12.85 are payable solely
25 from funds available under those sections.

26 Sec. . NEW SECTION. 12.85 CONSTRUCTION.
27 Sections 12.81 through 12.84, being necessary for
28 the welfare of this state and its inhabitants, shall
29 be liberally construed to effect its purposes."

30 5. Page 17, line 24, by striking the figure
31 "292.3", and inserting the following: "12.82".

32 6. Page 22, by striking lines 7 and 8 and
33 inserting the following: "requirement. The program
34 shall provide grants in an amount of not more than ten
35 million dollars during the fiscal year beginning July
36 1, 2000, not more than twenty million dollars during
37 the fiscal year beginning July 1, 2001, and not more
38 than twenty million dollars during the fiscal year
39 beginning July 1, 2002."

40 7. Page 23, by striking lines 8 through 16.

41 8. By renumbering, relettering, or redesignating
42 and correcting internal references as necessary.

The House stood at ease at 1:30 p.m., until the fall of the gavel.

The House resumed session at 1:32 p.m., Speaker Siegrist in the chair.

The House resumed consideration of House File 2577 and amendment H-8969.

On motion by Teig of Hamilton, amendment H-8969 was adopted.

SENATE FILE 2447 SUBSTITUTED FOR HOUSE FILE 2577

Teig of Hamilton asked and received unanimous consent to substitute Senate File 2447 for House File 2577.

Senate File 2447, a bill for an act relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation, was taken up for consideration.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-8962 filed by him from the floor.

Richardson of Warren offered amendment H-8965 filed by him from the floor and requested division as follows:

H-8965

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-8965A

- 3 1. Page 5, line 30, by inserting after the word
- 4 "impact" the following: ", including any projected
- 5 increase in revenue received from a local sales and
- 6 services tax for school infrastructure imposed
- 7 pursuant to section 422E.2".
- 8 2. Page 9, by inserting after line 5 the
- 9 following:
- 10 "4. If a local sales and services tax for school
- 11 infrastructure is imposed pursuant to section 422E.2
- 12 in the county of an applicant receiving financial
- 13 assistance under the program, any amount of revenue
- 14 received by the county from the local sales and
- 15 services tax for school infrastructure above the
- 16 amount received by the county from the local sales and
- 17 services tax for school infrastructure at the time the
- 18 application is approved shall be distributed to all
- 19 school districts in the state on a per pupil basis."
- 20 3. Page 24, line 19, by striking the words "a
- 21 total tax and on".
- 22 4. Page 24, line 20, by inserting after the word
- 23 "district." the following: "The department of

24 education, in consultation with the department of
25 revenue and finance and the legislative fiscal bureau,
26 shall annually calculate the sales tax capacity for
27 each school district in order to determine the sales
28 tax capacity for the school district at the fiftieth
29 percentile for purposes of subsection 5."

30 5. Page 25, by striking lines 15 through 17 and
31 inserting the following: "center."

32 6. Page 27, line 4, by striking the word "A" and
33 inserting the following: "Except as provided in
34 subsection 4A, a".

H-8965B

35 7. Page 27, by inserting after line 21 the
36 following:

37 "4A. If all applications are approved or denied
38 during a fiscal year and money is remaining in the
39 fund, a school district may apply for and, upon
40 approval, receive a second grant under the program."

41 8. Page 27, by striking line 25 and inserting the
42 following: "requirement. If a local sales and
43 services tax for infrastructure is imposed pursuant to
44 section 422E.2 in the county of a school district
45 receiving financial assistance under the program, then
46 the school district's grant shall be reduced by an
47 amount equal to the amount of local sales and services
48 tax for infrastructure revenue received by the school
49 district minus the sales tax capacity of the school
50 district at the fiftieth percentile for sales tax

Page 2

1 capacity.

2 5A. The program shall provide grants in an amount
3 of".

Richardson of Warren asked and received unanimous consent to
withdraw amendment H-8965B.

On motion by Richardson of Warren, amendment H-8965A lost.

Raecker of Polk offered the following amendment H-8966 filed by
him, Boggess of Page, and Stevens of Dickinson from the floor and
moved its adoption:

H-8966

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, by inserting after line 28 the
4 following:
5 "8. Of any moneys appropriated for deposit in the
6 fund, up to ten percent may be used for the
7 development of marketing efforts and promotion of Iowa
8 tourism attractions and events in markets outside the
9 state. Moneys for such out-of-state marketing and
10 promotion shall be allocated equally among the three
11 tourism regions in the state."

Amendment H-8966 lost.

Millage of Scott offered the following amendment H-8950 filed by him from the floor and moved its adoption:

H-8950

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 9, line 9, by inserting after the word
4 "program." the following: "An applicant or the board
5 may divide a proposed project into component parts.
6 The board may choose to provide financial assistance
7 under the program to one or more component parts
8 instead of providing financial assistance under the
9 program for the entire project."

Amendment H-8950 was adopted.

Millage of Scott offered the following amendment H-8952 filed by him from the floor and moved its adoption:

H-8952

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 9, line 18, by striking the word "fifty"
4 and inserting the following: "sixty".

Amendment H-8952 lost.

Millage of Scott asked and received unanimous consent to withdraw amendment H-8953 filed by him from the floor.

Connors of Polk asked and received unanimous consent that amendment H-8971 be deferred.

Millage of Scott offered amendment H-8954 filed by him from the floor as follows:

H-8954

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, line 2, by inserting after the word
- 4 "dollars." the following: "The board shall not
- 5 provide financial assistance to an applicant under the
- 6 vision Iowa program in an amount which exceeds twenty
- 7 percent of the aggregate principal amount of bonds
- 8 issued pursuant to this section."

Wise of Lee asked for unanimous consent to defer Senate File 2447.

Objection was raised.

Millage of Scott moved the adoption of amendment H-8954.

Roll call was requested by Millage of Scott and Jager of Black Hawk.

On the question "Shall amendment H-8954 be adopted?" (S.F. 2447)

The ayes were, 42:

Alons	Baudler	Bell	Boddicker
Bradley	Brauns	Brunkhorst	Cohon
Dix	Doderer	Dolecheck	Dotzler
Fallon	Garman	Greiner	Hahn
Horbach	Houser	Jager	Jenkins
Jochum	Kettering	Kreiman	Kuhn
Larkin	Lord	Martin	Millage
Nelson-Forbes	Rayhons	Reynolds	Richardson
Shoultz	Stevens	Sunderbruch	Thomas
Van Engelenhoven	Van Fossen	Weidman	Weigel
Wise	Witt		

The nays were, 56:

Arnold	Barry	Blodgett	Boal
Bogges	Bukta	Carroll	Cataldo
Chiodo	Connors	Cormack	Davis
Drake	Drees	Eddie	Falck
Foege	Ford	Gipp	Greimann

Grundberg	Heaton	Hoffman	Holmes
Holveck	Huseman	Huser	Jacobs
Johnson	Klemme	Larson	Mascher
May	Mertz	Metcalf	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Scherrman
Schrader	Shey	Sukup	Taylor, D.
Taylor, T.	Teig	Thomson	Tyrrell
Warnstadt	Welter	Whitead	Mr. Speaker Siegrist

Absent or not voting, 2:

Frevert Hansen

Amendment H-8954 lost.

Raecker of Polk offered the following amendment H-8958 filed by him and Shey of Linn from the floor and moved its adoption:

H-8958

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, line 2, by striking the word "three"
- 4 and inserting the following: "five".
- 5 2. Page 15, by striking lines 4 through 6 and
- 6 inserting the following: "appropriation."

Sukup of Franklin in the chair at 3:10 p.m.

Amendment H-8958 lost.

Blodgett of Cerro Gordo offered the following amendment H-8949 filed by him from the floor and moved its adoption:

H-8949

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, line 5, by striking the word
- 4 "seventy-five" and inserting the following: "fifty".

Speaker Siegrist in the chair at 3:22 p.m.

A non-record roll call was requested.

The ayes were 29, nays 58.

Amendment H-8949 lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-8959 filed by him and Shey of Linn from the floor.

Millage of Scott offered the following amendment H-8956 filed by him from the floor and moved its adoption:

H-8956

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, line 6, by inserting after the word
- 4 "fund." the following: "The board shall not award
- 5 financial assistance from the fund to a county for
- 6 more than one project."

A non-record roll call was requested.

The ayes were 34, nays 50.

Amendment H-8956 lost.

Jenkins of Black Hawk offered the following amendment H-8955 filed by him and Holmes of Scott from the floor and moved its adoption:

H-8955

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by striking lines 4 through 6 and
- 4 inserting the following: "appropriation. Applicants
- 5 from the same county for all fiscal years shall not
- 6 together receive financial assistance from the vision
- 7 Iowa fund in an amount which totals more than the
- 8 amount determined by the following formula less the
- 9 total amount received by all persons in the county in
- 10 all fiscal years under the community attraction and
- 11 tourism program established in section 15F.202:
- 12 a. The population of the county, according to the
- 13 most recent census, divided by the population of the
- 14 state, according to the most recent census.
- 15 b. The quotient calculated in paragraph "a"
- 16 multiplied by two.
- 17 c. The product calculated in paragraph "b"

- 18 multiplied by three hundred million dollars.
 19 The formula shall not set a limitation lower than
 20 ten million dollars for any applicant."

Amendment H-8955 lost.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-8957 filed by him and Shey of Linn from the floor.

Boddicker of Cedar offered the following amendment H-8983 filed by him from the floor and moved its adoption:

H-8983

- 1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 17, line 21, by striking the word
 4 "SCHOOL" and inserting the following: "COMMUNITY".
 5 2. Page 17, line 23, by striking the word
 6 "school" and inserting the following: "community".
 7 3. Page 17, line 27, by striking the word
 8 "school" and inserting the following: "community".
 9 4. Page 18, line 7, by striking the word "school"
 10 and inserting the following: "community".
 11 5. Page 18, line 17, by striking the word
 12 "school" and inserting the following: "community".
 13 6. Page 20, line 1, by striking the word "school"
 14 and inserting the following: "community".
 15 7. Page 20, line 19, by striking the word
 16 "school" and inserting the following: "community".
 17 8. Page 20, line 24, by striking the word
 18 "SCHOOL" and inserting the following: "COMMUNITY".
 19 9. Page 20, line 26, by striking the word
 20 "school" and inserting the following: "community".
 21 10. Page 20, line 29, by striking the word
 22 "school" and inserting the following: "community".
 23 11. Page 20, line 31, by striking the word
 24 "school" and inserting the following: "community".
 25 12. Page 23, line 6, by striking the word
 26 "school" and inserting the following: "community".
 27 13. Page 23, line 16, by striking the word
 28 "school" and inserting the following: "community".
 29 14. Page 24, line 3, by striking the word
 30 "SCHOOL" and inserting the following: "COMMUNITY".
 31 15. Page 24, line 6, by striking the word
 32 "school" and inserting the following: "community".
 33 16. Page 24, line 8, by inserting after the word
 34 "needs" the following: "and to counties with
 35 infrastructure needs related to county jails. A grant

36 to a county for an infrastructure need related to a
37 county jail may be for a project which has been
38 initiated prior to the time the grant application is
39 submitted".

40 17. Page 26, line 10, by striking the words "The
41 application" and inserting the following: "An
42 application related to school infrastructure".

43 18. Page 27, by inserting after line 3 the
44 following:

45 "3A. An application for jail infrastructure needs
46 shall include, but not be limited to, a description of
47 the project and the total capital investment of the
48 project."

49 19. Page 27, line 4, by inserting after the word
50 "district" the following: "or county".

Page 2

1 20. Page 27, line 21, by inserting after the word
2 "enrollment" the following: "and counties with jail
3 infrastructure needs".

4 21. Page 27, line 32, by inserting after the word
5 "applications" the following: "from school
6 districts".

7 22. Page 28, by inserting after line 2 the
8 following:

9 "6A. The department of corrections shall review
10 all applications from counties for financial
11 assistance related to jail infrastructure under the
12 program and make recommendations regarding the
13 applications to the department of education. The
14 department of education shall make the final
15 determination on grant awards."

16 23. Page 28, line 32, by striking the word
17 "school" and inserting the following: "community".

18 24. Title page, line 3, by striking the word
19 "school" and inserting the following: "community".

Sukup of Franklin in the chair at 3:45 p.m.

Amendment H-8983 lost.

Kuhn of Floyd offered the following amendment H-8976 filed by Kuhn, Wise of Lee, Richardson of Warren, Mascher of Johnson, Kreiman of Davis, Bukta of Clinton, Greimann of Story, Foege of Linn, Witt of Black Hawk, Larkin of Lee, Fallon of Polk, Cohoon of Des Moines, Scherrman of Dubuque, and Osterhaus of Jackson from the floor and moved its adoption:

H-8976

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 17, line 26, by striking the word "fifty"
- 4 and inserting the following: "seventy-five".

Roll call was requested by Kuhn of Floyd and Wise of Lee.

Rule 75 was invoked.

On the question "Shall amendment H-8976 be adopted?" (S.F. 2447)

The ayes were, 39:

Bell	Boddicker	Bukta	Cohoon
Connors	Dotzler	Falck	Fallon
Foege	Garman	Greimann	Greiner
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Thomas	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 59:

Alons	Arnold	Barry	Baudler
Boal	Boggess	Bradley	Brauns
Brunkhorst	Carroll	Cataldo	Chiodo
Cormack	Davis	Dix	Doderer
Dolecheck	Drake	Drees	Eddie
Ford	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson-Forbes	Rants	Shey	Siegrist, Spkr.
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Welter	Sukup,	
		Presiding	

Absent or not voting, 2:

Blodgett	Frevert
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Amendment H-8976 lost.

Millage of Scott asked and received unanimous consent to withdraw amendment H-8951 filed by him from the floor.

Teig of Hamilton offered the following amendment H-8968 filed by him from the floor and moved its adoption:

H-8968

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 23, line 13, by inserting after the word
- 4 "fifty" the following: "percent".
- 5 2. Page 27, line 30, by inserting after the
- 6 figure "2002." the following: "If the amount of
- 7 grants awarded in a fiscal year is less than the
- 8 maximum amount provided for grants for that fiscal
- 9 year in this subsection, the amount of the difference
- 10 shall be carried forward to subsequent fiscal years
- 11 for purposes of providing grants under the program and
- 12 the maximum amount of grants for each fiscal year, as
- 13 provided in this subsection, shall be adjusted
- 14 accordingly."

Amendment H-8968 was adopted.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-8960 filed by him from the floor.

Rayhons of Hancock offered the following amendment H-8972 filed by him from the floor and moved its adoption:

H-8972

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 24, line 2, by inserting after the word
- 4 "field." the following: ""School infrastructure" may
- 5 include bonded indebtedness for activities included
- 6 under the definition in this subsection and initiated
- 7 prior to July 1, 2000."

Amendment H-8972 lost.

Hoffman of Crawford offered amendment H-8948 filed by him as follows:

H-8948

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 28, by inserting after line 29 the
- 4 following:
- 5 "9. A school district located in a county which
- 6 has imposed a sales and services tax for school
- 7 infrastructure pursuant to section 422E.2 and has
- 8 sales and services tax revenue of more than five
- 9 hundred thirteen dollars per pupil shall not be
- 10 eligible for financial assistance under the program."

Hoffman of Crawford asked and received unanimous consent that amendment H-8948 be deferred.

Richardson of Warren asked and received unanimous consent that amendment H-8961 be deferred.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-8964 filed by him from the floor, placing amendment H-8975 filed by Richardson of Warren from the floor, out of order.

Dolecheck of Ringgold offered the following amendment H-8982 filed by him from the floor and moved its adoption:

H-8982

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 28, by inserting after line 29 the
- 4 following:
- 5 "9. If a school district receives financial
- 6 assistance under the vision Iowa program created under
- 7 section 15F.302 pursuant to a joint application
- 8 submitted under section 15F.302, subsection 3, the
- 9 school district shall not be eligible to receive
- 10 financial assistance under the school infrastructure
- 11 program."

Amendment H-8982 was adopted.

Millage of Scott asked and received unanimous consent that amendment H-8963 be deferred.

Shoultz of Black Hawk offered the following amendment H-8992 filed by him from the floor and moved its adoption:

H-8992

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 29, by inserting after line 11 the
- 4 following:
- 5 "Sec. ____ APPROPRIATIONS.
- 6 1. For the fiscal year beginning July 1, 2000,
- 7 there is appropriated from the Iowa economic emergency
- 8 fund created in section 8.55, to the department of
- 9 economic development two hundred million dollars for
- 10 deposit in the vision Iowa fund created in section
- 11 12.72, notwithstanding any contrary provisions of
- 12 section 8.55.
- 13 2. For the fiscal year beginning July 1, 2001, and
- 14 for each of the two succeeding fiscal years,
- 15 notwithstanding section 8.57, subsection 5, paragraph
- 16 "c", there is appropriated from the rebuild Iowa
- 17 infrastructure fund to the department of education
- 18 twenty-five million dollars for deposit in the school
- 19 infrastructure fund created in section 12.82."
- 20 2. Title page, line 6, by striking the word
- 21 "and".
- 22 3. Title page, line 7, by inserting after the
- 23 word "taxation" the following: ", and making
- 24 appropriations".
- 25 4. By renumbering as necessary.

Amendment H-8992 lost.

Hoffman of Crawford asked and received unanimous consent to withdraw amendment H-8973 filed by him and Richardson of Warren from the floor.

Richardson of Warren offered the following amendment H-8974 filed by him from the floor and moved its adoption:

H-8974

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 7, by inserting after the word
- 4 "senate." the following: "However, the member listed
- 5 in subsection 2, paragraph "c" shall not be subject to
- 6 confirmation by the senate."
- 7 2. Page 2, line 15, by inserting after the word

8 "counties." the following: "Three of the members
 9 listed in subsection 2, paragraphs "a" and "d", shall
 10 be from a county that has a population of less than
 11 fifty thousand according to the 1990 census."
 12 3. Page 6, by inserting after line 19 the
 13 following:
 14 "6. Upon denial of an application for financial
 15 assistance under the program, the board shall notify
 16 the applicant regarding the reasons for the denial of
 17 the application."

Amendment H-8974 lost.

Teig of Hamilton asked and received unanimous consent that amendment H-8994 be deferred.

Fallon of Polk offered amendment H-8977 filed by him from the floor as follows:

H-8977

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, by inserting after line 32 the
 4 following:
 5 "f. A discussion of the manner in which the
 6 project has taken the following planning principles
 7 into consideration during the planning of the project:
 8 (1) Efficient and effective use of land resources
 9 and existing infrastructure by encouraging development
 10 in areas with existing infrastructure or capacity to
 11 avoid costly duplication of services and costly use of
 12 land.
 13 (2) Provision for a variety of transportation
 14 choices, including neighborhoods conducive to
 15 pedestrian traffic.
 16 (3) Maintenance of a unique sense of place by
 17 respecting local cultural and natural environmental
 18 features.
 19 (4) Conservation of open space and farmland and
 20 preservation of critical environmental areas.
 21 (5) Promotion of the safety, livability, and
 22 revitalization of existing urban and rural
 23 communities."
 24 2. Page 8, by inserting after line 32 the
 25 following:
 26 "h. A discussion of the manner in which the
 27 project has taken the following planning principles
 28 into consideration during the planning of the project:
 29 (1) Efficient and effective use of land resources

30 and existing infrastructure by encouraging development
31 in areas with existing infrastructure or capacity to
32 avoid costly duplication of services and costly use of
33 land.
34 (2) Provision for a variety of transportation
35 choices, including neighborhoods conducive to
36 pedestrian traffic.
37 (3) Maintenance of a unique sense of place by
38 respecting local cultural and natural environmental
39 features.
40 (4) Conservation of open space and farmland and
41 preserve critical environmental areas.
42 (5) Promotion of the safety, livability, and
43 revitalization of existing urban and rural
44 communities."

Fallon of Polk offered the following amendment H-8988, to amend-
ment H-8977, filed by him from the floor and moved its adoption:

H-8988

1 Amend the amendment, H-8977, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 14, by striking the words
5 "neighborhoods conducive to".
6 2. Page 1, line 35, by striking the words
7 "neighborhoods conducive to".

Amendment H-8988 was adopted.

Fallon of Polk moved the adoption of amendment H-8977, as
amended.

A non-record roll call was requested.

The ayes were 38, nays 49.

Amendment H-8977, as amended, lost.

Fallon of Polk offered amendment H-8978 filed by him from the
floor as follows:

H-8978

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, by inserting after line 9 the

4 following:

5 "g. The extent to which the project has taken the

6 following planning principles into consideration:

7 (1) Efficient and effective use of land resources

8 and existing infrastructure by encouraging development

9 in areas with existing infrastructure or capacity to

10 avoid costly duplication of services and costly use of

11 land.

12 (2) Provision for a variety of transportation

13 choices, including neighborhoods conducive to

14 pedestrian traffic.

15 (3) Maintenance of a unique sense of place by

16 respecting local cultural and natural environmental

17 features.

18 (4) Conservation of open space and farmland and

19 preservation of critical environmental areas.

20 (5) Promotion of the safety, livability, and

21 revitalization of existing urban and rural

22 communities."

23 2. Page 11, by inserting after line 13 the

24 following:

25 "h. The extent to which the project has taken the

26 following planning principles into consideration:

27 (1) Efficient and effective use of land resources

28 and existing infrastructure by encouraging development

29 in areas with existing infrastructure or capacity to

30 avoid costly duplication of services and costly use of

31 land.

32 (2) Provision for a variety of transportation

33 choices, including neighborhoods conducive to

34 pedestrian traffic.

35 (3) Maintenance of a unique sense of place by

36 respecting local cultural and natural environmental

37 features.

38 (4) Conservation of open space and farmland and

39 preserve critical environmental areas.

40 (5) Promotion of the safety, livability, and

41 revitalization of existing urban and rural

42 communities."

Fallon of Polk offered the following amendment H-8987, to amendment H-8978, filed by him from the floor and moved its adoption:

H-8987

1 Amend the amendment, H-8978, to Senate File 2447,

2 as amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 1, line 13, by striking the words

5 "neighborhoods conducive to".

- 6 2. Page 1, line 33, by striking the words
- 7 "neighborhoods conducive to".

Amendment H-8987 was adopted.

On motion by Fallon of Polk amendment H-8978, as amended, was adopted.

Weigel of Chickasaw offered the following amendment H-8980 filed by him from the floor and moved its adoption:

H-8980

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 7, line 1, by inserting after the word
- 4 "project." the following: "The total cost of a
- 5 project shall not exceed two million dollars."

Speaker Siegrist in the chair at 5:43 p.m.

Amendment H-8980 lost.

Weigel of Chickasaw offered the following amendment H-8985 filed by him from the floor and moved its adoption:

H-8985

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 7, line 1, by inserting after the word
- 4 "project." the following: "Not more than five million
- 5 dollars of moneys from the fund shall be awarded to
- 6 projects in the same county over the lifetime of the
- 7 program."
- 8 2. Page 15, line 6, by inserting after the word
- 9 "fund." the following: "Not more than seventy-five
- 10 million dollars of moneys from the fund shall be
- 11 awarded to projects in the same county over the
- 12 lifetime of the program."

A non-record roll call was requested.

The ayes were 36, nays 50.

Amendment H-8985 lost.

Weigel of Chickasaw offered the following amendment H-8981 filed by him from the floor and moved its adoption:

H-8981

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 9, line 7, by striking the word "twenty"
- 4 and inserting the following: "five".

Amendment H-8981 lost.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-8971, previously deferred, filed by him from the floor, placing amendments H-8986 and H-8984 to amendment H-8971, filed by Shoultz of Black Hawk from the floor, out of order.

Hoffman of Crawford called up for consideration amendment H-8948, previously deferred, found on page 1640 of the House Journal.

The following amendments to amendment H-8948 were withdrawn by unanimous consent:

Amendment H-8990 filed by Hoffman of Crawford from the floor.

Amendment H-8991 filed by Hoffman of Crawford from the floor.

Amendment H-8970 filed by Cormack of Webster and Mundie of Webster from the floor.

Hoffman of Crawford offered the following amendment H-8995, to amendment H-8948, filed by him, Cormack of Webster, and Mundie of Webster from the floor and moved its adoption:

H-8995

- 1 Amend the amendment, H-8948, to Senate File 2447,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 5 through 10 and
- 5 inserting the following:
- 6 " "9. A school district located in whole or in part
- 7 in a county which has imposed the maximum rate of
- 8 sales and services tax for school infrastructure
- 9 pursuant to section 422E.2 and has sales and services
- 10 tax for school infrastructure revenue of more than the

11 statewide average of sales tax capacity per pupil, as
12 defined in section 292.1, subsection 8, shall not be
13 eligible for financial assistance under the program.
14 For purposes of this subsection, an individual school
15 district's sales tax capacity per pupil is the
16 estimated total sales and services tax for
17 infrastructure revenue to be actually received by the
18 school district divided by the school district's
19 enrollment as specified in section 292.1, subsection
20 8." "

Amendment H-8995 was adopted.

On motion by Hoffman of Crawford amendment H-8948, as amended, was adopted, placing amendment H-8961, previously deferred, filed by Richardson of Warren from the floor, out of order.

Millage of Scott asked and received unanimous consent to withdraw amendment H-8963, previously deferred, filed by him from the floor.

The House stood at ease at 6:23 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2447, at 6:25 p.m., Speaker Siegrist in the chair.

Falck of Fayette offered the following amendment H-8994, previously deferred, filed by him, Hoffman of Crawford, Houser of Pottawattamie, Reynolds of Van Buren, and Wise of Lee from the floor and moved its adoption:

H-8994

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 16, by striking the word "and"
- 4 and inserting the following: "or".
- 5 2. Page 5, by striking line 25 and inserting the
- 6 following: "quality of life or the quality of
- 7 attraction or tourism employment in the community."
- 8 3. Page 5, line 27, by striking the words "and
- 9 tourism" and inserting the following: "or tourism".

Amendment H-8994 was adopted.

Carroll of Poweshiek in the chair at 6:42 p.m.

Teig of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2447)

The ayes were, 72:

Alons	Arnold	Barry	Bell
Blodgett	Boal	Boggess	Brauns
Bukta	Cataldo	Chiodo	Connors
Cormack	Davis	Dolecheck	Dotzler
Drake	Eddie	Falck	Fallon
Foege	Ford	Gipp	Greimann
Grundberg	Hansen	Heaton	Hoffman
Holmes	Holveck	Huseman	Huser
Jacobs	Jochum	Johnson	Klemme
Larkin	Larson	Martin	Mascher
May	Mertz	Metcalf	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Raecker	Rants	Reynolds
Richardson	Scherrman	Schrader	Shay
Siegrist, Spkr.	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Carroll, Presiding

The nays were, 27:

Baudler	Boddicker	Bradley	Brunkhorst
Cohoon	Dix	Doderer	Drees
Garman	Greiner	Hahn	Horbach
Houser	Jager	Jenkins	Kettering
Kreiman	Kuhn	Lord	Millage
Parmenter	Rayhons	Shoultz	Van Engelenhoven
Weigel	Wise	Witt	

Absent or not voting, 1:

Frevert

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2577 WITHDRAWN

Teig of Hamilton asked and received unanimous consent to withdraw House File 2577 from further consideration by the House.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2447** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2000, passed the following bill in which the concurrence of the Senate was asked:

House Joint Resolution 2014, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2206, a bill for an act providing for the waiver or variance of administrative rules by state agencies.

Also: That the Senate has on April 19, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2557, a bill for an act relating to the state's disposition of unclaimed property law by setting a limit on the retention of abandoned property records and requiring the filing of rules setting requirements and conditions for hiring independent auditors.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2565, a bill for an act relating to tobacco use prevention and control and providing an effective date.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2569, a bill for an act exempting the sale of livestock ear tags by certain nonprofit organizations from the sales and use taxes.

Also: That the Senate has on April 19, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 15, a concurrent resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

Also: That the Senate has on April 19, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 103, a concurrent resolution relating to the fair treatment of women in the drafting of wills and trusts by estate planners, trust officers, investment advisers, and other financial planners and advisers.

Also: That the Senate has on April 19, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 116, a concurrent resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program and to direct the commission to develop designs incorporating the Loess Hills as a symbol for the state.

Also: That the Senate has on April 19, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2395, a bill for an act relating to the creation of an information technology department and making related changes.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2425, a bill for an act providing an assistive device tax credit under the individual and corporate taxes for the acquisition or modification of assistive technology or the modification of the workplace in order to assist persons with a disability in the workplace, limiting the total amount of credits allowed, and including an effective and retroactive applicability date provision.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2453, a bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

Also: That the Senate has on April 19, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2457, a bill for an act relating to certification of the need for the physical plant and equipment property tax levy in certain urban renewal areas and providing an applicability date.

Also: That the Senate has on April 19, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 114, a concurrent resolution requesting the office of the attorney general to establish an operating while intoxicated (OWI) task force to review the clarity, complexity, and functionality of current operating while intoxicated Code provisions and to make recommendations to the general assembly.

Also: That the Senate has on April 19, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 116, a concurrent resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program and to direct the commission to develop designs incorporating the Old Capitol as a symbol for the state.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 2582, by Davis, a bill for an act establishing a pharmaceutical assistance program for elderly Iowans, providing a penalty, and providing an appropriation.

Read first time and referred to committee on **appropriations**.

House File 2583, by Davis, a bill for an act providing a prescription drug tax credit and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGES CONSIDERED

Senate File 2425, by committee on ways and means, a bill for an act providing an assistive device tax credit under the individual and corporate taxes for the acquisition or modification of assistive technology or the modification of the workplace in order to assist persons with a disability in the workplace, limiting the total amount of credits allowed, and including an effective and retroactive applicability date provision.

Read first time and **passed on file**.

Senate File 2453, by committee on appropriations, a bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the

department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

Read first time and **passed on file.**

Senate File 2457, by committee on ways and means, a bill for an act relating to certification of the need for the physical plant and equipment property tax levy in certain urban renewal areas and providing an applicability date.

Read first time and referred to committee on **ways and means.**

Rants of Woodbury asked and received unanimous consent for the committee on appropriations to meet immediately upon adjournment.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on April 18, 2000, and is on file in the office of the Chief Clerk:

April 17, 2000

Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Chief Clerk:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the House of Representatives.

These include 6 claims of general nature that were denied by the State Appeal Board at the March 9 and April 3, 2000, State Appeal Board meeting. This supplements our filing of February 7, 2000.

The attached index shows claim number, name and address of claimant and the amount requested in the claim.

If you need further information regarding the above, please contact Ronald A. Amosson at (515) 281-3078.

Sincerely,
Cynthia P. Eisenhauer
Chairperson
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

ELIZABETH A. ISAACSON
Chief Clerk of the House

DENIED GENERAL CLAIMS BY THE STATE APPEAL BOARD
SUBMITTED TO THE 78TH GENERAL ASSEMBLY
March 2000 through April 2000

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G000220	City of Sheldon	Sheldon, IA	Transportation	\$493.73
G980585	North Central Trucking	Clear Lake, IA	License Refund	\$1,755.68
G990143	Allen Memorial Hospital	Waterloo, IA	Drug Screening	\$60.00
G990292	M & K Trucking - Monte Wallenberg	Sheldon, IA	License Refund	\$454.40
G990370	Allen Memorial Hospital	Waterloo, IA	Lab Fees	\$44.00
G990390	Children & Families of Iowa	Des Moines, IA	Court Ordered	\$881.16

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 19, 2000. Had I been present, I would have voted "aye" on House File 2008 and Senate File 2144.

ALONS of Sioux

I was necessarily absent from the House chamber on April 19, 2000. Had I been present, I would have voted "aye" on House File 2008, House Concurrent Resolution 109 and Senate File 2144.

BRUNKHORST of Bremer

I was necessarily absent from the House chamber on March 28 through April 17, 2000. Had I been present, I would have voted "aye" on House Files 475, 723, 2146, 2198, 2317, 2331, 2362, 2373, 2377, 2391, 2419, 2429, 2437, 2463, 2477, 2491, 2492, 2502, 2510, 2511, 2513, 2528, 2533, 2538, 2540, 2550, 2554, 2557, 2561, 2565, Senate Joint Resolution 2005, Senate Files 419, 421, 466, 2047, 2079, 2092, 2113, 2126, 2141, 2143, 2146, 2214, 2238, 2249, 2252, 2254, 2267, 2294, 2302, 2307, 2308, 2312, 2313, 2324, 2329, 2331, 2342, 2348, 2360, 2366, 2371, 2390, 2395, 2416, 2418, 2420, 2424, 2426, 2428, 2429, 2435, 2439 and amendments H-8907 to House File 2548; H-8595, H-8602, H-8603 to House File 2549; H-8626, H-8630, H-8631, H-8634, H-8641, H-8642 to House File 2552; H-8874 to House File 2562; H-8900 to House File 2565; H-8719 to Senate File 2302; H-8695, H-8696, H-8699, H-8700 to Senate File 2428; H-8885 to Senate File 2429; H-8724 to Senate File 2430; H-8832, H-8834 to Senate File 2435; H-8804 to Senate File 2443; and "nay" on House Joint Resolution 2014, House Files 2548, 2549, 2552, 2562 and Senate Files 2274, 2430 and 2443.

FREVERT of Palo Alto

I was necessarily absent from the House chamber on April 19, 2000. Had I been present, I would have voted "aye" on House File 2008 and Senate File 2144.

O'BRIEN of Boone

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 19th day of April, 2000: House Files 2170, 2362, 2377, 2511 and 2533.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 19, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2470, an act relating to the office of the state public defender including indigent defense costs and the appropriation of indigent defense funds.

House File 2486, an act relating to the taking of fish and game by establishing residency requirements, authorizing the taking of deer and the use of certain mechanical devices for taking deer within a city, and methods of taking fish and subjecting violators to an existing penalty.

House File 2492, an act relating to certain state and municipal agencies by making changes relating to the provision of and training for fire protection service and emergency medical service and by amending the powers and duties of townships and township officers.

House File 2510, an act relating to operating while intoxicated, including ignition interlock provisions.

House File 2522, an act relating to addresses used by persons seeking relief from domestic abuse.

Senate File 2249, an act relating to a state agency purchasing preference for bio-based hydraulic fluids, greases, and other industrial lubricants.

Senate File 2312, an act relating to pseudorabies control, making penalties applicable, for implementation and providing an effective date.

Senate File 2348, an act relating to the loess hills development and conservation authority by creating a hungry canyons alliance, providing membership guidelines for board of directors of the conservation authority and loess hills alliance, and providing for the assistance of state agencies.

Senate File 2360, an act relating to state and local administrative and employment provisions involving human services and providing an effective date.

Senate File 2418, an act relating to certification of property taxes by townships and providing an effective date.

Senate File 2420, an act relating to the administration and enforcement of the replacement tax imposed on the generation, transmission, and delivery, consumption, and use of electricity and natural gas, providing for the Act's retroactive applicability, and providing an effective date.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\851 Betty Millen, West Des Moines – For her 28 years of dedicated service, commitment and loyalty, to the Iowa House of Representatives and staff.
- 2000\852 Iowa Gamma Chapter of Sigma Alpha Epsilon, Iowa State University – For their exemplary actions in making SAE an alcohol-free house and, scholastically, one of the top fraternities on campus.
- 2000\853 Phyllis Jans, Westside – For celebrating her 80th birthday.
- 2000\854 Bernice Willson, Mapleton – For celebrating her 80th birthday.
- 2000\855 Arlis and Leonard Petersen, Ute – For celebrating their 50th wedding anniversary.
- 2000\856 Edna Campbell, Onawa – For celebrating her 94th birthday.
- 2000\857 Helen Wetzel, Manilla – For celebrating her 98th birthday.
- 2000\858 Vera McNally, Grinnell – For celebrating her 90th birthday.
- 2000\859 Irene and Bob Criswell, Kellogg – For celebrating their 50th wedding anniversary.
- 2000\860 Doris and Leonard Cline, Guernsey – For celebrating their 50th wedding anniversary.
- 2000\861 Doris Lemke, Adair – For celebrating her 80th birthday.
- 2000\862 Dorothy Petersen, Battle Creek – For celebrating her 80th birthday.
- 2000\863 Ruby Swanger, Battle Creek – For celebrating her 80th birthday.
- 2000\864 Marie Folgero, Slater – For celebrating her 99th birthday.
- 2000\865 Joan and Leonard Buch, Fairfield – For celebrating their 50th wedding anniversary.
- 2000\866 Caroline and George Wander, West Clermont – For celebrating their 54th wedding anniversary.

- 2000\867 Marjorie and George Hood, Woodbine – For celebrating their 60th wedding anniversary.
- 2000\868 Lorraine and Walter Kay, Holstein – For celebrating their 50th wedding anniversary.
- 2000\869 Mark Muxfeldt, Story City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\870 Michael John David Yeoman, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\871 Brad Hammes, Wilton – For being elected as President for the Iowa Future Farmers of America.
- 2000\872 St. Ansgar Future Farmers of America, St. Ansgar – For being named the top FFA Chapter in the state.

SUBCOMMITTEE ASSIGNMENTS

House File 2579

Appropriations: Heaton, Chair; Gipp and Murphy.

Senate File 2455

Transportation: Eddie, Chair; May and Welter.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

House File 2084, a bill for an act prohibiting body piercing of persons less than eighteen years of age without prior written notarized consent of a parent, providing for injunctive relief, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2000.

Senate File 2427, a bill for an act relating to the definition of factory-built structures, the certification of installers of manufactured homes and providing for a fee, an appropriation, and a civil penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2000.

Senate File 2438, a bill for an act relating to the creation of a water quality district, providing for the levy of a tax, and providing for other properly related matters.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2000.

Committee Bill (Formerly House File 2507), relating to urban renewal and urban revitalization and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 2000.

Committee Bill (Formerly House Study Bill 756), relating to the authorization of the Iowa higher education loan authority to make loans and issue obligations to make loans to entities other than educational institutions, and to finance projects to be leased to educational institutions, and providing that the obligations and income from obligations are exempt from taxation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 2000.

Committee Bill (Formerly House Study Bill 771), relating to the size of an estate that may be distributed by affidavit, making related changes, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2000.

AMENDMENTS FILED

H—8967	H.F.	2576	Horbach of Tama
H—8979	S.F.	2433	Weigel of Chickasaw
H—8989	H.F.	2557	Senate Amendment
H—8993	S.F.	2327	Mundie of Webster
H—8996	H.F.	2572	Huser of Polk Dotzler of Black Hawk
H—8997	H.F.	2574	Gipp of Winneshiek
H—8998	H.F.	2530	Raecker of Polk
H—8999	H.F.	2560	Weigel of Chickasaw
H—9000	S.F.	2438	Sukup of Franklin

H-9001	H.F.	2580	Jenkins of Black Hawk
H-9002	S.F.	2332	Mascher of Johnson
H-9003	S.F.	2332	Mascher of Johnson
H-9004	S.F.	2332	Mascher of Johnson
H-9005	S.F.	2332	Mascher of Johnson
H-9006	S.F.	2332	Jochum of Dubuque
H-9007	S.F.	2332	Mascher of Johnson Jochum of Dubuque
H-9008	S.F.	2332	Greimann of Story
H-9009	H.F.	2530	Wise of Lee
H-9010	S.F.	2453	Gipp of Winneshiek
H-9011	S.F.	2332	Mascher of Johnson

On motion by Rants of Woodbury the House adjourned at 9:33 p.m., until 9:15 a.m., Thursday, April 20, 2000.

JOURNAL OF THE HOUSE

One Hundred Second Calendar Day - Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 20, 2000

The House met pursuant to adjournment at 9:55 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by the Honorable Danny Holmes, state representative from Scott County.

The Journal of Wednesday, April 19, 2000 was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2205, a bill for an act relating to electronic commerce by establishing requirements for electronic transactions and electronic records and providing penalties.

MICHAEL E. MARSHALL, Secretary

Dix of Butler in the chair at 10:26 a.m.

SENATE AMENDMENTS CONSIDERED

Jacobs of Polk called up for consideration **House File 2205**, a bill for an act relating to electronic commerce by establishing requirements for electronic transactions and electronic records and providing penalties, amended by the Senate amendment H-9015 as follows:

H-9015

- 1 Amend House File 2205, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 4, by striking lines 23 through 25.
- 4 2. Page 4, by inserting before line 26 the
- 5 following:

6 "() An electronic transaction initiated at a
7 satellite terminal, as defined in section 527.2, or
8 the processing and routing of transaction data by a
9 central routing unit or a data processing center, each
10 as defined in section 527.2."

11 3. Page 5, line 6, by striking the figure
12 "554.2106" and inserting the following: "554.1206".

13 4. Page 5, by striking lines 14 through 28 and
14 inserting the following:

15 "4. A choice of law provision, which is contained
16 in a computer information agreement that governs a
17 transaction subject to this chapter, that provides
18 that the contract is to be interpreted pursuant to the
19 laws of a state that has enacted the uniform computer
20 information transactions Act, as proposed by the
21 national conference of commissioners on uniform state
22 laws, or any substantially similar law, is voidable
23 and the agreement shall be interpreted pursuant to the
24 laws of this state if the party against whom
25 enforcement of the choice of law provision is sought
26 is a resident of this state or has its principal place
27 of business located in this state. For purposes of
28 this subsection, a "computer information agreement"
29 means an agreement that would be governed by the
30 uniform computer information transactions Act or
31 substantially similar law as enacted in the state
32 specified in the choice of laws provision if that
33 state's law were applied to the agreement."

34 5. Page 7, by inserting after line 9 the
35 following:

36 "Sec. . NEW SECTION. 554D.108A LEGAL
37 RECOGNITION OF ELECTRONIC RECORDS AFFECTING INTERESTS
38 IN REAL PROPERTY.

39 An electronic record that grants a legal or
40 equitable interest in real property, including a deed,
41 mortgage, deed of trust, pledge, security interest, or
42 other lien or encumbrance, and any disclosure required
43 under chapter 558A shall comply with all of the
44 following:

- 45 1. Be created using a security procedure and
46 signed by use of a digital signature.
- 47 2. Shall not be recorded or have effect against
48 third parties until a duplicate paper original of the
49 electronic record is executed in writing by the
50 parties, acknowledged, and recorded. The burden of

Page 2

- 1 proof that the duplicate paper original of the
- 2 electronic record is identical to the original
- 3 electronic record rests upon the party submitting the
- 4 duplicate paper original.

5 3. Comply with all requirements of Iowa law
6 regarding the recording of instruments and all other
7 applicable state requirements."

8 6. Page 8, line 27, by striking the word
9 "Notwithstanding" and inserting the following: "In
10 addition to".

11 7. Page 15, line 15, by inserting after the word
12 "state" the following: "other than a state executive
13 branch agency, department, board, commission,
14 authority, or institution,".

15 8. Page 15, by inserting after line 20 the
16 following:

17 "1A. Except as otherwise provided in section
18 554D.113, subsection 6, on or before July 1, 2003, a
19 state executive branch agency, department, board,
20 commission, authority, or institution, in consultation
21 and cooperation with the information technology
22 services division of the department of general
23 services, shall send and accept electronic records and
24 electronic signatures to and from other persons and
25 otherwise create, generate, communicate, store,
26 process, use, and rely upon electronic records and
27 signatures. The department of management, upon the
28 written request of a state executive branch agency,
29 department, board, commission, authority, or
30 institution and for good cause shown, may grant a
31 waiver from the July 1, 2003, deadline established in
32 this section to the state executive branch agency,
33 department, board, commission, authority, or
34 institution."

35 9. Page 15, line 23, by inserting after the
36 figure "1" the following: "or 1A".

37 10. Page 16, by inserting after line 13 the
38 following:

39 "4. Notwithstanding this section, an institution
40 governed under chapter 262 shall conform with national
41 standards with respect to electronic records and
42 electronic signatures, as such standards are
43 developed."

44 11. Page 17, by inserting after line 28 the
45 following:

46 "Sec. ___, NEW SECTION. 75.14 ELECTRONIC
47 BIDDING.

48 Notwithstanding contrary provisions of this
49 chapter, a public body authorized to issue bonds,
50 notes, or other obligations may elect to receive bids

Page 3

1 to purchase such bonds, notes, or other obligations by
2 means of electronic, internet or wireless
3 communication, a proprietary bidding procedure or

4 system, or by facsimile transmission to a location
5 deemed appropriate by the governing body, in each
6 instance as may be approved by the governing body and
7 provided for in the notice of sale. An electronic bid
8 shall be submitted in substantial conformity with the
9 requirements of chapter 554D and any rules adopted
10 pursuant to that chapter with respect to the
11 acceptance of electronic records by a governmental
12 agency. Additionally, before approving the use of an
13 electronic bidding procedure, the public body shall
14 find and determine that the specific procedure to be
15 used will provide reasonable security and maintain the
16 integrity of the competitive bidding process, and
17 facilitate the delivery of bids by interested parties
18 under the circumstances of the particular sale.

19 Sec. __. ADVISORY COMMITTEE CREATED. An advisory
20 committee is created to study issues associated with
21 the electronic filing, recording, and indexing of
22 instruments affecting real property pursuant to
23 chapter 558, and the electronic use of real property
24 disclosures required pursuant to chapter 558A. The
25 advisory committee shall consider matters relating to
26 the facilitation of electronic filing, recording, and
27 indexing of instruments affecting real property. The
28 advisory committee may consider matters including, but
29 not limited to, access to electronic transactions,
30 reliability and security, storage of records, training
31 of public officials, conversion from a paper recording
32 system to an electronic system, and other issues as
33 are necessary and appropriate with respect to
34 establishing a statewide uniform electronic filing
35 system for real property transactions. The membership
36 of the advisory committee shall be appointed by the
37 legislative council and shall include, but is not
38 limited to, representatives of the Iowa county
39 recorders association, the Iowa state bar association,
40 the Iowa state association of counties, Iowa title
41 guaranty, the Iowa land title association, the Iowa
42 bankers association, the Iowa independent bankers
43 association, the Iowa association of realtors, the
44 Iowa mortgage bankers association, and the office of
45 the attorney general. The advisory committee shall
46 provide an initial written report, including any
47 recommendations, to the general assembly by no later
48 than January 20, 2001. Such report shall include a
49 recommendation for the initiation of a pilot program
50 for electronic land transfers, including a date

Page 4

1 certain by which such program may be initiated and the
2 cost of such pilot program. The advisory committee

3 shall provide a written report to the general assembly
4 in January of each year subsequent to the commencement
5 of the pilot program including the results of the
6 pilot program; any additional recommendations; a
7 schedule for the implementation of a statewide uniform
8 electronic land transfer system, if appropriate; and
9 the costs associated with such implementation
10 including any identifiable ongoing costs and costs for
11 training associated with the system."

12 12. Page 17, by inserting after line 28 the
13 following:

14 "Sec. 105. Section 421.60, subsection 2, Code
15 1999, is amended by adding the following new
16 paragraph:

17 NEW PARAGRAPH. m. (1) The director may abate
18 unpaid state sales and use taxes and local sales and
19 services taxes owed by a retailer in the event that
20 the retailer failed to collect tax from the purchaser
21 as a result of erroneous written advice issued by the
22 department that was specially directed to the retailer
23 by the department and the retailer is unable to
24 collect the tax, interest, or penalties from the
25 purchaser. Before the tax, interest, and penalties
26 shall be abated on the basis of erroneous written
27 advice, the retailer must present a copy of the
28 retailer's request for written advice to the
29 department and a copy of the department's reply. The
30 department shall not maintain a position against the
31 retailer that is inconsistent with the erroneous
32 written advice, except on the basis of subsequent
33 written advice sent by the department to that
34 retailer, or a change in state or federal law, a
35 reported court case to the contrary, a contrary rule
36 adopted by the department, a change in material facts
37 or circumstances relating to the retailer, or the
38 retailer's misrepresentation or incomplete or
39 inadequate representation of material facts and
40 circumstances in requesting the written advice.

41 (2) The director shall abate the unpaid state
42 sales and use taxes and any local sales and services
43 taxes owed by a retailer where the retailer failed to
44 collect the tax from the purchaser on the charges paid
45 for access to on-line computer services as a result of
46 erroneous written advice issued by the department
47 regarding the taxability of charges paid for access to
48 on-line computer services. To qualify for the
49 abatement under this subparagraph, the erroneous
50 written advice shall have been issued by the

Page 5

1 department prior to July 1, 1999, and shall have been

2 specially directed to the retailer by the department.
3 (3) The director shall prepare quarterly reports
4 summarizing each case in which abatement of tax,
5 interest, or penalties was made. However, the report
6 shall not disclose the identity of the taxpayer. An
7 abatement authorized by this paragraph to a retailer
8 shall not preclude the department from proceeding to
9 collect the liability from a purchaser.

10 Sec. 106. Section 422.45, subsection 56, Code
11 Supplement 1999, is amended to read as follows:
12 56. The gross receipts from charges paid to a
13 provider for access to on-line computer services. For
14 purposes of this subsection, "on-line computer
15 service" means a service that provides or enables
16 computer access by multiple users to the internet or
17 to other information made available through a computer
18 server.

19 Sec. 107. Section 422.52, subsection 6, paragraph
20 a, Code Supplement 1999, is amended to read as
21 follows:

22 a. If a purchaser fails to pay tax imposed by this
23 division to the retailer required to collect the tax,
24 then in addition to all of the rights, obligations,
25 and remedies provided, the tax is payable by the
26 purchaser directly to the department, and sections
27 422.50, 422.51, 422.52, 422.54, 422.55, 422.56,
28 422.57, 422.58, and 422.59 apply to the purchaser.
29 For failure, the retailer and purchaser are liable,
30 unless the circumstances described in section 421.60,
31 subsection 2, paragraph "m", or section 422.47,
32 subsection 3, paragraph "b" or "e", or subsection 4,
33 paragraph "b" or "d", are applicable."

34 13. Page 17, by inserting after line 29 the
35 following:

36 "Sec. ____ REPEAL – EFFECTIVE DATE.

37 1. Section 554D.104, subsection 4, as enacted in
38 this Act, is amended by striking the subsection.

39 2. This section of this Act takes effect July 1,
40 2001.

41 Sec. ____ LEGISLATIVE INTENT. It is the intent of
42 the general assembly that the general assembly
43 consider the proposed uniform computer information
44 transactions Act, as adopted by the national
45 conference of commissioners on uniform state laws,
46 during the 2001 regular session."

47 14. Page 17, by inserting after line 29 the
48 following:

49 "Sec. ____ EFFECTIVE DATE. Sections 105, 106, and
50 107 of this Act, being deemed of immediate importance,

Page 6

- 1 take effect upon enactment."
- 2 15. Title page, line 3, by inserting after the
- 3 word "records" the following: ", relating to sales
- 4 and use tax exemption for access to electronic
- 5 commerce,".
- 6 16. By renumbering, relettering, or redesignating
- 7 and correcting internal references as necessary.

Van Fossen of Scott asked unanimous consent to defer House File 2205 and the Senate amendment H-9015.

Objection was raised.

Van Fossen of Scott moved to defer House File 2205 and the Senate amendment H-9015.

The motion to defer lost.

On motion by Jacobs of Polk the House concurred in the Senate amendment H-9015.

Jacobs of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2205)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Holmes	Holveck
Horbach	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers

Nelson-Forbes	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Siegrist, Spkr.	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Whitead
Wise	Witt	Dix, Presiding	

The nays were, 1:

O'Brien

Absent or not voting, 4:

Frevert

Hoffman

Houser

Welter

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Sukup of Franklin called up for consideration **House File 2557**, a bill for an act relating to the state's disposition of unclaimed property law by setting a limit on the retention of abandoned property records and requiring the filing of rules setting requirements and conditions for hiring independent auditors, amended by the Senate, and moved that the House concur in the following Senate amendment H-8989:

H-8989

- 1 Amend House File 2557, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 15 and 16 and
- 4 inserting the following: "of issue, for four years
- 5 after the date of filing."
- 6 2. Page 1, line 18, by inserting after the figure
- 7 "17A.4," the following: "by December 31, 2000,".
- 8 3. By renumbering, relettering, or redesignating
- 9 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-8989.

Sukup of Franklin moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2557)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Holmes	Holveck	Horbach
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Dix,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Frevert	Heaton	Hoffman	Houser
Siegrist, Spkr.			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2557** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2447, a bill for an act relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation.

MICHAEL E. MARSHALL, Secretary

On motion by Rants of Woodbury, the House was recessed at 11:15 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:08 p.m., Speaker Siegrist in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-nine members present, forty-one absent.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Siegrist invited the House pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Seventy-eighth General Assembly were presented to the following Pages by Speaker Siegrist, Majority Leader Christopher Rants of Woodbury and Minority Leader David Schrader of Marion:

Joseph Bergsmith
Abbie Bollans
Julie Borchers
Katie Bouma
Stacy Bruns
Christopher Cooper

Ryan Cross
Brenda De Vries
Shane Doeppke
Melissa Drake
Matthew Evoy
Stephanie Haas

John (Michael) Halloran
Jenni Jackson
Katie Mammen
William Mason
Jennifer McGee
CeAnn McNamara

Aaron Moser
Amy Murray
Jennifer Rogers
Matthew Schuring
Bret Wisecup

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 2579, a bill for an act creating a tobacco settlement authority Act, authorizing the issuance of bonds, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-9012** April 19, 2000.

Rants of Woodbury asked and received unanimous consent for the immediate consideration of House File 2579.

CONSIDERATION OF BILLS Appropriations Calendar

House File 2579, a bill for an act creating a tobacco settlement authority Act, authorizing the issuance of bonds, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Heaton of Henry offered the following amendment H-9012 filed by the committee on appropriations from the floor and moved its adoption:

H-9012

1. Amend House File 2579 as follows:
2. 1. Page 6, line 27, by striking the word

- 3 "AUTHORIZATON" and inserting the following:
 4 "AUTHORIZATION".
 5 2. Page 9, by inserting after line 2, the
 6 following:
 7 "g. The procedure to be used in amending the
 8 program plan."
 9 3. Page 9, line 3, by striking the figure "g."
 10 and inserting the following: "h."
 11 4. Page 9, line 9, by inserting after the word
 12 "council." the following: "Any amendment of the
 13 program plan, which program plan has been certified by
 14 the executive council, is subject to review by the
 15 legislative council and certification by the executive
 16 council. Any such amendment of the program plan shall
 17 not conflict with any existing contractual obligation
 18 including any obligation to the holders of bonds."
 19 5. Page 9, line 30, by striking the word "it" and
 20 inserting the following: "its".
 21 6. Page 12, line 27, by striking the words
 22 "subject to".
 23 7. Page 13, line 17, by striking the words
 24 "financial institution's" and inserting the following:
 25 "entity's".
 26 8. Page 16, by striking lines 16 through 18, and
 27 inserting the following: "moneys of the authority,
 28 and financial institutions and trust companies may
 29 provide security for the deposits."
 30 9. Page 17, line 31, by striking the word
 31 "charter" and inserting the following: "chapter".
 32 10. Page 19, line 6, by striking the word "state"
 33 and inserting the following: "state's".

The committee amendment H-9012 was adopted.

Heaton of Henry offered the following amendment H-9023 filed by him from the floor and moved its adoption:

H-9023

- 1 Amend House File 2579 as follows:
 2 1. Page 20, by inserting after line 13, the
 3 following:
 4 "Sec. ____ REFERENCES. References to the tobacco
 5 settlement fund in other enactments of the 2000
 6 session of the Seventy-eighth Iowa general assembly,
 7 are references to the tobacco settlement endowment
 8 fund."
 9 2. By renumbering as necessary.

Amendment H-9023 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Falck of Fayette, for the remainder of the day, on request of Schrader of Marion; Frevert of Palo Alto and Foege of Linn on request of Huser of Polk.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2579)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Fallon
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Falck	Foege	Frevert
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2000, upon reconsideration following receipt of the Governor's objections, failed to pass by a majority of two thirds of the members of the Senate:

Senate File 2203, a bill for an act to allow the assignment of benefits under an insurance policy or contract, or health benefit plan to the provider of health care services. Vetoed 3-3-00.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 2584, by Rants and Schrader, a bill for an act relating to the dissolution of the Iowa housing corporation and providing an effective date.

Read first time and referred to committee on **appropriations**.

Ways and Means Calendar

House File 2560, a bill for an act providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns, was taken up for consideration.

The House stood at ease at 2:28 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 2560, at 3:53 p.m., Speaker Siegrist in the chair.

Schrader of Marion asked and received unanimous consent that amendment H-9025 be deferred.

Van Fossen of Scott offered amendment H-9019 filed by him, Alons of Sioux, Baudler of Adair, Davis of Wapello, Drake of Pottawattamie, Nelson-Forbes of Marshall, Garman of Story, Houser of Pottawattamie, Jager of Black Hawk, Lord of Dallas, Martin of

Scott, Millage of Scott, Raecker of Polk, Shey of Linn, Sukup of Franklin, Sunderbruch of Scott, Arnold of Lucas, Barry of Harrison, Blodgett of Cerro Gordo, Boal of Polk, Boddicker of Cedar, Boggess of Page, Bradley of Clinton, Brauns of Muscatine, Brunkhorst of Bremer, Carroll of Poweshiek, Cormack of Webster, Dix of Butler, Dolecheck of Ringgold, Eddie of Buena Vista, Gipp of Winneshiek, Grundberg of Polk, Hahn of Muscatine, Hansen of Pottawattamie, Heaton of Henry, Hoffman of Crawford, Holmes of Scott, Horbach of Tama, Huseman of Cherokee, Jacobs of Polk, Johnson of Osceola, Kettering of Sac, Klemme of Plymouth, Larson of Linn, Metcalf of Polk, Rants of Woodbury, Rayhons of Hancock, Siegrist of Pottawattamie, Teig of Hamilton, Thomson of Linn, Tyrrell of Iowa, Van Engelenhoven of Mahaska, Weidman of Cass and Welter of Jones, from the floor as follows:

H-9019

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 15.335, Code Supplement 1999,
- 5 is amended to read as follows:
- 6 15.335 RESEARCH ACTIVITIES CREDIT.
- 7 1. An eligible business may claim a corporate tax
- 8 credit for increasing research activities in this
- 9 state during the period the eligible business is
- 10 participating in the program.
- 11 a. The credit equals six and one-half percent of
- 12 the state's apportioned share of the qualifying
- 13 expenditures for increasing research activities. ~~the~~
- 14 sum of the following:
- 15 (1) Six and one-half percent of the excess of
- 16 qualified research expenses during the tax year over
- 17 the base amount for the tax year based upon the
- 18 state's apportioned share of the qualifying
- 19 expenditures for increasing research activities.
- 20 (2) Six and one-half percent of the basic research
- 21 payments determined under section 41(e)(1)(A) of the
- 22 Internal Revenue Code during the tax year based upon
- 23 the state's apportioned share of the qualifying
- 24 expenditures for increasing research activities.
- 25 The state's apportioned share of the qualifying
- 26 expenditures for increasing research activities is a
- 27 percent equal to the ratio of qualified research
- 28 expenditures in this state to total qualified research
- 29 expenditures.
- 30 b. In lieu of the credit amount computed in
- 31 paragraph "a", subparagraph (1), an eligible business

32 may elect to compute the credit amount for qualified
33 research expenses incurred in this state in a manner
34 consistent with the alternative incremental credit
35 described in section 41(c)(4) of the Internal Revenue
36 Code. The taxpayer may make this election regardless
37 of the method used for the taxpayer's federal income
38 tax. The election made under this paragraph is for
39 the tax year and the taxpayer may use another or the
40 same method for any subsequent year.

41 c. For purposes of the alternate credit
42 computation method in paragraph "b", the credit
43 percentages applicable to qualified research expenses
44 described in clauses (i), (ii), and (iii) of section
45 41(c)(4)(A) of the Internal Revenue Code are one and
46 sixty-five hundredths percent, two and twenty
47 hundredths percent, and two and seventy-five
48 hundredths percent, respectively.

49 2. The credit allowed in this section is in
50 addition to the credit authorized in section 422.33.

Page 2

1 subsection 5, and section 422.10. However, if the
2 alternative credit computation method is used in
3 section 422.33, subsection 5, or section 422.10, the
4 credit allowed in this section shall also be computed
5 using that method.

6 3. If the eligible business is a partnership,
7 subchapter S corporation, limited liability company,
8 or estate or trust electing to have the income taxed
9 directly to the individual, an individual may claim
10 the tax credit allowed. The amount claimed by the
11 individual shall be based upon the pro rata share of
12 the individual's earnings of the partnership,
13 subchapter S corporation, limited liability company,
14 or estate or trust.

15 4. For purposes of this section, "qualifying
16 expenditures for increasing research activities" means
17 the qualifying expenditures "base amount", "basic
18 research payment", and "qualified research expense"
19 mean the same as defined for the federal credit for
20 increasing research activities which would be
21 allowable under section 41 of the Internal Revenue
22 Code in effect on January 1, 1999, except that for the
23 alternative incremental credit such amounts are for
24 research conducted within this state. For purposes of
25 this section, "Internal Revenue Code" means the
26 Internal Revenue Code in effect on January 1, 2000.

27 5. Any credit in excess of the tax liability for
28 the taxable year shall be refunded with interest
29 computed under section 422.25. In lieu of claiming a
30 refund, a taxpayer may elect to have the overpayment

31 shown on its final, completed return credited to the
32 tax liability for the following year.

33 Sec. 102. Section 15A.9, subsection 8, Code
34 Supplement 1999, is amended to read as follows:

35 8. CORPORATE TAX RESEARCH CREDIT. a corporate tax
36 credit shall be available to the primary business or a
37 supporting business for increasing research activities
38 in this state within the zone.

39 a. The credit equals ~~thirteen percent of the~~
40 ~~state's apportioned share of the qualifying~~
41 ~~expenditures for increasing research activities. the~~
42 sum of the following:

43 (1) Thirteen percent of the excess of qualified
44 research expenses during the tax year over the base
45 amount for the tax year based upon the state's
46 apportioned share of the qualifying expenditures for
47 increasing research activities.

48 (2) Thirteen percent of the basic research
49 payments determined under section 41(e)(1)(A) of the
50 Internal Revenue Code during the tax year based upon

Page 3

1 the state's apportioned share of the qualifying
2 expenditures for increasing research activities.

3 The state's apportioned share of the qualifying
4 expenditures for increasing research activities is a
5 percent equal to the ratio of qualified research
6 expenditures in this state within the zone to total
7 qualified research expenditures.

8 b. In lieu of the credit amount computed in
9 paragraph "a", subparagraph (1), a business may elect
10 to compute the credit amount for qualified research
11 expenses incurred in this state within the zone in a
12 manner consistent with the alternative incremental
13 credit described in section 41(c)(4) of the Internal
14 Revenue Code. The taxpayer may make this election
15 regardless of the method used for the taxpayer's
16 federal income tax. The election made under this
17 paragraph is for the tax year and the taxpayer may use
18 another or the same method for any subsequent year.

19 c. For purposes of the alternate credit
20 computation method in paragraph "b", the credit
21 percentages applicable to qualified research expenses
22 described in clauses (i), (ii), and (iii) of section
23 41(c)(4)(A) of the Internal Revenue Code are three and
24 thirty hundredths percent, four and forty hundredths
25 percent, and five and fifty hundredths percent,
26 respectively.

27 d. Any credit in excess of the tax liability for
28 the tax year shall be refunded with interest computed
29 under section 422.25. In lieu of claiming a refund,

30 the primary business or a supporting business may
31 elect to have the overpayment shown on its final
32 return credited to its tax liability for the following
33 tax year.
34 e. For the purposes of this section, "qualifying
35 expenditures for increasing research activities" means
36 the qualifying expenditures subsection, "base amount",
37 "basic research payment", and "qualified research
38 expense" mean the same as defined for the federal
39 credit for increasing research activities which would
40 be allowable under section 41 of the Internal Revenue
41 Code in effect on January 1, 1999, except that for the
42 alternative incremental credit such amounts are for
43 research conducted within this state within the zone.
44 For purposes of this subsection, "Internal Revenue
45 Code" means the Internal Revenue Code in effect on
46 January 1, 2000.
47 f. The credit authorized in this subsection is in
48 lieu of the credit authorized in section 422.33,
49 subsection 5 and section 422.10."
50 2. Page 4, by inserting after line 19 the

Page 4

1 following:
2 "Sec. 103. Section 422.7, subsection 31, Code
3 1999, is amended to read as follows:
4 31. For a person who is disabled, or is fifty-five
5 years of age or older, or is the surviving spouse of
6 an individual or a survivor having an insurable
7 interest in an individual who would have qualified for
8 the exemption under this subsection for the tax year,
9 subtract, to the extent included, the total amount of
10 a governmental or other pension or retirement pay,
11 including, but not limited to, defined benefit or
12 defined contribution plans, annuities, individual
13 retirement accounts, plans maintained or contributed
14 to by an employer, or maintained or contributed to by
15 a self-employed person as an employer, and deferred
16 compensation plans or any earnings attributable to the
17 deferred compensation plans, up to a maximum of ~~five~~
18 ~~six~~ thousand dollars for a person, other than a
19 husband or wife, who files a separate state income tax
20 return and up to a maximum of ~~ten~~ twelve thousand
21 dollars for a husband and wife who file a joint state
22 income tax return. However, a surviving spouse who is
23 not disabled or fifty-five years of age or older can
24 only exclude the amount of pension or retirement pay
25 received as a result of the death of the other spouse.
26 a husband and wife filing separate state income tax
27 returns or separately on a combined state return are
28 allowed a combined maximum exclusion under this

29 subsection of up to ~~ten~~ twelve thousand dollars. The
30 ~~ten~~ twelve thousand dollar exclusion shall be
31 allocated to the husband or wife in the proportion
32 that each spouse's respective pension and retirement
33 pay received bears to total combined pension and
34 retirement pay received.

35 Sec. 104. Section 422.10, Code Supplement 1999, is
36 amended to read as follows:

37 422.10 RESEARCH ACTIVITIES CREDIT.

38 1. The taxes imposed under this division shall be
39 reduced by a state tax credit for increasing research
40 activities in this state.

41 a. For individuals, the credit equals ~~six and one-~~
42 ~~half percent of the state's apportioned share of the~~
43 ~~qualifying expenditures for increasing research~~
44 ~~activities.~~ the sum of the following:

45 (1) Six and one-half percent of the excess of
46 qualified research expenses during the tax year over
47 the base amount for the tax year based upon the
48 state's apportioned share of the qualifying
49 expenditures for increasing research activities.

50 (2) Six and one-half percent of the basic research

Page 5

1 payments determined under section 41(e)(1)(A) of the
2 Internal Revenue Code during the tax year based upon
3 the state's apportioned share of the qualifying
4 expenditures for increasing research activities.

5 The state's apportioned share of the qualifying
6 expenditures for increasing research activities is a
7 percent equal to the ratio of qualified research
8 expenditures in this state to total qualified research
9 expenditures.

10 b. In lieu of the credit amount computed in
11 paragraph "a", subparagraph (1), a taxpayer may elect
12 to compute the credit amount for qualified research
13 expenses incurred in this state in a manner consistent
14 with the alternative incremental credit described in
15 section 41(c)(4) of the Internal Revenue Code. The
16 taxpayer may make this election regardless of the
17 method used for the taxpayer's federal income tax.
18 The election made under this paragraph is for the tax
19 year and the taxpayer may use another or the same
20 method for any subsequent year.

21 c. For purposes of the alternate credit
22 computation method in paragraph "b", the credit
23 percentages applicable to qualified research expenses
24 described in clauses (i), (ii), and (iii) of section
25 41(c)(4)(A) of the Internal Revenue Code are one and
26 sixty-five hundredths percent, two and twenty
27 hundredths percent, and two and seventy-five

28 hundredths percent, respectively.
29 2. For purposes of this section, an individual may
30 claim a research credit for qualifying research
31 expenditures incurred by a partnership, subchapter S
32 corporation, limited liability company, estate, or
33 trust electing to have the income taxed directly to
34 the individual. The amount claimed by the individual
35 shall be based upon the pro rata share of the
36 individual's earnings of a partnership, subchapter S
37 corporation, limited liability company, estate, or
38 trust.
39 3. For purposes of this section, "qualifying
40 expenditures for increasing research activities" means
41 the qualifying expenditures "base amount", "basic
42 research payment", and "qualified research expense"
43 mean the same as defined for the federal credit for
44 increasing research activities which would be
45 allowable under section 41 of the Internal Revenue
46 Code in effect on January 1, 1999, except that for the
47 alternative incremental credit such amounts are for
48 research conducted within this state. For purposes of
49 this section, "Internal Revenue Code" means the
50 Internal Revenue Code in effect on January 1, 2000.

Page 6

1 4. Any credit in excess of the tax liability
2 imposed by section 422.5 less the credits allowed
3 under sections 422.11A, 422.12, and 422.12B for the
4 taxable year shall be refunded with interest computed
5 under section 422.25. In lieu of claiming a refund, a
6 taxpayer may elect to have the overpayment shown on
7 the taxpayer's final, completed return credited to the
8 tax liability for the following taxable year."
9 3. Page 5, by inserting after line 7 the
10 following:
11 "Sec. 105. Section 422.33, subsection 5, Code
12 Supplement 1999, is amended to read as follows:
13 5. a. The taxes imposed under this division shall
14 be reduced by a state tax credit for increasing
15 research activities in this state equal to six and
16 one-half percent of the state's apportioned share of
17 the qualifying expenditures for increasing research
18 activities: the sum of the following:
19 (1) Six and one-half percent of the excess of
20 qualified research expenses during the tax year over
21 the base amount for the tax year based upon the
22 state's apportioned share of the qualifying
23 expenditures for increasing research activities.
24 (2) Six and one-half percent of the basic research
25 payments determined under section 41(e)(1)(A) of the
26 Internal Revenue Code during the tax year based upon

27 the state's apportioned share of the qualifying
28 expenditures for increasing research activities.
29 The state's apportioned share of the qualifying
30 expenditures for increasing research activities is a
31 percent equal to the ratio of qualified research
32 expenditures in this state to the total qualified
33 research expenditures.
34 b. In lieu of the credit amount computed in
35 paragraph "a", subparagraph (1), a corporation may
36 elect to compute the credit amount for qualified
37 research expenses incurred in this state in a manner
38 consistent with the alternative incremental credit
39 described in section 41(c)(4) of the Internal Revenue
40 Code. The taxpayer may make this election regardless
41 of the method used for the taxpayer's federal income
42 tax. The election made under this paragraph is for
43 the tax year and the taxpayer may use another or the
44 same method for any subsequent year.
45 c. For purposes of the alternate credit
46 computation method in paragraph "b", the credit
47 percentages applicable to qualified research expenses
48 described in clauses (i), (ii), and (iii) of section
49 41(c)(4)(A) of the Internal Revenue Code are one and
50 sixty-five hundredths percent, two and twenty

Page 7

1 hundredths percent, and two and seventy-five
2 hundredths percent, respectively.
3 d. For purposes of this subsection, "qualifying
4 expenditures for increasing research activities" means
5 the qualifying expenditures "base amount", "basic
6 research payment", and "qualified research expense"
7 mean the same as defined for the federal credit for
8 increasing research activities which would be
9 allowable under section 41 of the Internal Revenue
10 Code in effect on January 1, 1999, except that for the
11 alternative incremental credit such amounts are for
12 research conducted within this state. For purposes of
13 this subsection, "Internal Revenue Code" means the
14 Internal Revenue Code in effect on January 1, 2000.
15 e. Any credit in excess of the tax liability for
16 the taxable year shall be refunded with interest
17 computed under section 422.25. In lieu of claiming a
18 refund, a taxpayer may elect to have the overpayment
19 shown on its final, completed return credited to the
20 tax liability for the following taxable year."
21 4. Page 5, by inserting after line 22 the
22 following:
23 "Sec. __. APPLICABILITY DATE. Sections 1, 102,
24 104, and 105, of this Act apply retroactively to
25 January 1, 2000, for tax years beginning on or after

26 that date. Section 103 of this Act applies to tax
 27 years beginning on or after January 1, 2001."
 28 5. Title page, line 3, by inserting after the
 29 word "barns" the following: ", an alternative method
 30 for computing the individual and corporate income tax
 31 credit for increasing research and development, and an
 32 increase in the deduction for pension and retirement
 33 income for income tax purposes, and including
 34 applicability dates".

Dix of Butler asked and received unanimous consent to withdraw amendment H-9031, to amendment H-9019, filed by him from the floor.

Schrader of Marion offered the following amendment H-9033, to amendment H-9019, filed by him from the floor and moved its adoption:

H-9033

- 1 Amend the amendment H-9019 to House File 2560 as
- 2 follows:
- 3 1. Page 7, line 23, by inserting after the figure
- 4 "102," the following: "103,".
- 5 2. Page 7, by striking lines 26 and 27 and
- 6 inserting the following: "that date." "

Roll call was requested by Schrader of Marion and Brunkhorst of Bremer.

On the question "Shall amendment H-9033 to amendment H-9019 be adopted?" (H.F. 2560)

The ayes were, 44:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Davis	Dotzler
Fallon	Ford	Garman	Greimann
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Sunderbruch	Taylor, D.
Taylor, T.	Thomas	Van Fossen	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 51:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Dix	Dolecheck	Drake
Eddie	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Shey	Sukup
Teig	Thomson	Tyrrell	Van Engelenhoven
Weidman	Welter	Mr. Speaker	
		Siegrist	

Absent or not voting, 5:

Doderer	Drees	Falck	Foege
Frevert			

Amendment H-9033 lost.

Boal of Polk offered the following amendment H-9036, to amendment H-9019, filed by her and Jochum of Dubuque from the floor and moved its adoption:

H-9036

- 1 Amend the amendment, H-9019, to House File 2560, as
- 2 follows:
- 3 1. Page 6, line 11, by striking the word and
- 4 figure ""Sec. 105." and inserting the following:
- 5 ""Sec. 200. NEW SECTION. 422.11E ASSISTIVE
- 6 DEVICE TAX CREDIT - SMALL BUSINESS.
- 7 1. The taxes imposed under this division, less the
- 8 credits allowed under sections 422.12 and 422.12B,
- 9 shall be reduced by an assistive device tax credit. A
- 10 small business purchasing, renting, or modifying an
- 11 assistive device or making workplace modifications for
- 12 an individual with a disability who is employed or
- 13 will be employed by the small business is eligible,
- 14 subject to availability of credits, to receive this
- 15 assistive device tax credit which is equal to fifty
- 16 percent of the first five thousand dollars paid during
- 17 the tax year for the purchase, rental, or modification
- 18 of the assistive device or for making the workplace
- 19 modifications. Any credit in excess of the tax
- 20 liability shall be refunded with interest computed

21 under section 422.25. In lieu of claiming a refund, a
22 taxpayer may elect to have the overpayment shown on
23 the taxpayer's final, completed return credited to the
24 tax liability for the following tax year. If the
25 small business elects to take the assistive device tax
26 credit, the small business shall not deduct for Iowa
27 tax purposes any amount of the cost of an assistive
28 device or workplace modifications which is deductible
29 for federal tax purposes.

30 2. To receive the assistive device tax credit, the
31 eligible small business must submit an application to
32 the department of economic development. If the
33 taxpayer meets the criteria for eligibility, the
34 department of economic development shall issue to the
35 taxpayer a certification of entitlement for the
36 assistive device tax credit. However, the combined
37 amount of tax credits that may be approved for a
38 fiscal year under this section and section 422.33,
39 subsection 9, shall not exceed five hundred thousand
40 dollars. Tax credit certificates shall be issued on
41 an earliest filed basis. The certification shall
42 contain the taxpayer's name, address, tax
43 identification number, the amount of the credit, and
44 tax year for which the certificate applies. The
45 taxpayer must file the tax credit certificate with the
46 taxpayer's individual income tax return in order to
47 claim the tax credit. The departments of economic
48 development and revenue and finance shall each adopt
49 rules to jointly administer this section and shall
50 provide by rule for the method to be used to determine

Page 2

1 for which fiscal year the tax credits are approved.
2 3. An individual may claim an assistive device tax
3 credit allowed a partnership, limited liability
4 company, S corporation, estate, or trust electing to
5 have the income taxed directly to the individual. The
6 amount claimed by the individual shall be based upon
7 the pro rata share of the individual's earnings of the
8 partnership, limited liability company, S corporation,
9 estate, or trust.
10 4. For purposes of this section:
11 a. "Assistive device" means any item, piece of
12 equipment, or product system which is used to
13 increase, maintain, or improve the functional
14 capabilities of an individual with a disability in the
15 workplace or on the job. "Assistive device" does not
16 mean any medical device, surgical device, or organ
17 implanted or transplanted into or attached directly to
18 an individual. "Assistive device" does not include
19 any device for which a certificate of title is issued

20 by the state department of transportation, but does
21 include any item, piece of equipment, or product
22 system otherwise meeting the definition of "assistive
23 device" that is incorporated, attached, or included as
24 a modification in or to such a device issued a
25 certificate of title.

26 b. "Disability" means the same as defined in
27 section 225C.46.

28 c. "Small business" means a business that either
29 had gross receipts for its preceding tax year of three
30 million dollars or less or employed not more than
31 fourteen full-time employees during its preceding tax
32 year.

33 d. "Workplace modifications" means physical
34 alterations to the work environment.
35 Sec. 105."

36 2. Page 7, line 20, by striking the word "year."
37 and inserting the following: "year.
38 Sec. 201. Section 422.33, Code Supplement 1999, is
39 amended by adding the following new subsection:
40 NEW SUBSECTION. 8A. a. The taxes imposed under
41 this division shall be reduced by an assistive device
42 tax credit. a small business purchasing, renting, or
43 modifying an assistive device or making workplace
44 modifications for an individual with a disability who
45 is employed or will be employed by the small business
46 is eligible, subject to availability of credits, to
47 receive this assistive device tax credit which is
48 equal to fifty percent of the first five thousand
49 dollars paid during the tax year for the purchase,
50 rental, or modification of the assistive device or for

Page 3

1 making the workplace modifications. Any credit in
2 excess of the tax liability shall be refunded with
3 interest computed under section 422.25. In lieu of
4 claiming a refund, a taxpayer may elect to have the
5 overpayment shown on the taxpayer's final, completed
6 return credited to the tax liability for the following
7 tax year. If the small business elects to take the
8 assistive device tax credit, the small business shall
9 not deduct for Iowa tax purposes any amount of the
10 cost of an assistive device or workplace modifications
11 which is deductible for federal income tax purposes.

12 b. To receive the assistive device tax credit, the
13 eligible small business must submit an application to
14 the department of economic development. If the
15 taxpayer meets the criteria for eligibility, the
16 department of economic development shall issue to the
17 taxpayer a certification of entitlement for the
18 assistive device tax credit. However, the combined

19 amount of tax credits that may be approved for a
20 fiscal year under this subsection and section 422.11D
21 shall not exceed five hundred thousand dollars. Tax
22 credit certificates shall be issued on an earliest
23 filed basis. The certification shall contain the
24 taxpayer's name, address, tax identification number,
25 the amount of the credit, and tax year for which the
26 certificate applies. The taxpayer must file the tax
27 credit certificate with the taxpayer's corporate
28 income tax return in order to claim the tax credit.
29 The departments of economic development and revenue
30 and finance shall each adopt rules to jointly
31 administer this subsection and shall provide by rule
32 for the method to be used to determine for which
33 fiscal year the tax credits are approved.

34 c. For purposes of this subsection:

35 (1) "Assistive device" means any item, piece of
36 equipment, or product system which is used to
37 increase, maintain, or improve the functional
38 capabilities of an individual with a disability in the
39 workplace or on the job. "Assistive device" does not
40 mean any medical device, surgical device, or organ
41 implanted or transplanted into or attached directly to
42 an individual. "Assistive device" does not include
43 any device for which a certificate of title is issued
44 by the state department of transportation, but does
45 include any item, piece of equipment, or product
46 system otherwise meeting the definition of "assistive
47 device" that is incorporated, attached, or included as
48 a modification in or to such a device issued a
49 certificate of title.

50 (2) "Disability" means the same as defined in

Page 4

1 section 225C.46.

2 (3) "Small business" means a business that either
3 had gross receipts for its preceding tax year of three
4 million dollars or less or employed not more than
5 fourteen full-time employees during its preceding tax
6 year.

7 (4) "Workplace modifications" means physical
8 alterations to the work environment."

9 3. Page 7, line 24, by striking the word and
10 figure "and 105" and inserting the following: "200,
11 105, and 201".

12 4. Page 7, line 31 by inserting after the word
13 "development," the following: "an assistive device
14 tax credit under the individual and corporate taxes
15 for assisting persons with a disability in the
16 workplace,".

Amendment H-9036 was adopted, placing amendment H-9027 filed by Jochum of Dubuque from the floor, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Thomson of Linn, for the remainder of the day, on request of Carroll of Poweshiek.

Van Fossen of Scott moved the adoption of amendment H-9019, as amended.

A non-record roll call was requested.

The ayes were 89, nays 11.

Amendment H-9019, as amended, was adopted.

Weigel of Chickasaw asked and received unanimous consent to withdraw amendment H-8864 filed by him on April 12, 2000.

Weigel of Chickasaw asked and received unanimous consent that amendments H-8835 and H-8836 be deferred.

Jager of Black Hawk offered the following amendment H-9026 filed by him from the floor and moved its adoption:

H-9026

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "Property" the following: "or district".
- 4 2. Page 2, line 5, by inserting after the word
- 5 "date." the following: "For purposes of this chapter,
- 6 "rehabilitation costs" are the costs of work done to
- 7 the actual structure and do not include costs
- 8 associated with landscaping."
- 9 3. Page 2, by inserting before line 6 the
- 10 following:
- 11 "Any rehabilitation costs used in the computation
- 12 of the tax credit under this chapter shall not be
- 13 deductible for purposes of individual and corporate
- 14 income taxes."
- 15 4. Page 2, by inserting after line 25 the
- 16 following:

17 "c. The approval process shall not exceed sixty
18 days beginning from the date the rehabilitation
19 project is submitted. After the sixty-day limit, the
20 rehabilitation project is deemed to be approved."

21 5. Page 5, by inserting after line 22 the
22 following:

23 "Sec. ____ APPLICABILITY PROVISION. Chapter 404A,
24 enacted in this Act, applies to rehabilitation
25 projects initiated on or after July 1, 2000, for which
26 no expenses have been incurred prior to that date."

Dix of Butler in the chair at 5:00 p.m.

Amendment H-9026 was adopted.

Richardson of Warren offered amendment H-8807 filed by him
and requested division as follows:

H-8807

1 Amend House File 2560 as follows:

H-8807A

2 1. Page 1, by striking lines 17 and 18.

H-8807B

3 2. Page 1, line 34, by inserting after the word
4 "unit." the following: "However, the total amount of
5 credits granted for a project shall not exceed one
6 hundred thousand dollars."

H-8807C

7 3. Page 2, line 25, by inserting after the word
8 "cost." the following: "If the rehabilitation project
9 does not meet the criteria and standards established
10 by the local bodies and the department, the department
11 shall disapprove the application for tax credit."

H-8807A

12 4. Page 2, line 27, by striking the word "may"
13 and inserting the following: "shall".

14 5. Page 2, by striking lines 29 and 30 and
15 inserting the following: "involving eligible
16 property. The main emphasis of the established
17 standards shall be to ensure that a".

18 6. Page 3, line 15, by inserting after the word

19 "date." the following: "The total amount of tax
20 credits that may be approved pursuant to this chapter
21 shall not exceed two million dollars in a fiscal year.
22 If the total of the tax credits for all rehabilitation
23 projects that qualify for tax credits exceeds two
24 million dollars in a fiscal year, the department shall
25 grant the tax credits on a pro rata basis so that the
26 total amount of tax credits approved for the fiscal
27 year does not exceed two million dollars."

H-8807D

28 7. Page 3, by striking line 18 and inserting the
29 following: "certificates to be attached to the
30 person's tax return. Tax credit certificates shall be
31 issued in amounts not greater than twenty-five
32 thousand dollars. Each".
33 8. Page 3, line 25, by inserting after the word
34 "credit" the following: "certificate".

H-8807A

35 9. Page 3, by striking line 27 and inserting the
36 following: "tax credit certificate to any other
37 person. However, not more than twenty-five thousand
38 dollars in tax credit certificates may be transferred
39 to any one person, except if the transferor is a
40 nonprofit organization. a tax credit certificate
41 shall".

Richardson of Warren asked and received unanimous consent to withdraw amendment H-8807A.

Houser of Pottawattamie asked and received unanimous consent to withdraw amendment H-8759 filed by Houser, et al., on April 6, 2000.

Houser of Pottawattamie offered amendment H-9035 filed by him from the floor as follows:

H-9035

1 Amend House File 2560 as follows:
2 1. Page 1, lines 19 and 20, by striking the words
3 "one hundred years prior to certification." and
4 inserting the following: "prior to 1936."

The House stood at ease at 5:10 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 2560 and amendment H-9035 at 5:12 p.m., Dix of Butler in the chair.

Fallon of Polk offered the following amendment H-9037, to amendment H-9035, filed by him from the floor and moved its adoption:

H-9037

- 1 Amend the amendment, H-9035, to House File 2560 as
- 2 follows:
- 3 1. Page 1, line 4, by striking the figure "1936"
- 4 and inserting the following: "1937".

Amendment H-9037 was adopted.

On motion by Houser of Pottawattamie amendment H-9035, as amended, was adopted.

Weigel of Chickasaw asked and received unanimous consent to withdraw amendment H-8999 filed by him on April 19, 2000.

Reynolds of Van Buren offered the following amendment H-8946 filed by her and moved its adoption:

H-8946

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, line 22, by inserting before the word
- 3 "The" the following: "1."
- 4 2. Page 1, line 26, by inserting after the word
- 5 "rehabilitation" the following: ", except as provided
- 6 in subsection 2".
- 7 3. Page 2, by inserting after line 5 the
- 8 following:
- 9 "2. In lieu of the requirement in subsection 1, in
- 10 the case of commercial property, rehabilitation costs
- 11 must equal twenty-five percent of the assessed value,
- 12 excluding the land, prior to the rehabilitation, in
- 13 any city which has a population of fifteen thousand or
- 14 less as of the last decennial census and is located in
- 15 a county which is located in one of the following:
- 16 a. An area that is not part of a metropolitan
- 17 statistical area as defined by the United States
- 18 department of commerce.
- 19 b. A metropolitan statistical area but the county
- 20 has only one city which has more than fifteen thousand

- 21 inhabitants.
22 c. A metropolitan statistical area and a
23 substantial number of persons in the county derive
24 their income from agriculture."

A non-record roll call was requested.

The ayes were 40, nays 45.

Amendment H-8946 lost.

Richardson of Warren moved the adoption of amendment H-8807B.

Sukup of Franklin in the chair at 5:28 p.m.

A non-record roll call was requested.

The ayes were 33, nays 51.

Amendment H-8807B lost.

Ford of Polk offered the following amendment H-8800 filed by Ford, et al., and moved its adoption:

H-8800

- 1 Amend House File 2560 as follows:
2 1. Page 2, line 5, by inserting after the word
3 "date." the following: "However, in the case of
4 property classified as residential or as commercial
5 with multifamily residential units, tax credits shall
6 not be allowed unless any rehabilitation done includes
7 meeting the requirements pursuant to section 135.105B
8 for lead hazard remediation."
9 2. Page 5, by inserting after line 22 the
10 following:
11 "Sec. ____ Section 135.105B, Code 1999, is amended
12 to read as follows:
13 135.105B VOLUNTARY GUIDELINES — HEALTH AND
14 ENVIRONMENTAL MEASURES MODEL LEAD HAZARD REMEDIATION
15 REQUIREMENTS — CONFIRMED CASES OF LEAD POISONING.
16 1. The department ~~may develop voluntary guidelines~~
17 ~~which may be used to develop and administer local~~
18 ~~programs shall establish by rule model lead hazard~~
19 ~~remediation requirements for residential properties to~~
20 address the health and environmental needs of children

21 who are confirmed as lead poisoned. The purpose of
 22 the requirements shall be to prevent ongoing and
 23 future exposure to lead-based paint hazards. Local
 24 boards of health may adopt and enforce the
 25 requirements or may adopt the requirements and request
 26 that the requirements be enforced by the state.
 27 However, local boards of health shall not be required
 28 to adopt and enforce the requirements. The state may
 29 not enforce the requirements unless the requirements
 30 have been adopted by the local board of health and the
 31 local board of health has requested that the state
 32 enforce the requirements.

33 2. ~~The voluntary guidelines model lead hazard~~
 34 ~~remediation requirements may be based upon existing~~
 35 ~~local ordinances that address the medical case~~
 36 ~~management of children's health needs and the~~
 37 ~~mitigation of the environmental factors which~~
 38 ~~contributed to the lead poisoning.~~

39 3. ~~Following development of the voluntary~~
 40 ~~guidelines, cities or counties may elect to utilize~~
 41 ~~the guidelines in developing and administering local~~
 42 ~~programs through city or county health departments on~~
 43 ~~a city, county, or multicounty basis or may request~~
 44 ~~that the state develop and administer the local~~
 45 ~~program. However, cities and counties are not~~
 46 ~~required to develop and administer local programs~~
 47 ~~based upon the guidelines."~~

Speaker Siegrist in the chair at 6:45 p.m.

Roll call was requested by Ford of Polk and T. Taylor of Linn.

Rule 75 was invoked.

On the question "Shall amendment H-8800 be adopted?" (H.F. 2560)

The ayes were, 40:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Dotzler	Fallon
Ford	Greimann	Hansen	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson-Forbes	Raecker	Rants	Rayhons
Shey	Sukup	Sunderbruch	Teig
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker		
	Siegrist		

Absent or not voting, 6:

Doderer	Drees	Falck	Foega
Frevert	Thomson		

Amendment H-8800 lost.

Jager of Black Hawk offered the following amendment H-8909 filed by him and moved its adoption:

H-8909

- 1 Amend House File 2560 as follows:
- 2 1. Page 2, by striking lines 10 through 19 and
- 3 inserting the following: "receive approval from the
- 4 state historical preservation office of the department
- 5 of cultural affairs."
- 6 2. Page 2, lines 20 and 21, by striking the words
- 7 "department and the appropriate governing bodies" and
- 8 inserting the following: "state historical
- 9 preservation office of the department of cultural
- 10 affairs".
- 11 3. Page 2, line 22, by striking the word
- 12 "department" and inserting the following: "state
- 13 historical preservation office".
- 14 4. Page 2, line 23, by striking the word
- 15 "department" and inserting the following: "state
- 16 historical preservation office".
- 17 5. Page 2, by striking lines 26 through 29 and
- 18 inserting the following:
- 19 "2. The state historical preservation office shall
- 20 establish selection criteria and standards for
- 21 rehabilitation projects involving eligible property."

- 22 6. Page 2, line 30, by striking the word "the"
23 and inserting the following: "The".
- 24 7. Page 3, by striking lines 4 through 7 and
25 inserting the following: "appropriation under
26 sections 303.27 through 303.32.
27 The selection standards shall provide that a person
28 who qualifies for the rehabilitation tax credit under
29 section 47 of the Internal Revenue Code shall
30 automatically qualify for the state property
31 rehabilitation tax credit under this chapter."
- 32 8. Page 3, line 12, by striking the words
33 "department of economic development" and inserting the
34 following: "state historical preservation office of
35 the department of cultural affairs".
- 36 9. Page 3, line 17, by striking the word
37 "department" and inserting the following: "state
38 historical preservation office".
- 39 10. Page 4, line 4, by striking the words
40 "economic development" and inserting the following:
41 "cultural affairs".

Amendment H-8909 was adopted.

Richardson of Warren moved the adoption of amendment H-8807C.

Amendment H-8807C lost.

Richardson of Warren offered the following amendment H-9040 filed by him from the floor and moved its adoption:

H-9040

- 1 Amend House File 2560 as follows:
2 1. Page 3, line 15, by inserting after the word
3 "date." the following: "The total amount of tax
4 credits that may be approved pursuant to this chapter
5 shall not exceed two million dollars in a fiscal year.
6 If the total of the tax credits for all rehabilitation
7 projects that qualify for tax credits exceeds two
8 million dollars in a fiscal year, the department shall
9 grant the tax credits on a pro rata basis so that the
10 total amount of tax credits approved for the fiscal
11 year does not exceed two million dollars."

Amendment H-9040 lost.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-8807D.

Weigel of Chickasaw offered the following amendment H-8865 filed by him and moved its adoption:

H-8865

- 1 Amend House File 2560 as follows:
- 2 1. Page 3, line 21, by inserting after the word
- 3 "credit," the following: "and".
- 4 2. By striking page 3, line 22, through page 4,
- 5 line 1, and inserting the following: "by the
- 6 department of revenue and finance."
- 7 3. Page 5, by striking lines 1 through 5.
- 8 4. Page 5, by striking lines 16 through 20.

Amendment H-8865 lost.

Witt of Black Hawk asked and received unanimous consent to withdraw amendment H-9032 filed by him from the floor.

Warnstadt of Woodbury offered amendment H-9039 filed by him from the floor as follows:

H-9039

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 35.1, subsection 2, paragraph
- 5 b, subparagraphs (1) and (2), Code Supplement 1999,
- 6 are amended to read as follows:
- 7 (1) ~~Former members~~ Members of the reserve forces
- 8 of the United States who have served at least twenty
- 9 years in the reserve forces ~~after January 28, 1973,~~
- 10 and who continue to serve or were discharged under
- 11 honorable conditions. However, a member of the
- 12 reserve forces of the United States who completed a
- 13 minimum aggregate of ninety days of active federal
- 14 service, other than training, and was discharged under
- 15 honorable conditions, or was retired under Title X of
- 16 the United States Code shall be included as a veteran.
- 17 (2) ~~Former members~~ Members of the Iowa national
- 18 guard who have served at least twenty years in the
- 19 Iowa national guard ~~after January 28, 1973,~~ and who
- 20 continue to serve or were discharged under honorable
- 21 conditions. However, a member of the Iowa national

22 guard who was activated for federal duty, other than
 23 training, for a minimum aggregate of ninety days, and
 24 was discharged under honorable conditions or was
 25 retired under Title X of the United States Code shall
 26 be included as a veteran."

27 2. Page 5, by inserting after line 22 the
 28 following:

29 Sec. 300. STATE FUNDING. The military service tax
 30 exemptions and credits provided pursuant to section 1
 31 of this Act shall be funded pursuant to chapter 426A
 32 to the extent of six dollars and ninety-two cents per
 33 thousand dollars of the assessed value of the exempt
 34 property.

35 Sec. 301. Section 300 of this Act applies to
 36 military service property tax exemption claims allowed
 37 on or after January 1, 2001."

38 3. Title page, line 3, by inserting after the
 39 word "barns" the following: "and providing military
 40 service tax exemptions and credits for members of the
 41 United States reserves and the Iowa national guard,".

Barry of Harrison rose on a point of order that amendment H-9039 was not germane.

The Speaker ruled the point well taken and amendment H-9039 not germane.

Schrader of Marion asked and received unanimous consent to withdraw amendment H-9025, previously deferred, filed by him from the floor.

Weigel of Chickasaw asked and received unanimous consent to withdraw amendments H-8835 and H-8836, both previously deferred, filed by him on April 11, 2000.

Jager of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2560)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo

Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Eddie	Fallon	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Witt	Mr. Speaker		
	Siegrist		

The nays were, 4:

Ford	Greimann	Parmenter	Wise
------	----------	-----------	------

Absent or not voting, 6:

Doderer	Drees	Falck	Foege
Frevert	Thomson		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2560 and 2579.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2540, a bill for an act relating to economic development programs and related tax credits and including effective and retroactive applicability date provisions.

Also: That the Senate has on April 20, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2555, a bill for an act relating to and making appropriations from the tobacco settlement fund, providing an effective date, and providing for retroactive applicability.

Also: That the Senate has on April 20, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2563, a bill for an act exempting from the sales and use taxes the gross receipts from all sales of goods and services used in fulfillment of a construction contract for a nonprofit hospital, providing for refunds, and including an effective and retroactive applicability date provision.

Also: That the Senate has on April 20, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act relating to the remediation of agrichemical sites, providing for fees, and providing for the repeal of a section relating to cleanup prioritization.

Also: That the Senate has on April 20, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2459, a bill for an act relating to the deadline for municipalities to file annual financial reports for urban renewal areas.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2459, by committee on ways and means, a bill for an act relating to the deadline for municipalities to file annual financial reports for urban renewal areas.

Read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN (Senate File 2241)

Millage of Scott asked and received unanimous consent to withdraw the motion to reconsider Senate File 2241, a bill for an act relating to the consolidation of certain criminal offenses concerning computer access, damage, or theft, video rental theft, election bribery, and voting duress, filed by him on April 17, 2000.

MOTIONS TO RECONSIDER
(Senate amendment H-9015 to House File 2205)

I move to reconsider the vote by which the House concurred in the Senate amendment H-9015 to House File 2205.

MILLAGE of Scott

I move to reconsider the vote by which the House concurred in the Senate amendment H-9015 to House File 2205.

VAN FOSSEN of Scott

(House File 2205)

I move to reconsider the vote by which House File 2205 passed the House on April 20, 2000.

MILLAGE of Scott

I move to reconsider the vote by which House File 2205 passed the House on April 20, 2000.

VAN FOSSEN of Scott

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 20, 2000. Had I been present, I would have voted "aye" on House File 2557.

HEATON of Henry

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2135, an act relating to support obligations and providing an effective date.

House File 2153, an act relating to drug policy coordination, including establishment of a drug policy coordinator, the governor's office of drug control policy, and a drug policy advisory council.

House File 2424, an act creating an Iowa Lewis and Clark bicentennial commission, an Iowa Lewis and Clark bicentennial fund, and providing an effective date.

House File 2485, an act relating to the allocation of funds within the soil and water enhancement account of the resource enhancement and protection fund.

House File 2521, an act relating to mandatory mediation of certain farm disputes prior to initiation of related litigation.

Senate File 2126, an act relating to third-party payment of health care coverage costs for prescription contraceptive drugs, devices, and services.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Mrs. Warren. By Kreiman of Davis.

Seventy students from Boone Middle School, Boone, accompanied by Mr. Hartwig and Mr. McDonald. By O'Brien of Boone.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

IOWA CIVIL RIGHTS COMMISSION

The Fiscal Year 1999 Annual Report of the Civil Rights Commission, pursuant to Chapter 216.5(7), Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\873 Phyllis and Henry Hansen, Sioux City – For celebrating their 50th wedding anniversary.
- 2000\874 Marvin Hollingshead, Des Moines – For his outstanding skill in woodcraft, and his devotion in the sharing of his talent with the Iowa House of Representatives.
- 2000\875 Abby Louise Garner, Fort Madison – For being named an All-State Speaker in two areas, Acting and Reviewing, by the Iowa High School Speech Association.
- 2000\876 Kimber Lynn Metcalf, Fort Madison – For being named an All-State Speaker in two areas, Storytelling and Expository Address, by the Iowa High School Speech Association.
- 2000\877 Teneil Marie Casady, Fort Madison – For being named an All-State Speaker in the area of Expository Address, by the Iowa High School Speech Association.
- 2000\878 Nathaniel Clayton Green, Fort Madison – For being named an All-State Speaker in the area of Storytelling, by the Iowa High School Speech Association.

SUBCOMMITTEE ASSIGNMENT

House File 2582

Appropriations: Millage, Chair; Cormack and Murphy.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON TRANSPORTATION

Senate File 2455, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 2000.

RESOLUTION FILED

HR 124, by Fallon, a resolution urging the University of Iowa to immediately withdraw from the fair labor association.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—9013	S.F.	2453	Warnstadt of Woodbury Gipp of Winneshiek
H—9014	H.F.	2530	Murphy of Dubuque
H—9016	H.F.	2539	Boal of Polk
H—9017	H.F.	2559	Kuhn of Floyd Richardson of Warren
H—9018	S.F.	2332	Greimann of Story
H—9020	S.F.	2453	Arnold of Lucas
H—9021	S.F.	2438	Eddie of Buena Vista
H—9022	S.F.	2453	Weigel of Chickasaw
H—9024	S.F.	2453	Reynolds of Van Buren
H—9028	H.F.	2559	Teig of Hamilton
H—9029	S.F.	2010	Johnson of Osceola Klemme of Plymouth Drees of Carroll May of Worth Greiner of Washington Kuhn of Floyd Eddie of Buena Vista
			Mundie of Webster Teig of Hamilton Huseman of Cherokee Rayhons of Hancock Mertz of Kossuth Thomas of Clayton
H—9030	S.F.	2332	Reynolds of Van Buren
H—9034	S.F.	2453	Mertz of Kossuth
H—9038	H.F.	2572	Drake of Pottawattamie Shoultz of Black Hawk Jenkins of Black Hawk
			Boal of Polk Van Fossen of Scott
H—9041	S.F.	466	Senate Amendment
H—9042	H.F.	2540	Senate Amendment

On motion by Rants of Woodbury the House adjourned at 7:42 p.m., until 11:00 a.m., Monday, April 24, 2000.

JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day – Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 24, 2000

The House met pursuant to adjournment at 11:20 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by the Honorable Norman Mundie, state representative from Webster County.

The Journal of Thursday, April 20, 2000 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ryan Cross, the Speaker's page.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Welter of Jones, until his arrival, on request of Carroll of Poweshiek; Frevert of Palo Alto on request of Huser of Polk.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2562, a bill for an act relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision.

Also: That the Senate has on April 24, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 419, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 2327, a bill for an act relating to certain procedures for the purchase or condemnation of interest in private property by a utility subject to the jurisdiction of the Iowa utilities board, with report of committee recommending amendment and passage, was taken up for consideration.

Mundie of Webster asked and received unanimous consent to withdraw the committee amendment H-8396 filed by the committee on local government on March 17, 2000, placing amendment H-8557 filed by Fallon of Polk on March 27, 2000, out of order.

Mundie of Webster offered the following amendment H-8993 filed by him and moved its adoption:

H-8993

- 1 Amend Senate File 2327, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 6B.2A, subsection 3, as
- 6 enacted by 2000 Iowa Acts, House File 2528, section 3,
- 7 is amended to read as follows:
- 8 3. If the acquiring agency is a person required to
- 9 obtain a franchise under chapter 478, compliance with
- 10 section 478.2 shall satisfy the notice requirements of
- 11 this section. If the acquiring agency is a person
- 12 required to obtain a permit under chapter 479,
- 13 compliance with section 479.5 shall satisfy the notice
- 14 requirements of this section."

Amendment H-8993 was adopted.

Mundie of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2327)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Whitead
Wise	Witt	Sukup,	
		Presiding	

The nays were, none.

Absent or not voting, 9:

Fallon	Ford	Frevert	Jager
Jenkins	Shey	Shoultz	Taylor, D.
Welter			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

Senate File 2455, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates, with report of committee recommending passage, was taken up for consideration.

Eddie of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2455)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carrall	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Stevens	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Whitead	Wise
Witt	Sukup,		
	Presiding		

The nays were, none.

Absent or not voting, 10:

Fallon	Ford	Frevert	Hansen
Jager	Jenkins	Shey	Shoultz
Siegrist, Spkr.	Welter		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 2010, a bill for an act relating to the traditional livestock producer's linked investment loan program by modifying

eligibility requirements, with report of committee recommending passage, was taken up for consideration.

Johnson of Osceola offered amendment H-9029 filed by Johnson, et al., as follows:

H-9029

1 Amend Senate File 2010, as passed by the Senate, as
2 follows:

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

5 "Sec. 101. DIRECTIONS TO TREASURER OF STATE –
6 PSEUDORABIES. When entering into agreements with
7 eligible lending institutions to receive traditional
8 livestock producers linked investment loans as
9 provided in section 12.43A, the treasurer of state
10 shall provide a preference in entering into agreements
11 in order to increase the availability of lower cost
12 loans to traditional livestock producers who have
13 liquidated swine herds on or after March 1, 2000,
14 including by depopulation, due to the infection of
15 pseudorabies."

16 2. Page 1, line 14, by striking the words
17 "paragraph d" and inserting the following:
18 "paragraphs c and d".

19 3. Page 1, line 15, by striking the word "is" and
20 inserting the following: "are".

21 4. Page 1, by inserting after line 15 the
22 following:

23 "c. The gross income earned by the borrower's farm
24 operation must be more than fifty thousand dollars but
25 not more than ~~three~~ five hundred thousand dollars for
26 the borrower's last tax year."

27 5. Page 1, by inserting after line 21, the
28 following:

29 "Sec. ____ REPEAL. Section 101 of this Act is
30 repealed on July 1, 2001."

31 6. Title page, line 2, by inserting after the
32 word "requirements" the following: ", and providing
33 for a temporary preference in executing agreements".

34 7. By renumbering as necessary.

Division was requested as follows:

Lines 3 through 20, division A.

Lines 21 through 26, division B.

Lines 27 through 34, division A.

On motion by Johnson of Osceola amendment H-9029A was adopted.

Johnson of Osceola moved the adoption of amendment H-9029B.

A non-record roll call was requested.

The ayes were 45, nays 36.

Amendment H-9029B was adopted.

Weigel of Chickasaw offered the following amendment H-9050 filed by him from the floor and moved its adoption:

H-9050

- 1 Amend Senate File 2010, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1, the
- 4 following:
- 5 "Sec. ____ Section 12.34, subsection 1, paragraph
- 6 b, subparagraph (1), Code Supplement 1999, is amended
- 7 to read as follows:
- 8 (1) At least ~~twenty~~ forty million dollars shall be
- 9 invested in order to support the traditional livestock
- 10 producers linked investment loan program as provided
- 11 in section 12.43A."

Roll call was requested by Weigel of Chickasaw and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-9050 be adopted?" (S.F. 2010)

The ayes were, 45:

Bell	Bukta	Cataldo	Chiodo
Cphoon	Connors	Cormack	Davis
Doderer	Dotzler	Drees	Falck
Foege	Ford	Garman	Greimann
Holveck	Huser	Jochum	Kettering
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter

Reynolds	Richardson	Scherrman	Schrader
Stevens	Taylor, D.	Taylor, T.	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 45:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Dix	Dolecheck	Drake	Eddie
Gipp	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Johnson	Klemme	Larson	Martin
Metcalf	Millage	Nelson-Forbes	Raecker
Rayhons	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Sukup, Presiding			

Absent or not voting, 10:

Fallon	Frevert	Hansen	Jenkins
Lord	Rants	Shey	Shoultz
Siegrist, Spkr.	Welter		

Amendment H-9050 lost.

Teig of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2010)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn

Larkin	Larson	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Whitead
Wise	Witt	Sukup, Presiding	

The nays were, none.

Absent or not voting, 9:

Fallon	Frevert	Hansen	Jenkins
Lord	Rants	Shoultz	Siegrist, Spkr.
Welter			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2010, 2327 and 2455.**

Ways and Means Calendar

House File 2581, a bill for an act relating to the authorization of the Iowa higher education loan authority to make loans and issue obligations to make loans to entities other than educational institutions, and to finance projects to be leased to educational institutions, and providing that the obligations and income from obligations are exempt from taxation, was taken up for consideration.

Raecker of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2581)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Whitead
Wise	Witt	Sukup,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Carroll	Drees	Frevort	Shultz
Welter			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Bradley of Clinton called up for consideration **Senate File 419**, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-9047 to the House amendment:

H-9047

1 Amend the House amendment, S-5368, to Senate File
2 419, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 16 through 32 and
5 inserting the following:

6 " ___. Page 1, line 14, by inserting before the
7 word "This" the following: "For the fiscal year
8 beginning July 1, 2001, and ending June 30, 2002, the
9 department shall retain fees collected to administer
10 the program of certifying veterinary clinics and the
11 fees retained are appropriated to the department for
12 the purposes of this subsection. For the fiscal year
13 beginning July 1, 2001, and ending June 30, 2002,
14 notwithstanding section 8.33, fees which remain
15 unexpended at the end of the fiscal year shall not
16 revert to the general fund of the state but shall be
17 available for use for the following fiscal year to
18 administer the program. For the fiscal year beginning
19 July 1, 2002, and succeeding fiscal years,
20 certification fees shall be deposited in the general
21 fund of the state and are appropriated to the
22 department to administer the certification provisions
23 of this subsection.""

24 2. Page 1, by inserting after line 32 the
25 following:

26 " ___. Page 1, by inserting after line 17 the
27 following:

28 "Sec. ___. CERTIFICATION PROGRAM REPORT. The
29 board of veterinary medicine shall, prior to the
30 implementation of the veterinary clinic certification
31 program pursuant to section 1 of this Act, submit a
32 report to the general assembly prior to January 1,
33 2001, regarding the status of the board's development
34 of the certification program. The report shall
35 include the criteria to be used for certification, the
36 methods and procedures to be used in the certification
37 process, the anticipated cost of operating the
38 certification program, the estimated certification fee
39 to be charged each clinic, and the general manner of
40 implementation of the program.

41 Sec. ___. EFFECTIVE DATE. Section 1 of this Act,
42 amending section 169.5, takes effect July 1, 2001.""

The motion prevailed and the House concurred in the Senate amendment H-9047, to the House amendment.

Bradley of Clinton moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be

read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 419)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Fallon
Foega	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Whitead	Wise	Witt	Sukup, Presiding

The nays were, none.

Absent or not voting, 4:

Drees	Frevert	Shoultz	Welter
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2581** and **Senate File 419**.

Carroll of Poweshiek in the chair at 1:55 p.m.

Ways and Means Calendar

Senate File 2438, a bill for an act relating to the creation of a water quality district, providing for the levy of a tax, and providing for other properly related matters, with report of committee recommending passage, was taken up for consideration.

Sukup of Franklin asked and received unanimous consent to withdraw amendment H-9000 filed by him on April 19, 2000.

Eddie of Buena Vista offered the following amendment H-9021 filed by him and moved its adoption:

H-9021

- 1 Amend Senate File 2438, as amended, passed, and
- 2 reprinted by Senate, as follows:
- 3 1. Page 1, lines 12 and 13, by striking the words
- 4 "sewage collection and treatment facilities,".

Amendment H-9021 was adopted.

Eddie of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2438)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Martin

Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Frevert	Hansen	Lord
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2578, a bill for an act relating to the size of an estate that may be distributed by affidavit, making related changes, and providing for the Act's applicability, was taken up for consideration.

Jager of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2578)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cphoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz

Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Carroll, Presiding		

The nays were, 1:

Fallon

Absent or not voting, 1:

Frevert

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2578** and **Senate File 2438**.

SENATE AMENDMENT CONSIDERED

Klemme of Plymouth called up for consideration **Senate File 466**, a bill for an act relating to the remediation of agrichemical sites, providing for fees, and providing for the repeal of a section relating to cleanup prioritization, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-9041 to the House amendment:

H-9041

- 1 Amend the House amendment, S-5398, to Senate File
- 2 466, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2, the
- 5 following:
- 6 " _____. Page 1, by striking lines 5 through 14, and
- 7 inserting the following:

- 8 " _____. "Action level" means the same as defined in
 9 section 455B.602.
- 10 _____. "Active site cleanup" means the same as
 11 defined in section 455B.602."
- 12 _____. Page 1, by striking lines 16 through 19.
- 13 _____. Page 1, by striking lines 22 through 27, and
 14 inserting the following:
- 15 " _____. "Contaminated site" means the same as
 16 defined in section 455B.602.
- 17 _____. "Contamination" means the same as defined in
 18 section 455B.602."
- 19 _____. Page 2, by striking lines 6 through 11, and
 20 inserting the following:
- 21 " _____. "Passive site cleanup" means the same as
 22 defined in section 455B.602."
- 23 _____. By striking page 2, line 20 through page 3,
 24 line 19, and inserting the following:
- 25 " _____. "Prohibited release" means the same as
 26 defined in section 455B.602.
- 27 _____. "Remediation" means the same as defined in
 28 section 455B.602.
- 29 _____. "Responsible person" means the same as
 30 defined in section 455B.602."
- 31 _____. Page 3, by striking lines 21 through 26."
- 32 2. Page 1, line 7, by striking the word "members"
 33 and inserting the following: "officials".
- 34 3. Page 1, by inserting after line 26, the
 35 following:
- 36 " _____. Page 5, by striking lines 23 and 24.
- 37 _____. Page 5, by striking line 32."
- 38 4. Page 1, by striking lines 23 and 24 and
 39 inserting the following:
- 40 " _____. Page 5, by striking lines 19 through 22 and
 41 inserting the following: "the fund. Of the moneys
 42 appropriated from the fund under section 161.8, for
 43 each fiscal year the department may expend at least
 44 sixty-five thousand dollars for purposes of
 45 administering this chapter, including the support of a
 46 full-time equivalent position as defined in section
 47 8.36A. However, if more than sixty-five thousand
 48 dollars is required in order to administer this
 49 chapter, the total amount which the department may
 50 expend from the fund during any fiscal year for

Page 2

- 1 administering this chapter shall not exceed five
 2 percent of the balance of the fund on".
- 3 5. Page 1, by striking lines 34 through 39, and
 4 inserting the following:
- 5 " _____. Page 6, by striking lines 3 through 34 and
 6 inserting the following:

7 "Remediation conducted pursuant to a plan of
8 remediation incorporated within a remediation
9 agreement as required in section 161.9 shall be
10 performed according to standards adopted by the
11 department of natural resources pursuant to section
12 455B.601." "

13 6. Page 1, by inserting before line 40 the
14 following:

15 " _____. Page 7, line 3, by inserting after the word
16 "discovered" the following: ", subject to a plan for
17 remediation as provided in section 161.9".

18 _____. By striking page 7, line 29, through page 8,
19 line 15, and inserting the following: "lower
20 classification, as provided in a plan for remediation
21 pursuant to section 161.9.

22 _____. The remediation of a site classified under
23 this section shall be administered as".

24 _____. Page 8, line 18, by striking the word
25 "remediation" and inserting the following: "site
26 cleanup".

27 _____. Page 8, line 22, by striking the word
28 "remediation" and inserting the following: "site
29 cleanup".

30 _____. Page 8, by striking line 28, and inserting
31 the following: "active site cleanup, if the site
32 cleanup would be more".

33 _____. Page 8, lines 29 and 30, by striking the
34 words "soil remediation" and inserting the following:
35 "site cleanup for soil".

36 _____. Page 8, line 31, by striking the word "soil
37 remediation" and inserting the following: "site
38 cleanup for soil".

39 _____. Page 9, line 4, by striking the word
40 "section" and inserting the following: "chapter".

41 7. Page 3, by inserting after line 36, the
42 following:

43 " _____. Page 16, by striking line 2, and inserting
44 the following:

45 "Sec. _____. Section 455B.601, subsection 1,
46 paragraph a, Code 1999, is amended by striking the
47 paragraph.

48 Sec. _____. Section 455B.601, subsection 1,
49 paragraph d, Code 1999, is amended to read as follows:

50 d. ~~The corrective action response requirements A~~

Page 3

1 responsible person shall remediate a contaminated site
2 according to standards established by rules adopted
3 pursuant to chapter 17A. Remediation for high,
4 medium, or low priority sites shall be administered in
5 accordance with the following:

6 (1) Soils and groundwaters on a high priority site
 7 shall be actively remediated subject to active
 8 cleanup, where technically feasible, until such time
 9 as the groundwater contamination levels are below
 10 action levels.

11 (2) Remediation on a medium priority site shall
 12 include either monitoring or active or passive
 13 ~~remediation and shall be~~ site cleanup as determined by
 14 the department on a site-by-site basis based upon the
 15 findings of the site plan. Remediation on a medium
 16 priority site shall include at least that which would
 17 be required on a low priority site.

18 (3) (a) Active site cleanup for soil remediation
 19 shall be required on a low priority site if
 20 remediation would be more practical and cost-effective
 21 than monitoring.

22 (b) If active site cleanup for soil remediation on
 23 a low priority site is undertaken, no further action
 24 shall be required on the site.

25 (c) If active ~~soil~~ site remediation for soil is
 26 not undertaken on a low priority site, ~~a~~ the site
 27 shall be monitored, for a specified period of time as
 28 determined by the department.

29 Sec. ____ Section 455B.601, subsection 2, Code
 30 1999, is amended to read as follows:

31 2. This section is applicable to ~~all sites~~ a site
 32 upon which contamination has been discovered, unless
 33 ~~corrective action~~ one of the following applies:

34 a. Remediation on a ~~the~~ site has already been
 35 approved by the department and implemented.

36 b. A responsible person has executed a remediation
 37 agreement with the remediation reimbursement board and
 38 the responsible person is remediating or has
 39 remediated the site pursuant to a plan of remediation
 40 as provided in chapter 161.

41 Sec. ____ **NEW SECTION.** 455B.602 DEFINITIONS.

42 As used in this division:

43 1. "Action level" means action level as provided
 44 in 567 IAC ch. 133 or 137.

45 2. "Active site cleanup" means treating,
 46 dispersing, removing, or disposing of contamination
 47 located in soil or water, including, but not limited
 48 to, excavating soil or installing institutional or
 49 technological controls to water quality.

50 3. "Background levels" means concentrations of a

Page 4

1 contaminant generally present in the environment in
 2 the vicinity of a site or an affected area and not the
 3 result of release.

4 4. "Contaminated site" means a site upon which

5 contamination has been discovered.

6 5. "Contamination" means the presence of one or
7 more pesticides, as defined in section 206.2, or the
8 presence of fertilizer, as defined in section 200.3,
9 in soil or groundwater at levels above those that
10 would result at normal field application rates or
11 above background levels.

12 6. "Passive site cleanup" means the removal or
13 treatment of a contaminant in soil or water through
14 management practices or the construction of barriers,
15 trenches, and other similar facilities for prevention
16 of contamination, as well as the use of natural
17 processes such as groundwater recharge, natural decay,
18 and chemical or biological decomposition.

19 7. "Remediation" means a process used to protect
20 the public health and safety or the environment from
21 contamination, including by doing all of the
22 following:

23 a. Controlling, containing, or stabilizing the
24 effects caused by a prohibited release.

25 b. Investigating, identifying, or analyzing a
26 contaminant or a contamination source; collecting
27 samples, including soil and water samples; assessing
28 the condition of a site; monitoring a contaminated
29 site; providing for structural testing; or providing
30 for engineering services.

31 c. Providing for site cleanup.

32 8. a. "Responsible person" means a person who is
33 legally liable for the contamination or who is legally
34 responsible for abating contamination under any
35 applicable law, including chapters 455B and 455E, and
36 the common law. This may include a person causing,
37 allowing, or otherwise participating in the activities
38 or events which cause the contamination, persons who
39 have failed to conduct their activities so as to
40 prevent the release of contaminants into groundwater,
41 persons who are obligated to abate a condition, or
42 persons responsible for or a successor to such
43 persons.

44 b. "Responsible person" does not include a person
45 who caused contamination by acting in a manner
46 unauthorized by the owner of the pesticide or
47 fertilizer, including a person who trespasses upon a
48 site.

49 9. "Site cleanup" means measures used to contain,
50 reduce, or eliminate contamination present at a site

1 including by using active site cleanup or passive site
2 cleanup measures, or complying with a correction
3 action required or recommended by the department of

- 4 natural resources or the United States environmental
 5 protection agency.""
 6 8. Page 3, by striking lines 43 and 44, and
 7 inserting the following:
 8 " ____ . Title page, by striking lines 2 and 3, and
 9 inserting the following: "and establishing a fund." "
 10 9. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9041, to the House amendment.

Klemme of Plymouth moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 466)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst.	Bukta
Cataldo	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Siegrist, Spkr.	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, none.

Absent or not voting, 4:

Blodgett

Frevort

Heaton

Johnson

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Ways and Means Calendar

House File 2580, a bill for an act relating to the deadline for municipalities to file annual financial reports on urban renewal areas, was taken up for consideration.

Jenkins of Black Hawk offered the following amendment H-9001 filed by him and moved its adoption:

H-9001

- 1 Amend House File 2580 as follows:
- 2 1. Page 1, line 4, by striking the words and
- 3 figure "~~September~~ November 30" and inserting the
- 4 following: "~~September 30~~ December 1".
- 5 2. Page 1, line 19, by inserting after the word
- 6 "taxes." the following: "The county auditor shall
- 7 notify the county treasurer if taxes are to be
- 8 withheld."
- 9 3. Title page, line 2, by striking the word "on"
- 10 and inserting the following: "for".

Amendment H-9001 was adopted.

SENATE FILE 2459 SUBSTITUTED FOR HOUSE FILE 2580

Dix of Butler asked and received unanimous consent to substitute Senate File 2459 for House File 2580.

Senate File 2459, a bill for an act relating to the deadline for municipalities to file annual financial reports for urban renewal areas, was taken up for consideration.

Dix of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2459)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Frevert

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 466 and 2459.**

SENATE AMENDMENT CONSIDERED

Jenkins of Black Hawk called up for consideration **House File 2540**, a bill for an act relating to economic development programs and related tax credits and including effective and retroactive applicability date provisions, amended by the Senate, and moved that the House concur in the following Senate amendment H-9042:

H-9042

1 Amend House File 2540, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 1, through page 2,
4 line 7 and inserting the following:
5 "Section 1. Section 15.333, subsection 1, Code
6 Supplement 1999, is amended to read as follows:
7 1. An eligible business may claim a corporate tax
8 credit up to a maximum of ten percent of the new
9 investment which is directly related to new jobs
10 created by the location or expansion of an eligible
11 business under the program. Any credit in excess of
12 the tax liability for the tax year may be credited to
13 the tax liability for the following seven years or
14 until depleted, whichever occurs earlier. Subject to
15 prior approval by the department of economic
16 development in consultation with the department of
17 revenue and finance, an eligible business whose
18 project primarily involves the production of value-
19 added agricultural products may elect to refund all or
20 a portion of an unused tax credit. The refund may be
21 used against a tax liability imposed under chapter
22 422, division II, III, or V. If the business is a
23 partnership, subchapter S corporation, limited
24 liability company, or estate or trust electing to have
25 the income taxed directly to the individual, an
26 individual may claim the tax credit allowed. The
27 amount claimed by the individual shall be based upon
28 the pro rata share of the individual's earnings of the
29 partnership, subchapter S corporation, limited
30 liability company, or estate or trust. For purposes
31 of this section, "new investment directly related to
32 new jobs created by the location or expansion of an
33 eligible business under the program" means the cost of
34 machinery and equipment, as defined in section 427A.1,
35 subsection 1, paragraphs "e" and "j", purchased for
36 use in the operation of the eligible business, the
37 purchase price of which has been depreciated in
38 accordance with generally accepted accounting
39 principles, and the cost of improvements made to real
40 property which is used in the operation of the

41 eligible business and which receives a partial
42 property tax exemption for the actual value added
43 under section 15.332.

44 1A. An eligible business whose project primarily
45 involves the production of value-added agricultural
46 products, that elects to receive a refund of all or a
47 portion of an unused tax credit, shall apply to the
48 department of economic development for tax credit
49 certificates. An eligible business whose project
50 primarily involves the production of value-added

Page 2

1 agricultural products shall not claim a tax credit
2 under this section unless a tax credit certificate
3 issued by the department of economic development is
4 attached to the taxpayer's tax return for the tax year
5 during which the tax credit is claimed. A tax credit
6 certificate shall not be valid until the tax year
7 following the date of the project completion. A tax
8 credit certificate shall contain the taxpayer's name,
9 address, tax identification number, the date of
10 project completion, the amount of the tax credit,
11 other information required by the department of
12 revenue and finance. The department of economic
13 development shall not issue tax credit certificates
14 which total more than four million dollars during a
15 fiscal year. If the department receives applications
16 for tax credit certificates in excess of four million
17 dollars, the applicants shall receive certificates for
18 a prorated amount. The tax credit certificates shall
19 not be transferred."

20 2. Page 2, line 27, by striking the words "which
21 a" and inserting the following: "which an insurance
22 premium".

23 3. Page 2, line 28, by striking the word "income"
24 and inserting the following: "insurance premium".

25 4. Page 3, by inserting after line 12 the
26 following:

27 "Sec. __. Section 15E.192, Code 1999, is amended
28 by adding the following new subsection:
29 **NEW SUBSECTION. 2A.** a. A county may designate an
30 enterprise zone within an area located in one or more
31 contiguous census tracts or other geographic units of
32 the county that meets at least two of the following
33 distress criteria:

34 (1) The area has a per capita income of nine
35 thousand six hundred dollars or less based according
36 to the 1990 census.

37 (2) The area has a family poverty rate of twelve
38 percent or more according to the 1990 census.

39 (3) Ten percent or more of the housing units in

40 the area are vacant.

41 (4) The valuations of each class of property in
42 the designated area of the census tract is seventy-
43 five percent or less of the countywide average for
44 that classification based upon the most recent
45 valuations for property tax purposes.

46 (5) The area is a blighted area, as defined in
47 section 403.17.

48 b. The department shall not approve more than five
49 enterprise zones designated under this subsection
50 prior to July 1, 2001."

Page 3

1 5. Page 4, by striking lines 3 through 7 and
2 inserting the following:
3 "NEW PARAGRAPH. e. Information showing the total
4 costs and sources of project financing that will be
5 utilized for the new investment directly related to
6 housing for which the business is seeking approval for
7 a tax credit provided in subsection 6, paragraph "a"."

8 6. Page 4, by inserting after line 29 the
9 following:
10 "Sec. 3. Section 15E.193B, Code 1999, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 9. The amount of the tax credits
13 determined pursuant to section 15E.193B, subsection 6,
14 paragraph "a", for each project shall be approved by
15 the department of economic development. The
16 department shall utilize the financial information
17 required to be provided under section 15E.193B,
18 subsection 5, paragraph "e", to determine the tax
19 credits allowed for each project. In determining the
20 amount of tax credits to be allowed for a project, the
21 department shall not include the portion of the
22 project cost financed through federal, state, and
23 local government tax credits, grants, and forgivable
24 loans."

25 7. Page 4, line 31, by striking the word
26 "subsections" and inserting the following:
27 "subsection".

28 8. By striking page 4, line 32, through page 5,
29 line 14.

30 9. By striking page 5, line 31, through page 8,
31 line 22.

32 10. Page 8, line 25, by striking the word and
33 figures "6, and 10" and inserting the following: "and
34 6".

35 11. Page 8, line 27, by inserting after the word
36 "date." the following: "Section 1 of this Act takes
37 effect July 1, 2001, and applies to tax years

38 beginning on or after that date."

39 12. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9042.

Jenkins of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2540)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Cataldo	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Carroll,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Blodgett

Frevert

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

Senate File 2427, a bill for an act relating to the definition of factory-built structures; the relocation of factory-built structures, the certification of installers of manufactured homes and providing for a fee, an appropriation, and a civil penalty, with report of committee recommending passage, was taken up for consideration.

Jacobs of Polk asked and received unanimous consent that Senate File 2427 be deferred and that the bill retain its place on the calendar.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **House File 2540** be immediately messaged to the Senate.

The House stood at ease at 3:18 p.m., until the fall of the gavel.

The House resumed session at 5:38 p.m., Speaker Siegrist in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lord of Dallas, until his return, on request of Rants of Woodbury.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-nine members present, thirty-one absent.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports

that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 2584, a bill for an act relating to the dissolution of the Iowa housing corporation and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 2000.

Jacobs of Polk asked and received unanimous consent for the immediate consideration of House File 2584.

Appropriations Calendar

House File 2584, a bill for an act relating to the dissolution of the Iowa housing corporation and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Jacobs of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2584)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin

Larson	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Frevert Lord

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Senate File 2243, a bill for an act relating to the placement in treatment programs of offenders sentenced for operating while intoxicated violations, with report of committee recommending passage, was taken up for consideration.

Baudler of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2243)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser

Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Frevert Lord

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2580 WITHDRAWN

Dix of Butler asked and received unanimous consent to withdraw House File 2580 from further consideration by the House.

The House resumed consideration of **Senate File 2246**, a bill for an act relating to the accumulation of credit upon an inmate's sentence for Iowa inmates incarcerated in another jurisdiction, previously deferred on March 16, 2000 with amendment H-8376, found on page 814 of the House Journal.

Division of amendment H-8376 was requested as follows:

Lines 3 through 4, division A.

Lines 4 through 7, division B.

On motion by Parmenter of Story amendment H-8376A was adopted.

Parmenter of Story asked and received unanimous consent to withdraw amendment H-8376B.

Ford of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2246)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Drees	Frevert	Lord
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2314 WITHDRAWN

Ford of Polk asked and received unanimous consent to withdraw House File 2314 from further consideration by the House.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2584** and **Senate Files 2243** and **2246**.

SENATE AMENDMENT CONSIDERED

Van Fossen of Scott called up for consideration **House File 2562**, a bill for an act relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision, amended by the Senate amendment H-9048:

H-9048

1 Amend House File 2562, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 1 through 31 and
4 inserting the following:
5 "Section 1. Section 421.17, Code Supplement 1999,
6 is amended by adding the following new subsection:
7 **NEW SUBSECTION.** 22B. Enter into agreements or
8 compacts with remote sellers, retailers, or third-
9 party providers for the voluntary collection of Iowa
10 sales or use taxes attributable to sales into Iowa and
11 to enter into multistate agreements or compacts that
12 provide for the voluntary collection of sales and use
13 taxes. The agreements or compacts shall generally
14 conform to the provisions of Iowa sales and use tax
15 statutes. All fees for services, reimbursements,
16 remuneration, incentives, and costs incurred by the
17 department associated with these agreements or
18 compacts may be paid or reimbursed from the additional
19 revenue generated. An amount is appropriated from
20 amounts generated to pay or reimburse all costs
21 associated with this subsection. Persons entering
22 into an agreement or compact with the department
23 pursuant to this subsection are subject to the
24 requirements and penalties of the confidentiality laws
25 of this state regarding tax information.
26 Notwithstanding any other provisions of law, the
27 contract, agreement, or compact shall provide for the
28 registration, collection, report, and verification of
29 amounts subject to this subsection.

30 Sec. 2. Section 422.43, Code Supplement 1999, is
31 amended by adding the following new subsection:
32 NEW SUBSECTION. 15. For purposes of this
33 division, a sale of tangible personal property does
34 not occur if the substance of the transaction is
35 delivered to the purchaser digitally, electronically,
36 or utilizing cable, or by radio waves, microwaves,
37 satellites, or fiber optics.

38 This subsection is repealed December 31, 2002.

39 Sec. 3. Section 422.45, Code Supplement 1999, is
40 amended by adding the following new subsection:

41 NEW SUBSECTION. 57. The gross receipts from the
42 services rendered, furnished, or performed of the sale
43 or rental of information services. "Information
44 services" means every business activity, process, or
45 function by which a seller or its agent accumulates,
46 prepares, organizes, or conveys data, facts,
47 knowledge, procedures, and like services to a buyer or
48 its agent of such information through any tangible or
49 intangible medium. Information accumulated, prepared,
50 or organized for a buyer or its agent is an

Page 2

1 information service even though it may incorporate
2 preexisting components of data or other information.
3 Information services include, but are not limited to,
4 database files, mailing lists, subscription files,
5 market research, credit reports, surveys, real estate
6 listings, bond rating reports, abstracts of title, bad
7 check lists, broadcasting rating services, wire
8 services, and scouting reports, or other similar
9 items.

10 Sec. 4. Section 423.1, Code Supplement 1999, is
11 amended by adding the following new subsection:
12 NEW SUBSECTION. 12A. "Tangible personal property"
13 does not include the substance of a transaction that
14 is delivered to the purchaser digitally,
15 electronically, or utilizing cable, or by radio waves,
16 microwaves, satellites, or fiber optics.

17 This subsection is repealed December 31, 2002.

18 Sec. 5.

19 1. The legislative council is requested to
20 establish an e-commerce task force to study the issues
21 e-commerce has generated under the state sales and use
22 taxes, including the status as tangible or intangible
23 property of the substance of transactions that are
24 delivered digitally, electromagnetically, or through
25 or by means of cable, satellites, or fiber optics, and
26 vendor discounts.

27 2. The members of the task force should be
28 selected by the legislative council from names

- 29 submitted to the legislative council by July 1, 2000.
 30 The membership shall consist of at least the
 31 following:
 32 a. Two members from the department of revenue and
 33 finance.
 34 b. One member representing business taxpayers.
 35 c. One member representing the retailer community
 36 as a whole.
 37 d. One member who is employed by a large state or
 38 national retailer.
 39 e. One member who is employed by a small main
 40 street retailer.
 41 f. One member familiar with the e-commerce
 42 industry.
 43 g. One member who is an economist familiar with e-
 44 commerce issues.
 45 h. One member who is a representative of local
 46 governments.
 47 i. One member representing the taxpayers as a
 48 whole.
 49 j. Four members who are members of the general
 50 assembly, two who are senators and two who are

Page 3

- 1 representatives appointed by the legislative council
 2 with a senator and representative representing the
 3 majority party and a senator and representative
 4 representing the minority party.
 5 Alternative members may be appointed for the
 6 nonlegislative members.
 7 3. The task force shall provide the general
 8 assembly with a preliminary report by January 1, 2001.
 9 The final report with the task force's findings and
 10 recommendations is due by January 1, 2002."
 11 2. Title page, line 6, by inserting after the
 12 word "refunds," the following: "requesting a task
 13 force be established,".

Van Fossen of Scott offered the following amendment H-9054, to the Senate amendment H-9048, filed by him from the floor and moved its adoption:

H-9054

- 1 Amend the Senate amendment, H-9048, to House File
 2 2562, as passed by the House, as follows:
 3 1. Page 1, line 38, by striking the word and
 4 figures "December 31, 2002" and inserting the
 5 following: "July 1, 2005".
 6 2. Page 2, line 17, by striking the word and

7 figures "December 31, 2002" and inserting the
8 following: "July 1, 2005".

Roll call was requested by Schrader of Marion and Van Fossen of Scott.

On the question "Shall amendment H-9054, to the Senate amendment H-9048, be adopted?" (H.F. 2562)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boguess
Bradley	Brauns	Brunkhorst	Carroll
Chiodo	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Grundberg
Holmes	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Martin	Metcalf	Millage	Nelson-Forbes
O'Brien	Raycker	Rants	Rayhons
Shey	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Welter	Witt	Mr. Speaker
			Siegrist

The nays were, 42:

Bell	Bukta	Cataldo	Cohoon
Connors	Cormack	Davis	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Greimann	Heaton
Holveck	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor, D.
Taylor, T.	Thomas	Warnstadt	Weigel
Whitead	Wise		

Absent or not voting, 2:

Frevert	Lord
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Amendment H-9054 was adopted.

On motion by Van Fossen of Scott the House concurred in the Senate amendment H-9048, as amended.

Van Fossen of Scott moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2562)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Carroll	Cataldo	Chiodo	Dix
Dolecheck	Drake	Eddie	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Johnson	Klemme
Larson	Martin	Metcalf	Millage
Nelson-Forbes	Raecker	Rants	Rayhons
Shey	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, 42:

Bukta	Cphoon	Connors	Cormack
Davis	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Ford
Garman	Greimann	Holveck	Jochum
Kettering	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor, D.
Taylor, T.	Thomas	Warnstadt	Weigel
Welter	Whitead		

Absent or not voting, 2:

Frevert	Lord
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Appropriations Calendar

House File 2574, a bill for an act relating to and making appro-

priations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, and providing effective dates, was taken up for consideration.

Gipp of Winneshiek offered the following amendment H-8997 filed by him and moved its adoption:

H-8997

1 Amend House File 2574 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "DIVISION I

5 REBUILD IOWA INFRASTRUCTURE FUND

6 DEPARTMENT FOR THE BLIND

7 Section 1. There is appropriated from the rebuild
8 Iowa infrastructure fund to the department for the
9 blind for the fiscal year beginning July 1, 2000, and
10 ending June 30, 2001, the following amount, or so much
11 thereof as is necessary, to be used for the purpose
12 designated:

13 For improvements to the facility for the blind:

14\$ 122,000

15 DEPARTMENT OF CORRECTIONS

16 Sec. 2. There is appropriated from the rebuild
17 Iowa infrastructure fund to the department of
18 corrections for the fiscal year beginning July 1,
19 2000, and ending June 30, 2001, the following amounts,
20 or so much thereof as is necessary, to be used for the
21 purposes designated:

22 1. To supplement funds appropriated in 1998 Iowa
23 Acts, chapter 1219, section 2, subsection 3, for
24 construction of a 200-bed facility at the Iowa state
25 penitentiary at Fort Madison:

26\$ 3,000,000

27 2. For community-based corrections projects in
28 Council Bluffs:

29\$ 300,000

30 DEPARTMENT OF CULTURAL AFFAIRS

31 Sec. 3. There is appropriated from the rebuild

32 Iowa infrastructure fund to the department of cultural
 33 affairs for the fiscal year beginning July 1, 2000,
 34 and ending June 30, 2001, the following amount, or so
 35 much thereof as is necessary, to be used for the
 36 purpose designated:

37 For historical site preservation grants, to be used
 38 for the restoration, preservation, and development of
 39 historical sites:
 40\$ 2,500,000

41 Of the amount appropriated in this section,
 42 \$600,000 shall be allocated for the final year of a
 43 multiyear funding effort by the state for the
 44 preservation of a building with historical and
 45 architectural significance, notwithstanding any
 46 provision of this section to the contrary.

47 Historical site preservation grants shall only be
 48 awarded for projects which meet the definition of
 49 "vertical infrastructure" in section 8.57, subsection
 50 5, paragraph "c".

Page 2

1 In making grants pursuant to this section, the
 2 department shall consider the existence and amount of
 3 other funds available to an applicant for the
 4 designated project. Each grant awarded from moneys
 5 appropriated in this section shall not exceed \$100,000
 6 per project. Not more than two grants may be awarded
 7 in each county.

8 DEPARTMENT OF ECONOMIC DEVELOPMENT

9 Sec. 4. There is appropriated from the rebuild
 10 Iowa infrastructure fund to the department of economic
 11 development for the fiscal year beginning July 1,
 12 2000, and ending June 30, 2001, the following amounts,
 13 or so much thereof as is necessary, to be used for the
 14 purposes designated:

15 1. To be deposited in the physical infrastructure
 16 assistance fund created in section 15E.175:
 17\$ 2,500,000

18 The department shall maximize the moneys
 19 appropriated in this subsection, to the extent
 20 possible, for physical infrastructure assistance
 21 program projects which meet the definition of
 22 "vertical infrastructure" in section 8.57, subsection
 23 5, paragraph "c", or for projects which facilitate the
 24 creation of "vertical infrastructure" projects. The
 25 department shall report to the general assembly by
 26 June 30 of each fiscal year for which funds are
 27 appropriated in this subsection regarding the amount
 28 of such funds used for "vertical infrastructure"
 29 projects and the amount of such funds used for
 30 projects which facilitate the creation of "vertical

31 infrastructure".

32 2. For accelerated career education program
33 capital projects at community colleges which are
34 authorized under chapter 260G and which meet the
35 definition of "vertical infrastructure" in section
36 8.57, subsection 5, paragraph "c":

37\$ 5,300,000

38 The moneys appropriated in this subsection shall be
39 allocated equally among the community colleges in the
40 state. If any portion of the equal allocation to a
41 community college is not obligated or encumbered by
42 April 1, 2001, the unobligated and unencumbered
43 portions shall be available for use by other community
44 colleges.

45 3. For deposit in the rural enterprise fund to be
46 used for the dry fire hydrant and rural water supply
47 education and demonstration project, notwithstanding
48 section 8.57, subsection 5, paragraph "c":

49\$ 200,000

50 DEPARTMENT OF GENERAL SERVICES

Page 3

1 Sec. 5. There is appropriated from the rebuild
2 Iowa infrastructure fund to the department of general
3 services for the fiscal year beginning July 1, 2000,
4 and ending June 30, 2001, the following amount, or so
5 much thereof as is necessary, to be used for the
6 purpose designated:

7 1. For capital projects and improvements at
8 Terrace Hill:

9\$ 1,200,000

10 For planning, design, and construction of a new
11 building to house department of public safety offices
12 and crime laboratory space and state medical examiner
13 laboratory, office, and related space:

14\$ 3,200,000

15 Sec. 6. 1999 Iowa Acts, chapter 121, sections 11
16 and 12, are amended by striking the sections.

17 Sec. 7. 1999 Iowa Acts, chapter 204, section 4,
18 subsection 1, is amended to read as follows:

19 1. For major renovation and major repair needs
20 including health, life, and fire safety, for
21 compliance with the federal Americans With
22 Disabilities Act for state-owned buildings and
23 facilities:

24 FY 1999-2000\$ 7,500,000

25 FY 2000-2001.....\$ 7,500,000

10,500,000

27 Notwithstanding section 8.57, subsection 5,
28 paragraph "c", of the amount appropriated for each the
29 fiscal year beginning July 1, 1999, in this

30 subsection, up to \$800,000 may be used by the
31 department for routine maintenance needs for the
32 capitol complex.

33 The moneys appropriated in this subsection for the
34 fiscal year beginning July 1, 2000, shall be used for
35 the repair or replacement of building components to
36 return state-owned buildings or facilities to their
37 intended uses or to make them compliant with changes
38 in laws, regulations, or codes. The moneys shall be
39 allocated in accordance with the priorities and
40 recommendations set forth by the vertical
41 infrastructure advisory committee. The moneys
42 appropriated in this subsection for the fiscal year
43 beginning July 1, 2000, shall be allocated to the
44 following agencies in the following amounts, with the
45 balance to be retained by the department of general
46 services, to be used for purposes described in this
47 section:

48 a. Department of cultural affairs:
49\$ 195,000

50 b. Department of public safety:

Page 4

1 \$ 40,000

2 c. Department of workforce development:

3 \$ 300,000

4 d. Iowa law enforcement academy:

5 \$ 70,000

6 e. Department of education, division of vocational
7 rehabilitation:

8 \$ 33,000

9 f. Department of corrections:

10 \$ 3,570,000

11 g. Department of human services:

12 \$ 2,737,000

13 h. Commission of veterans affairs:

14 \$ 189,000

15 Sec. 8. 1999 Iowa Acts, chapter 204, section 4,
16 subsection 15, is amended by striking the subsection.

17 Sec. 9. 1998 Iowa Acts, chapter 1219, section 6,
18 subsection 1, unnumbered paragraphs 3 and 4, as
19 amended and enacted by 1999 Iowa Acts, chapter 204,
20 section 39, are amended to read as follows:

21 Of the amount appropriated in this subsection, up
22 to \$1,250,000 may be used by the department for the
23 purchase, demolition, assessment, and site
24 conditioning of property located at the southwest
25 corner of Lyon street and East Tenth street, together
26 with the contiguous property south of the southwest
27 corner property and the property between East Tenth
28 street and East Eleventh street between Lyon street

29 ~~and Des Moines street, all within the following~~
 30 ~~boundaries: south of interstate 235, north of Grand~~
 31 ~~avenue, east of Pennsylvania avenue, and west of East~~
 32 ~~Fourteenth street~~ in the city of Des Moines.

33 Of the amount appropriated in this subsection, up
 34 to \$430,000 may be used by the department to complete
 35 the infrastructure assessment, notwithstanding section
 36 8.57, subsection 5, paragraph "c".

37 JUDICIAL BRANCH

38 Sec. 10. There is appropriated from the rebuild
 39 Iowa infrastructure fund to the judicial branch for
 40 the fiscal year beginning July 1, 2001, and ending
 41 June 30, 2002, the following amount, or so much
 42 thereof as is necessary, to be used for the purpose
 43 designated:

44 For construction of a new judicial building:
 45 \$ 8,300,000

46 The judicial branch is authorized to enter into
 47 contracts for the full cost of the planning, design,
 48 and construction of a new judicial building for which
 49 appropriations are made in this section and in 1998
 50 Iowa Acts, chapter 1223, section 8, and 1999 Iowa

Page 5

1 Acts, chapter 204, section 6. The state shall not be
 2 obligated for costs associated with contracts
 3 identified in this paragraph in excess of funds
 4 appropriated by the general assembly. Notwithstanding
 5 any provision of this Act to the contrary or section
 6 8.33, moneys appropriated in this section that remain
 7 unencumbered or unobligated at the close of the fiscal
 8 year that begins July 1, 2003, shall revert at the
 9 close of that fiscal year. However, if the project
 10 for which the moneys are appropriated is completed in
 11 an earlier fiscal year, unencumbered or unobligated
 12 moneys shall revert at the close of that fiscal year.

13 Sec. 11. 1998 Iowa Acts, chapter 1219, section 8,
 14 is amended to read as follows:

15 SEC. 8. There is appropriated from the rebuild
 16 Iowa infrastructure fund to the judicial department
 17 for the fiscal year beginning July 1, 1998, and ending
 18 June 30, 1999, the following amount, or so much
 19 thereof as is necessary, to be used for the purpose
 20 designated:

21 For capital projects at the capitol building:
 22 \$ 250,000

23 Notwithstanding section 8.33, unencumbered or
 24 unobligated funds remaining on June 30, ~~2000, 2002,~~
 25 from the funds appropriated in this section shall
 26 revert to the rebuild Iowa infrastructure fund on
 27 August 31, ~~2000~~ 2002.

28 Sec. 12. 1998 Iowa Acts, chapter 1223, section 8,
29 is amended to read as follows:

30 SEC. 8. JUDICIAL DEPARTMENT. There is
31 appropriated from the rebuild Iowa infrastructure fund
32 to the judicial department for the fiscal year
33 beginning July 1, 1997, and ending June 30, 1998, the
34 following amount, or so much thereof as is necessary,
35 to be used for the purpose designated:

36 For design and development of a new judicial
37 building:
38 \$ 1,700,000

39 Notwithstanding section 8.33, unencumbered or
40 unobligated funds remaining on June 30, ~~2000~~, 2003,
41 from the funds appropriated in this section shall
42 revert to the rebuild Iowa infrastructure fund on
43 August 31, ~~2000~~ 2003.

44 DEPARTMENT OF NATURAL RESOURCES

45 Sec. 13. There is appropriated from the rebuild
46 Iowa infrastructure fund to the department of natural
47 resources for the fiscal year beginning July 1, 2000,
48 and ending June 30, 2001, the following amount, or so
49 much thereof as is necessary, to be used for the
50 purpose designated:

Page 6

1 For construction of the Elinor Bedell state park
2 and wildlife conservation area, as intended by the
3 general assembly in 1998 Iowa Acts, chapter 1219,
4 section 10:
5 \$ 50,000

6 STATE BOARD OF REGENTS

7 Sec. 14. There is appropriated from the rebuild
8 Iowa infrastructure fund to the state board of regents
9 for the fiscal period beginning July 1, 2000, and
10 ending June 30, 2003, the following amounts, or so
11 much thereof as is necessary, to be used for the
12 purposes designated:

13 1. For improvements to Gilman hall at Iowa state
14 university of science and technology, including the
15 replacement of the heating, ventilation, and air
16 conditioning system, replacement of the fume hood
17 exhaust system, and the construction of an addition to
18 house mechanical equipment:
19 FY 2000-2001..... \$ 8,500,000
20 FY 2001-2002..... \$ 2,500,000
21 FY 2002-2003..... \$ 0

22 2. For continued renovation of the biological
23 sciences facility at the state university of Iowa:
24 FY 2000-2001..... \$ 4,400,000
25 FY 2001-2002..... \$ 7,300,000
26 FY 2002-2003..... \$ 3,000,000

27	3. For construction of an addition to McCollum science hall at the university of northern Iowa:	
29	FY 2000-2001.....	\$ 2,700,000
30	FY 2001-2002.....	\$ 5,800,000
31	FY 2002-2003.....	\$ 8,400,000
32	4. For planning and design of a new business college building at Iowa state university of science and technology, notwithstanding section 8.57, subsection 5, paragraph "c":	
36	FY 2000-2001.....	\$ 300,000
37	FY 2001-2002.....	\$ 0
38	FY 2002-2003.....	\$ 0
39	5. For improvements to or replacement of the water system at the school for the deaf:	
41	.....	\$ 250,000
42	6. For planning and design of a new art and art history building at the state university of Iowa, notwithstanding section 8.57, subsection 5, paragraph "c":	
46	FY 2000-2001.....	\$ 300,000
47	FY 2001-2002.....	\$ 0
48	FY 2002-2003.....	\$ 0
49	7. For planning for replacement of the steam distribution system at the university of northern	

Page 7

1 Iowa, notwithstanding section 8.57, subsection 5,
2 paragraph "c":
3 FY 2000-2001..... \$ 300,000
4 FY 2001-2002..... \$ 0
5 FY 2002-2003..... \$ 0

6 The state board of regents is authorized to enter into
7 contracts for the full cost of carrying out the projects
8 listed in subsections 1 through 3, for which appropriations
9 are made in those subsections. The state shall not be
10 obligated for costs associated with contracts identified in
11 this paragraph in excess of the funds appropriated by the
12 general assembly.

13 STATE DEPARTMENT OF TRANSPORTATION
14 Sec. 15. There is appropriated from the rebuild
15 Iowa infrastructure fund to the state department of
16 transportation for the fiscal year beginning July 1,
17 2000, and ending June 30, 2001, the following amounts,
18 or so much thereof as is necessary, to be used for the
19 purposes designated:

20 1. For vertical infrastructure improvements at all
21 10 of the commercial air service airports within the
22 state:
23 \$ 1,000,000

24 One-half of the funds appropriated in this
25 subsection shall be allocated equally between each

26 commercial service airport, 40 percent of the funds
 27 shall be allocated based on the percentage that the
 28 number of enplaned passengers at each commercial
 29 service airport bears to the total number of enplaned
 30 passengers in the state during the previous fiscal
 31 year, and 10 percent of the funds shall be allocated
 32 based on the percentage that the air cargo tonnage at
 33 each commercial service airport bears to the total air
 34 cargo tonnage in the state during the previous fiscal
 35 year. In order for a commercial service airport to
 36 receive funding under this subsection, the airport
 37 shall be required to submit applications for funding
 38 of specific projects to the department for approval by
 39 the state transportation commission.

40 2. For deposit in an aviation hangar revolving
 41 loan fund, as created in this Act, for improvements to
 42 and design and construction of hangars at general
 43 aviation airports within the state:

44\$ 500,000

45 OFFICE OF TREASURER OF STATE

46 Sec. 16. There is appropriated from the rebuild
 47 Iowa infrastructure fund to the office of treasurer of
 48 state for the fiscal year beginning July 1, 2000, and
 49 ending June 30, 2001, the following amount, or so much
 50 thereof as is necessary, to be used for the purpose

Page 8

1 designated:

2 For county fair infrastructure improvements for
 3 distribution in accordance with chapter 174 to
 4 qualified fairs which belong to the association of
 5 Iowa fairs:

6\$ 1,060,000

7 Sec. 17. There is appropriated from the rebuild
 8 Iowa infrastructure fund to the office of the
 9 treasurer of state for the designated fiscal years,
 10 the following amounts, or so much thereof as is
 11 necessary, to be used for the purpose designated:

12 For deposit in the community attraction and tourism
 13 fund:

14 FY 2001-2002.....\$ 12,500,000

15 FY 2002-2003.....\$ 12,500,000

16 FY 2003-2004.....\$ 12,500,000

17 None of the moneys appropriated in this section
 18 shall be used for the development of marketing efforts
 19 or promotion of Iowa tourism attractions and events.

20 COMMISSION OF VETERANS AFFAIRS

21 Sec. 18. There is appropriated from the rebuild
 22 Iowa infrastructure fund to the commission of veterans
 23 affairs for the fiscal year beginning July 1, 2000,
 24 and ending June 30, 2001, the following amounts, or so

25 much thereof as is necessary, to be used for the
 26 purposes designated:
 27 To supplement moneys appropriated in prior fiscal
 28 years for construction of a new dining hall and food
 29 services facility:
 30\$ 992,000

31 Sec. 19. REVERSION. Notwithstanding section 8.33,
 32 moneys appropriated in this division of this Act that
 33 remain unencumbered or unobligated at the close of the
 34 fiscal year that begins July 1, 2003, shall revert at
 35 the close of that fiscal year. However, if the
 36 projects for which the moneys are appropriated are
 37 completed in an earlier fiscal year, unencumbered or
 38 unobligated moneys shall revert at the close of that
 39 fiscal year.

40 Sec. 20. EFFECTIVE DATE. The following sections
 41 of this division of this Act, being deemed of
 42 immediate importance, take effect upon enactment:

- 43 1. Section 6, amending 1999 Iowa Acts, chapter
- 44 121, sections 11 and 12.
- 45 2. Sections 7 and 8, amending 1999 Iowa Acts,
- 46 chapter 204, section 4, subsections 1 and 15.
- 47 3. Section 9, amending 1998 Iowa Acts, chapter
- 48 1219, section 6, subsection 1, unnumbered paragraphs 3
- 49 and 4, as amended and enacted by 1999 Iowa Acts,
- 50 chapter 204, section 39.

Page 9

- 1 4. Section 11, amending 1998 Iowa Acts, chapter
- 2 1219, section 8.
- 3 5. Section 12, amending 1998 Iowa Acts, chapter
- 4 1223, section 8.

DIVISION II

RESTORE THE OUTDOORS PROGRAM
AND ENVIRONMENT FIRST FUND

8 Sec. 21. NEW SECTION. 8.57A ENVIRONMENT FIRST
 9 FUND.

- 10 1. An environment first fund is created under the
- 11 authority of the department of management. The fund
- 12 shall consist of appropriations made to the fund and
- 13 transfers of interest, earnings, and moneys from other
- 14 funds as provided by law. The fund shall be separate
- 15 from the general fund of the state and the balance in
- 16 the fund shall not be considered part of the balance
- 17 of the general fund of the state. However, the fund
- 18 shall be considered a special account for the purposes
- 19 of section 8.53, relating to generally accepted
- 20 accounting principles.
- 21 2. Moneys in the environment first fund are not
- 22 subject to section 8.33. Notwithstanding section
- 23 12C.7, subsection 2, interest or earnings on moneys in

24 the environment first fund shall be credited to the
25 rebuild Iowa infrastructure fund.
26 3. Moneys in the fund in a fiscal year shall be
27 used as appropriated by the general assembly for the
28 protection, conservation, enhancement, or improvement
29 of natural resources or the environment.

30 4. There is appropriated from the rebuild Iowa
31 infrastructure fund for the fiscal year beginning July
32 1, 2000, and for each fiscal year thereafter, the sum
33 of thirty-five million dollars to the environment
34 first fund, notwithstanding section 8.57, subsection
35 5, paragraph "c".

36 Sec. 22. Section 8.58, Code 1999, is amended to
37 read as follows:

38 8.58 EXEMPTION FROM AUTOMATIC APPLICATION.

39 To the extent that moneys appropriated under
40 section 8.57 do not result in moneys being credited to
41 the general fund under section 8.55, subsection 2,
42 moneys appropriated under section 8.57 and moneys
43 contained in the cash reserve fund, rebuild Iowa
44 infrastructure fund, environment first fund, and Iowa
45 economic emergency fund shall not be considered in the
46 application of any formula, index, or other statutory
47 triggering mechanism which would affect
48 appropriations, payments, or taxation rates, contrary
49 provisions of the Code notwithstanding.

50 To the extent that moneys appropriated under

Page 10

1 section 8.57 do not result in moneys being credited to
2 the general fund under section 8.55, subsection 2,
3 moneys appropriated under section 8.57 and moneys
4 contained in the cash reserve fund, rebuild Iowa
5 infrastructure fund, environment first fund, and Iowa
6 economic emergency fund shall not be considered by an
7 arbitrator or in negotiations under chapter 20.

8 Sec. 23. Section 461A.3A, subsection 2, unnumbered
9 paragraph 1, Code 1999, is amended to read as follows:

10 There is appropriated from the rebuild Iowa
11 infrastructure fund for each fiscal year of the fiscal
12 period beginning July 1, 1997, and ending June 30,
13 ~~2001~~ 2004, the sum of three million dollars to the
14 department for use in the restore the outdoors
15 program. Notwithstanding section 8.33, unnumbered
16 or unobligated moneys remaining at the end of a fiscal
17 year shall not revert but shall remain available for
18 expenditure during the following fiscal year for
19 purposes of the restore the outdoors program.

20 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

21 Sec. 24. There is appropriated from the
22 environment first fund to the department of

- 23 agriculture and land stewardship for the fiscal year
- 24 beginning July 1, 2000, and ending June 30, 2001, the
- 25 following amounts, or so much thereof as is necessary,
- 26 to be used for the purposes designated:
- 27 1. To implement a conservation reserve enhancement
- 28 program to restore and construct wetlands for the
- 29 purposes of intercepting tile line runoff, reducing
- 30 nutrient loss, improving water quality, and enhancing
- 31 agricultural production practices:
- 32\$ 1,500,000
- 33 2. For implementation of a program that provides
- 34 multi-objective resource protections for flood
- 35 control, water quality, erosion control, and natural
- 36 resource conservation:
- 37\$ 1,450,000
- 38 3. To initiate a statewide voluntary farm
- 39 management demonstration program to demonstrate the
- 40 effectiveness and adaptability of emerging practices
- 41 in agronomy that protect water resources and provide
- 42 other environmental benefits:
- 43\$ 850,000
- 44 4. For assisting farm operators in applying for
- 45 project grants associated with the statewide voluntary
- 46 farm management demonstration program:
- 47\$ 50,000
- 48 5. For assistance in writing plans for the
- 49 reclamation of lands and water which were mined for
- 50 coal or affected by mining processes:

Page 11

- 1\$ 50,000
- 2 6. For deposit in the alternative drainage system
- 3 assistance fund created in section 159.29A to be used
- 4 for purposes of supporting the alternative drainage
- 5 system assistance program as provided in section
- 6 159.29B:
- 7\$ 1,300,000
- 8 Of the amount appropriated in this section,
- 9 \$300,000 shall be allocated to drainage district 176
- 10 to provide cost-share assistance for closing
- 11 agricultural drainage wells and constructing
- 12 alternative drainage systems in order to assist in
- 13 raising the level of cost-share payments to 75 percent
- 14 of the cost of the projects.
- 15 7. To provide financial assistance for the
- 16 establishment of permanent soil and water conservation
- 17 practices:
- 18\$ 2,000,000
- 19 a. Not more than 5 percent of the moneys
- 20 appropriated in this subsection may be allocated for
- 21 cost-sharing to abate complaints filed under section

22 161A.47.

23 b. Of the moneys appropriated in this subsection,
24 5 percent shall be allocated for financial incentives
25 to establish practices to protect watersheds above
26 publicly owned lakes of the state from soil erosion
27 and sediment as provided in section 161A.73.

28 c. Not more than 30 percent of a district's
29 allocation of moneys as financial incentives may be
30 provided for the purpose of establishing management
31 practices to control soil erosion on land that is row-
32 cropped, including but not limited to no-till
33 planting, ridge-till planting, contouring, and contour
34 strip-cropping as provided in section 161A.73.

35 d. The state soil conservation committee created
36 in section 161A.4 may allocate moneys appropriated in
37 this subsection to conduct research and demonstration
38 projects to promote conservation tillage and nonpoint
39 source pollution control practices.

40 e. The financial incentive payments may be used in
41 combination with department of natural resources
42 moneys.

43 8. To encourage and assist farmers in enrolling in
44 the continuous sign-up federal conservation reserve
45 program and work with them to enhance their
46 revegetation efforts to improve water quality and
47 habitat:

48\$ 1,500,000

49 DEPARTMENT OF ECONOMIC DEVELOPMENT

50 Sec. 25. There is appropriated from the

Page 12

1 environment first fund to the department of economic
2 development for the fiscal year beginning July 1,
3 2000, and ending June 30, 2001, the following amount,
4 or so much thereof as is necessary, to be used for the
5 purpose designated:

6 For deposit in the brownfield redevelopment fund to
7 provide assistance under the brownfield redevelopment
8 program, if the fund is created by the Seventy-eighth
9 General Assembly, Second Session:

10\$ 3,000,000

11 DEPARTMENT OF NATURAL RESOURCES

12 Sec. 26. There is appropriated from the
13 environment first fund to the department of natural
14 resources for the fiscal year beginning July 1, 2000,
15 and ending June 30, 2001, the following amounts, or so
16 much thereof as is necessary, to be used for the
17 purposes designated:

18 1. To establish a program to assist rural
19 homeowners in improving on-site wastewater systems:

20\$ 600,000

21	2. To provide local watershed managers with	
22	geographic information system data for their use in	
23	developing, monitoring, and displaying results of	
24	their watershed work:	
25	.....	\$ 195,000
26	3. For continuing the establishment and operation	
27	of water quality monitoring stations:	
28	.....	\$ 1,950,000
29	4. To develop a program to support local volunteer	
30	management efforts in water quality programs:	
31	.....	\$ 70,000
32	5. To establish and implement improved water	
33	quality planning, standards, and assessment:	
34	.....	\$ 372,000
35	6. For contracting to assist department staff with	
36	the review of national pollutant discharge elimination	
37	system permits:	
38	.....	\$ 250,000
39	7. To expand the floodplain protection education	
40	to better inform local officials that make decisions	
41	with regard to floodplain management:	
42	.....	\$ 200,000
43	8. To identify an effective and efficient method	
44	of developing a total maximum daily load program:	
45	.....	\$ 153,000
46	9. For the dredging of lakes, including necessary	
47	preparation for dredging, in accordance with the	
48	department's classification of Iowa lakes restoration	
49	report:	
50	.....	\$ 2,900,000

Page 13

- 1 a. Of the amount appropriated in this subsection,
- 2 up to \$200,000 may be used by the department to
- 3 provide assistance to qualified applicants for
- 4 purposes of financing capital improvements to natural
- 5 or constructed lakes including but not limited to
- 6 dredging, installation or repair of erosion control
- 7 measures, and land acquisition. To qualify for
- 8 assistance, an applicant must be a nonprofit
- 9 organization based in the community where the lake is
- 10 located which is active in sponsoring improvements to
- 11 the lake and is capable of managing or overseeing the
- 12 improvements or be a governmental body. Assistance
- 13 shall not be provided to construct a new lake.
- 14 Notwithstanding any contrary provision of this
- 15 subsection, the department may consider grants for any
- 16 public lakes.
- 17 b. To qualify for assistance under paragraph "a",
- 18 an applicant must demonstrate that existing or planned
- 19 infrastructure and practices are capable of ensuring

20 long-term benefits to the lake. An applicant must
21 also show that each dollar of assistance will be
22 matched by one dollar contributed by a source other
23 than the state.

24 10. For a community-based grant distribution
25 program to provide funding for the planting of trees
26 throughout the state:
27\$ 250,000

28 11. For a contribution towards the development of
29 the Lewis and Clark rural water system:
30\$ 60,000

31 12. For continuation of the waste tire abatement
32 program:
33\$ 500,000

34 Of the amount appropriated in this subsection, up
35 to \$50,000 may be used by the department for
36 administration costs of the program.

37 13. For recreational grants to be used for the
38 restoration or construction of recreational complexes
39 or facilities under the recreational grant matching
40 program:
41\$ 3,000,000

42 Matching grants awarded from the funds appropriated
43 in this subsection shall be awarded on a matching
44 basis of one dollar for every two dollars the
45 applicant had raised.

46 The department shall give special consideration to
47 recreational complex or facility projects which
48 involve public and private sector participation.

49 14. For purposes of funding capital projects for
50 the purposes specified in section 452A.79, and for

Page 14

1 expenditures for the local cost share grants to be
2 used for capital expenditures to local governmental
3 units for boating accessibility:
4\$ 2,300,000

5 Sec. 27. REVERSION. Notwithstanding section 8.33,
6 moneys appropriated in this division of this Act shall
7 not revert on the close of the fiscal year for which
8 they were appropriated, but shall remain available for
9 expenditure for subsequent fiscal years or until the
10 close of the fiscal year beginning July 1, 2003, or
11 until the project for which the appropriation was made
12 is completed, whichever is the earlier.

DIVISION III

RESOURCES ENHANCEMENT AND PROTECTION FUND

15 Sec. 28. Notwithstanding the amount of the
16 standing appropriation from the general fund of the
17 state under section 455A.18, subsection 3, there is
18 appropriated from the environment first fund to the

19 Iowa resources enhancement and protection fund, in
 20 lieu of the appropriation made in section 455A.18, for
 21 the fiscal year beginning July 1, 2000, and ending
 22 June 30, 2001, the following amount, to be allocated
 23 as provided in section 455A.19:
 24\$ 10,500,000

25 DIVISION IV
 26 MISCELLANEOUS CODE LANGUAGE CHANGES
 27 AND OTHER PROVISIONS

28 Sec. 29. Section 8.57, subsection 5, paragraph e,
 29 Code 1999, is amended to read as follows:

30 e. Notwithstanding provisions to the contrary in
 31 sections 99D.17 and 99F.11, for the fiscal years
 32 ~~beginning July 1, 1995, and year beginning July 1,~~
 33 ~~1996 2000, and for each fiscal year thereafter, not~~
 34 ~~more than a total of sixty million dollars; and for~~
 35 ~~each fiscal year thereafter;~~ shall be deposited in the
 36 general fund of the state in any fiscal year pursuant
 37 to sections 99D.17 and 99F.11. The next fifteen
 38 million dollars of the moneys directed to be deposited
 39 in the general fund of the state in a fiscal year
 40 pursuant to sections 99D.17 and 99F.11 shall be
 41 deposited in the vision Iowa fund created in section
 42 12.72 for the fiscal year beginning July 1, 2000, and
 43 for each fiscal year through the fiscal year beginning
 44 July 1, 2019. The next five million dollars of the
 45 moneys directed to be deposited in the general fund of
 46 the state in a fiscal year pursuant to sections 99D.17
 47 and 99F.11 shall be deposited in the school
 48 infrastructure fund created in section 12.82 for the
 49 fiscal year beginning July 1, 2000, and for each
 50 fiscal year thereafter until the principal and

Page 15

1 interest on all bonds issued by the treasurer of state
 2 pursuant to section 12.81 are paid, as determined by
 3 the treasurer of state. The total moneys in excess of
 4 the moneys deposited in the general fund of the state,
 5 the vision Iowa fund, and the school infrastructure
 6 fund in a fiscal year shall be deposited in the
 7 rebuild Iowa infrastructure fund and shall be used as
 8 provided in this section, notwithstanding section
 9 8.60.

10 Sec. 30. NEW SECTION. 12.72A VISION IOWA FUND
 11 MONEYS – ADMINISTRATIVE COSTS.

12 During the term of the vision Iowa program
 13 established in section 15F.302, one hundred thousand
 14 dollars of the moneys deposited each fiscal year in
 15 the vision Iowa fund and appropriated for the vision
 16 Iowa program shall be allocated each fiscal year to
 17 the department of economic development for

18 administrative costs incurred by the department for
19 purposes of administering the vision Iowa program.
20 Sec. 31. NEW SECTION. 12.82A SCHOOL
21 INFRASTRUCTURE FUND MONEYS – STATE FIRE MARSHAL.
22 During the term of the school infrastructure
23 program established in section 292.2, up to fifty
24 thousand dollars of the moneys deposited each fiscal
25 year in the school infrastructure fund shall be
26 allocated each fiscal year to the department of public
27 safety for the use of the state fire marshal. The
28 funds shall be used by the state fire marshal solely
29 for the purpose of retaining an architect or
30 architectural firm to evaluate structures for which
31 school infrastructure program grant applications are
32 made, to consult with school district representatives,
33 to review construction drawings and blueprints, and to
34 perform related duties at the direction of the state
35 fire marshal to ensure the best possible use of moneys
36 received by a school district under the school
37 infrastructure program. The state fire marshal shall
38 provide for the review of plans, drawings, and
39 blueprints in a timely manner.
40 Sec. 32. Section 18.3, subsection 7, Code 1999, is
41 amended by adding the following new unnumbered
42 paragraph:
43 NEW UNNUMBERED PARAGRAPH. If the department
44 intends to bill a state agency for a service provided
45 by the department under this subsection, the
46 department shall notify the state agency of the
47 department's intention and of the costs of providing
48 the service prior to providing the service. The state
49 agency may request that all or a part of the service
50 not be provided by the department if all or a part of

Page 16

1 the service will be provided by a person employed by
2 the state agency or a person under contract with the
3 state. An action by the department or a state agency
4 related to the provision of, billing for, or request
5 to not perform a service under this subsection, is
6 subject to review by the executive council upon
7 complaint from any state agency adversely affected.
8 Sec. 33. NEW SECTION. 18A.6 CAPITOL COMPLEX
9 PROJECTS.
10 All capital projects on the capitol complex shall
11 be planned, approved, and funded only after
12 considering the guiding principles enunciated in any
13 capitol complex master plan adopted by the commission
14 on or after January 1, 2000. At a minimum, the extent
15 to which the proposed capital project does all of the
16 following shall be considered:

17 1. Preserves and enhances the dignity, beauty, and
18 architectural integrity of the capitol building, other
19 state office buildings, and the capitol grounds.
20 2. Protects and enhances the public open spaces on
21 the capitol complex when deemed necessary for public
22 use and enjoyment.
23 3. Protects the most scenic public views to and
24 from the capitol building.
25 4. Recognizes the diversity of adjacent
26 neighborhoods and reinforces the connection of the
27 capitol complex to its neighbors and the city of Des
28 Moines.
29 5. Accommodates pedestrian and motorized traffic
30 that achieves appropriate public accessibility.
31 This section applies only to projects for which a
32 construction site was not determined prior to the
33 effective date of this Act.
34 Sec. 34. NEW SECTION. 330.2 AVIATION HANGAR
35 REVOLVING LOAN FUND.
36 An aviation hangar revolving loan fund is
37 established in the office of the treasurer of state
38 under the control of the state department of
39 transportation. Moneys in the fund are appropriated
40 for the purposes set forth in this section. Moneys in
41 the fund shall be expended for loans to provide
42 assistance for the design, construction, or
43 improvement of hangars at general aviation airports in
44 the state. The department shall adopt rules to
45 administer a program for the granting and
46 administration of loans under this section. The
47 department may enter into agreements with general
48 aviation airports for carrying out the purposes of
49 this section. Moneys received as loan repayments shall
50 be credited to the aviation hangar revolving loan

Page 17

1 fund. Notwithstanding section 8.33, moneys in the
2 aviation hangar revolving loan fund shall not revert
3 to any other fund but shall remain available
4 indefinitely for expenditure under this section.
5 Sec. 35. 1999 Iowa Acts, chapter 204, section 17,
6 is amended by adding the following new unnumbered
7 paragraph:
8 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
9 8.33, moneys appropriated for noncapital expenditures
10 in this division of this Act shall not revert on the
11 close of the fiscal year for which they were
12 appropriated, but shall remain available for
13 expenditure for subsequent fiscal years or until the
14 close of the fiscal year beginning July 1, 2003, or
15 until the project for which the appropriation was made

16 is completed, whichever is the earlier.

17 Sec. 36. VISION IOWA PROGRAM – FTE AUTHORIZATION.

18 The department of economic development is authorized
19 one additional FTE above those otherwise authorized in
20 2000 Iowa Acts, Senate File 2428, for purposes of
21 administrative duties associated with the vision Iowa
22 program created in section 15F.302.

23 Sec. 37. CONTINGENT EFFECTIVENESS. Sections 17,
24 29, 30, 31, and 36 of this Act take effect only if
25 2000 Iowa Acts, Senate File 2447, is enacted by the
26 General Assembly.

27 Sec. 38. EFFECTIVE DATE. This division of this
28 Act, being deemed of immediate importance, takes
29 effect upon enactment."

30 2. Title page, line 12, by inserting before the
31 word "and" the following: "providing for contingent
32 effectiveness,".

Amendment H-8997 was adopted.

SENATE FILE 2453 SUBSTITUTED FOR HOUSE FILE 2574

Gipp of Winneshiek asked and received unanimous consent to substitute Senate File 2453 for House File 2574.

Senate File 2453, a bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that amendment H-9010 be deferred.

Shultz of Black Hawk offered the following amendment H-9067 filed by him from the floor and moved its adoption:

H-9067

1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 29, by striking the word "amount"
4 and inserting the following: "amounts".
5 2. Page 1, line 30, by striking the word
6 "purpose" and inserting the following: "purposes".
7 3. Page 1, line 31, by inserting before the word
8 "For" the following: "1."
9 4. Page 1, line 35, by striking the word
10 "section" and inserting the following: "subsection".
11 5. Page 2, line 4, by striking the word "section"
12 and inserting the following: "subsection".
13 6. Page 2, line 8, by striking the word "section"
14 and inserting the following: "subsection".
15 7. Page 2, line 11, by striking the word
16 "section" and inserting the following: "subsection".
17 8. Page 2, by inserting after line 13 the
18 following:
19 "2. For a state contribution toward the annual
20 Iowa folk life festival, notwithstanding section 8.57,
21 subsection 5, paragraph "c":
22\$ 100,000"

Amendment H-9067 lost.

Reynolds of Van Buren offered the following amendment H-9024 filed by her and moved its adoption:

H-9024

1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 22 the
4 following:
5 "Of the amount appropriated in this subsection,
6 \$200,000 shall be allocated for the main street
7 investments loan program established in section
8 15E.221, notwithstanding any provision of this
9 subsection to the contrary."
10 2. Page 19, by inserting after line 27 the
11 following:
12 "Sec. ____ NEW SECTION. 15E.221 MAIN STREET
13 INVESTMENTS LOAN PROGRAM.
14 The department shall adopt rules to establish a
15 main street investments loan program to increase the
16 availability of lower cost funds to stimulate building
17 restorations or rehabilitations of historic buildings
18 within the central business district of a city which
19 is approved as a certified local government pursuant

20 to section 303.16. The rules shall include the
21 following conditions:

22 1. Investment loans shall be limited to projects
23 for a building restoration or rehabilitation located
24 in the central business district whose boundaries are
25 the same as the main street or rural main street or
26 central business district of a city which is a
27 certified local government project area.

28 2. Eligible borrowers are limited to the property
29 owner, contract purchaser of record, or long-term
30 lessee.

31 3. Loan applications under this program shall be
32 for the restoration or rehabilitation of buildings
33 which are eligible or nominated or listed on the
34 national register of historic places. Public
35 buildings are excluded.

36 4. The maximum loan amount under the main street
37 investments loan program is fifty thousand dollars per
38 project.

39 Sec. __. NEW SECTION. 15E.222 APPLICATION
40 PROCESS.

41 Applicants shall be approved as a certified local
42 government by the department of cultural affairs under
43 the provisions of section 303.16 prior to submitting
44 applications to the department of economic development
45 for loans under the main street investments loan
46 program. The department of economic development shall
47 adopt rules pursuant to chapter 17A, in consultation
48 with the department of cultural affairs, to require
49 applicants to do the following:

50 1. Show evidence of preliminary design assistance.

Page 2

1 2. Show evidence of preliminary design review
2 approval from the local design review committee.

3 3. Submit project plans and specifications
4 prepared by a design professional with historic
5 preservation experience."

6 3. By numbering, renumbering, and correcting
7 internal references as necessary.

Amendment H-9024 lost.

Warnstadt of Woodbury offered the following amendment H-9013
filed by him and moved its adoption:

H-9013

1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 2, by striking lines 23 through 28 and
4 inserting the following:
5 "The moneys appropriated in this subsection shall
6 be used for projects which cumulatively result in the
7 creation of "vertical infrastructure", as defined in
8 section 8.57, subsection 5, paragraph "c", having a
9 total value of at least \$2,500,000. The".
10 2. Page 2, line 33, by striking the word
11 "facilitate" and inserting the following: "result
12 in".

Amendment H-9013 was adopted.

Cohoon of Des Moines offered the following amendment H-9046 filed by him from the floor and moved its adoption:

H-9046

- 1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, line 14, by striking the word "The".
4 2. Page 4, by striking lines 15 through 17 and
5 inserting the following: "The moneys appropriated in
6 this".

Amendment H-9046 was adopted.

Arnold of Lucas offered the following amendment H-9020 filed by him and moved its adoption:

H-9020

- 1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 7, line 9, by striking the word "amount"
4 and inserting the following: "amounts".
5 2. Page 7, line 10, by striking the word
6 "purpose" and inserting the following: "purposes".
7 3. Page 7, line 11, by inserting before the word
8 "For" the following: "1."
9 4. Page 7, by inserting after line 14 the
10 following:
11 " ____ For allocation to the southern Iowa
12 development and conservation authority to protect
13 rural infrastructure, conserve land and water
14 resources, and promote growth:
15 \$ 100,000"
16 5. By renumbering as necessary.

Amendment H-9020 lost.

Rayhons of Hancock asked and received unanimous consent to withdraw amendment H-9051 filed by him from the floor.

Weigel of Chickasaw offered the following amendment H-9022 filed by him and moved its adoption:

H-9022

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by inserting after line 9 the
- 4 following:
- 5 "FY 2004-2005..... \$ 12,500,000"

Sukup of Franklin in the chair at 7:24 p.m.

Amendment H-9022 lost.

Raecker of Polk offered the following amendment H-9057 filed by him, Boggess of Page and Drake of Pottawattamie from the floor and moved its adoption:

H-9057

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by striking lines 10 through 12 and
- 4 inserting the following:
- 5 "Of the moneys appropriated for each fiscal year in
- 6 this section, ten percent shall be used for the
- 7 development of marketing efforts and promotion of Iowa
- 8 tourism attractions and events in markets outside the
- 9 state. Moneys for such out-of-state marketing and
- 10 promotion shall be allocated equally among the three
- 11 tourism regions in the state."

A non-record roll call was requested.

The ayes were 31, nays 54.

Amendment H-9057 lost.

Witt of Black Hawk offered amendment H-9069 filed by him, Doderer of Johnson, D. Taylor of Linn, T. Taylor of Linn, Mertz of

Kossuth, Cataldo of Polk, Mascher of Johnson, Stevens of Dickinson, Bukta of Clinton, Foege of Linn, O'Brien of Boone, Richardson of Warren, Thomas of Clayton, Myers of Johnson, May of Worth, Kreiman of Davis, Jochum of Dubuque, Chiodo of Polk, Ford of Polk, Murphy of Dubuque, Parmenter of Story, Osterhaus of Jackson, Scherrman of Dubuque, Shoultz of Black Hawk, Kuhn of Floyd, Reynolds of Van Buren, Greimann of Story, Mundie of Webster, Holveck of Polk, Connors of Polk, Schrader of Marion, Weigel of Chickasaw, Falck of Fayette, Dotzler of Black Hawk, Larkin of Lee, Bell of Jasper and Drees of Carroll, from the floor as follows::

H-9069

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, lines 34 and 35, by striking the
- 4 words "thirty-five million" and inserting the
- 5 following: "forty-four million five hundred
- 6 thousand".
- 7 2. Page 18, by striking line 4 and inserting the
- 8 following:
- 9 ".....\$ 20,000,000"
- 10 3. Page 18, lines 16 and 17, by striking the
- 11 words "fifteen million" and inserting the following:
- 12 "five million five hundred thousand".

The House stood at ease at 7:50 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2453, with amendment H-9069, at 9:25 p.m., Speaker pro tempore Sukup in the chair.

Witt of Black Hawk asked and received unanimous consent to withdraw amendment H-9069.

Mertz of Kossuth offered the following amendment H-9034 filed by her and moved its adoption:

H-9034

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 14, by inserting after line 2 the
- 4 following:
- 5 "It is the intent of the general assembly that a
- 6 portion of the funds appropriated in this subsection

- 7 be used to provide adequate assistance for closing
- 8 agricultural drainage wells and constructing
- 9 alternative drainage systems in Humboldt county."

Amendment H-9034 was adopted.

Warnstadt of Woodbury offered the following amendment H-9065 filed by him and Cohoon of Des Moines from the floor and moved its adoption:

H-9065

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, by striking line 9 and inserting the
- 4 following:
- 5 ".....\$ 1,400,000"
- 6 2. Page 17, by inserting before line 29 the
- 7 following:
- 8 "DIVISION ____
- 9 MARINE FUEL TAX MONEYS IN THE GENERAL FUND
- 10 DEPARTMENT OF NATURAL RESOURCES
- 11 Sec. ____ There is appropriated from the general
- 12 fund of the state any moneys credited to or deposited
- 13 in the general fund of the state and tracked by the
- 14 department of management pursuant to section 8.60 as
- 15 moneys which under law were deposited into the marine
- 16 fuel tax fund pursuant to section 452A.79, Code
- 17 Supplement 1993, to the department of natural
- 18 resources for the fiscal year beginning July 1, 2000,
- 19 and ending June 30, 2001, to be used for the dredging
- 20 and renovation of natural lakes in this state.
- 21 Notwithstanding section 8.33, moneys appropriated
- 22 in this section of this Act shall not revert, but
- 23 shall be available for use by the department in
- 24 subsequent fiscal years for the purposes designated in
- 25 this section."
- 26 3. Page 18, by striking line 4 and inserting the
- 27 following:
- 28 ".....\$ 12,000,000"
- 29 4. By numbering and renumbering as necessary.

Roll call was requested by Schrader of Marion and T. Taylor of Linn.

On the question "Shall amendment H-9065 be adopted?" (S.F. 2453)

The ayes were, 42:

Arnold	Bell	Bukta	Cataldo
Chiodo	Cohoon	Doderer	Dotzler
Falck	Fallon	Foege	Ford
Greimann	Holveck	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 55:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Carroll	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson-Forbes	Raecker	Rants	Rayhons
Shey	Siegrist, Spkr.	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Welter	Sukup,	
		Presiding	

Absent or not voting, 3:

Connors	Drees	Frevort
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Amendment H-9065 lost.

Brunkhorst of Bremer offered the following amendment H-9052 filed by him from the floor and moved its adoption:

H-9052

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, line 13, by striking the words
- 4 "natural or constructed lakes" and inserting the
- 5 following: "a natural or constructed lake or to a
- 6 portion of a river".
- 7 2. Page 16, line 17, by inserting after the word
- 8 "lake" the following: "or portion of the river".

- 9 3. Page 16, line 18, by inserting after the word
10 "lake" the following: "or portion of the river".
11 4. Page 16, line 22, by inserting before the word
12 "any" the following: "portions of any rivers or for".
13 5. Page 16, line 26, by inserting after the word
14 "lake" the following: "or river".

Amendment H-9052 was adopted.

Warnstadt of Woodbury offered the following amendment H-9066 filed by him from the floor and moved its adoption:

H-9066

- 1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 17, by inserting after line 21 the
4 following:
5 "If the amount appropriated in this subsection
6 exceeds the amount of marine fuel tax receipts
7 deposited into the rebuild Iowa infrastructure fund
8 for the fiscal year ending June 30, 2001, the
9 difference between the amount appropriated in this
10 subsection from the environment first fund and the
11 actual marine fuel tax receipts deposited into the
12 rebuild Iowa infrastructure fund is appropriated to
13 the rebuild Iowa infrastructure fund from the
14 accumulated balance of marine fuel tax receipts in the
15 general fund of the state which is tracked by the
16 department of management pursuant to section 8.60,
17 subsection 14."

Amendment H-9066 was adopted.

Shoultz of Black Hawk offered amendment H-9053 filed by him and Weigel of Chickasaw from the floor as follows:

H-9053

- 1 Amend Senate File 2453, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 21, by inserting before line 33 the
4 following:
5 "Sec. ____ STATE HIGH SCHOOL WRESTLING TOURNAMENT
6 - LOCATION. The Iowa high school athletic
7 association shall hold the annual state high school
8 wrestling tournament at the university of northern
9 Iowa until a new arena is built in the city of Des
10 Moines which has the capacity to hold at least sixteen

11 thousand spectators."

12 2. By renumbering as necessary.

Millage of Scott asked and received unanimous consent to withdraw amendment H-9062, to amendment H-9053, filed by him from the floor.

Chiodo of Polk rose on a point of order that amendment H-9053 was not germane.

The Speaker ruled the point well taken and amendment H-9053 not germane.

Shoultz of Black Hawk asked for unanimous consent to suspend the rules to consider amendment H-9053.

Objection was raised.

Jager of Black Hawk offered amendment H-9071 filed by him from the floor. Division was requested as follows:

H-9071

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-9071A

- 3 1. Page 1, line 35, by striking the figure
- 4 "\$600,000" and inserting the following: "\$450,000".

H-9071B

- 5 2. Page 2, by inserting after line 4 the
- 6 following:
- 7 "Of the amount appropriated in this section,
- 8 \$150,000 shall be allocated for phase 1 of the project
- 9 recommended by the Iowa battle flag advisory committee
- 10 to stabilize the condition of the battle flag
- 11 collection, notwithstanding any provision of this
- 12 section to the contrary."

Jager of Black Hawk asked and received unanimous consent to withdraw amendment H-9071A.

Jager of Black Hawk asked and received unanimous consent that amendment H-9071B be deferred.

Gipp of Winneshiek offered amendment H-9010, previously deferred, filed by him as follows:

H-9010

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, lines 22 and 23, by striking the words
- 4 "in Council Bluffs".
- 5 2. Page 1, by striking line 24 and inserting the
- 6 following:
- 7 ".....\$ 900,000"
- 8 3. Page 8, by striking lines 13 through 24.

Garman of Story offered the following amendment H-9075, to amendment H-9010, filed by her from the floor and moved its adoption:

H-9075

- 1 Amend the amendment, H-9010, to Senate File 2453,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting after line 7 the
- 5 following:
- 6 "The first \$300,000 of the amount appropriated in
- 7 this subsection shall be allocated for community-based
- 8 corrections projects in Council Bluffs. The next
- 9 \$600,000 of the amount appropriated in this subsection
- 10 shall be allocated for community-based corrections
- 11 projects in the judicial district in which the city of
- 12 Davenport is located. These moneys may be used by the
- 13 department to enter into lease-purchase agreements for
- 14 such projects."

Amendment H-9075 was adopted.

On motion by Gipp of Winneshiek amendment H-9010, as amended, was adopted.

The House stood at ease at 10:20 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2453, with amendment H-9071B, previously deferred, at 10:28 p.m., Speaker pro tempore Sukup in the chair.

Jager of Black Hawk offered the following amendment H-9078, to amendment H-9071B, filed by him from the floor and moved its adoption:

H-9078

- 1 Amend the amendment, H-9071, to Senate File 2453,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 12, by inserting after the word
- 5 "contrary" the following: ", notwithstanding section
- 6 8.57, subsection 5, paragraph "c".

Amendment H-9078 was adopted.

On motion by Jager of Black Hawk, amendment H-9071B, as amended, was adopted.

Gipp of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2453)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Eddie	Falck	Foege	Ford
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Lord	Martin	Mascher
May	Mertz	Metcalf	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants

Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Siegrist, Spkr.	Stevens
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Sukup, Presiding			

The nays were, 4:

Fallon	Larson	Millage	Shoultz
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Absent or not voting, 3:

Connors	Drees	Frevort
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2574 WITHDRAWN

Gipp of Winneshiek asked and received unanimous consent to withdraw House File 2574 from further consideration by the House.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2562** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2545, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Also: That the Senate has on April 24, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2552, a bill for an act relating to and making appropriations to the justice system, making related statutory changes, and providing an effective date.

Also: That the Senate has on April 24, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2554, a bill for an act relating to and making appropriations to the judicial branch.

Also: That the Senate has on April 24, 2000, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 109, a concurrent resolution requesting that the Governor annually designate the week in June beginning with Father's Day, as prostate cancer awareness week.

Also: That the Senate has on April 24, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2144, a bill for an act relating to regulation and inspection of health care facilities including the establishment of a quality-based inspections system.

Also: That the Senate has on April 24, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2438, a bill for an act relating to the creation of a water quality district, providing for the levy of a tax, and providing for other properly related matters.

MICHAEL E. MARSHALL, Secretary

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Assistant to the Legal Counsel	Doreen R. Terrell	19-3 to 19-4	S-O	04-10-00
AA II to Speaker AA III to Speaker	Daniel L. Fogleman	32-3 to 35-2	P-FT	05-12-00
Legislative Secretary	Shirley L. Marty	16-4+2	S-O	03-27-00

CARROLL of Poweshiek, Chair

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 24, 2000. Had I been present, I would have voted "aye" on Senate Files 2010 and 2455 and "nay" on amendment H-9050 to Senate File 2010.

HANSEN of Pottawattamie

I was necessarily absent from the House chamber on April 24, 2000. Had I been present, I would have voted "aye" on Senate Files 2010, 2327 and 2455.

SHEY of Linn

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 21st day of April, 2000: House Files 2198, 2419 and 2502.

Also presented to the Governor for his approval on this 24th day of April, 2000: House Files 2317, 2429, 2458, 2513 and 2518.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 2000, he approved and transmitted to the Secretary of State the following bills:

Senate File 2141, an act creating a merchant marine bonus fund and making an appropriation.

Senate File 2294, an act relating to payment of education costs for certain juvenile facilities and providing an effective date.

Senate File 2324, an act relating to DNA profiling.

Senate File 2369, an act relating to the sharing of juvenile court social records, child abuse records, or other information.

Senate File 2443, an act relating to compacts or agreements entered into by the Iowa lottery board and commissioner of the lottery.

Also: That on April 21, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2170, an act regarding application of the margin of error for chemical test evidence used in operating while intoxicated prosecutions.

House File 2362, an act relating to the establishment of a domestic abuse death review team and providing a penalty.

House File 2377, an act providing for access to certain child abuse information, making penalties and remedies applicable, and including an effective date and applicability provision.

House File 2511, an act relating to drinking driver restrictions by providing for the issuance of temporary restricted permits or licenses under certain circumstances, by providing that the course for drinking drivers shall be taught by community colleges or licensed substance abuse programs, and by providing for parental and school notification of certain violations by persons under eighteen years of age.

House File 2533, an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated and providing an effective date.

Senate File 2143, an act relating to the eligibility of certain school organizations to conduct games and raffles and the disposition of receipts from games and raffles.

Senate File 2146, an act relating to the appearance in court and the release from custody of certain criminal defendants.

Senate File 2308, an act relating to domestic violence protective orders and harassment via electronic communications and making penalties applicable.

Senate File 2313, an act relating to motor vehicles, including driver licensing, the use of child restraints and safety belts for children, owner liability for damages, and the designation of vehicles as authorized emergency vehicles, making a penalty applicable, and providing an effective date.

Senate File 2329, an act relating to transportation, by enhancing penalties for certain vehicle violations relating to railroad crossings, modifying vehicle registration provisions, regulating the closing of railway crossings, requiring adoption of rules for

hours of service for certain drivers, and modifying a definition relating to motor vehicle dealers.

Senate File 2450, an act relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

AUDITOR OF STATE

The Independent Auditor's Reports on Financial Statements and Supplemental Information Schedule of Findings, pursuant to Chapter 11.25, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The Quadrennial Need Study Report on Highways, Roads, and Streets for Study Years 1998-2017, pursuant to Chapter 307A.2(14A), Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\879 John and Jerry Neil, Bedford – For celebrating their 60th wedding anniversary.
- 2000\880 Ellen Good, Bedford – For celebrating her 90th birthday.
- 2000\881 Mildred Donaldson, Sharpsburg – For celebrating her 90th birthday.
- 2000\882 Verna and Melvin Bahr, Wall Lake – For celebrating their 60th wedding anniversary.
- 2000\883 Lawrence Engel, Lake View – For celebrating his 80th birthday.
- 2000\884 Adam Clemons, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\885 Tyler Haskin, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2000\886 Hazel and Donald Harris, Ottumwa – For celebrating their 52nd wedding anniversary.
- 2000\887 Ruth and Arthur Woods, Ottumwa – For celebrating their 51st wedding anniversary.
- 2000\888 Verna and Ben Mirgon, Ottumwa – For celebrating their 65th wedding anniversary.
- 2000\889 Chiraag Dharia, Cedar Falls – For being selected a Northeast Regional Winner for the Des Moines Register's 2000 Academic All-State Team.
- 2000\890 Donald J. McDermott, Clinton – For celebrating his 80th birthday.
- 2000\891 M. Bernadine McDermott, Clinton – For celebrating her 80th birthday.
- 2000\892 Greg Schaapveld, Muscatine – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\893 Reba Ditsworth, Armstrong – For celebrating her 98th birthday.
- 2000\894 Millie Bonnicksen, Armstrong – For celebrating her 83rd birthday.
- 2000\895 Fern Askeland, Armstrong – For celebrating her 90th birthday.
- 2000\896 Anna Klatt, Armstrong – For celebrating her 96th birthday.
- 2000\897 Carolyn Ramsay, Des Moines – For her 14 years of dedicated service, commitment and loyalty, to the Iowa House of Representatives and staff.
- 2000\898 Liz Heiserman, Independence – For celebrating her 80th birthday.
- 2000\899 Alvina and Ray Bodensteiner, Waucoma – For celebrating their 60th wedding anniversary.
- 2000\900 Floyd Manson, Maynard – For celebrating his 90th birthday.
- 2000\901 Ross Wall, Oelwein – For celebrating his 90th birthday.
- 2000\902 Maxine and Roger Homewood, Oelwein – For celebrating their 50th wedding anniversary.
- 2000\903 Elsie Bartels, Westgate – For celebrating her 100th birthday.
- 2000\904 Lois Hinders, Independence – For celebrating her 89th birthday.
- 2000\905 Bill Green, Charles City – For celebrating his 80th birthday.
- 2000\906 Minnie Randall, Osage – For celebrating her 95th birthday.
- 2000\907 Nina Nelson, Woodbine – For celebrating her 85th birthday.

- 2000\908 Jo Anne Wen, Iowa City – For being selected a Southeast Regional Winner for the Des Moines Register's 2000 Academic All-State Team.
- 2000\909 Faye and Rex Harshfield, Sioux City – For celebrating their 50th wedding anniversary.
- 2000\910 Ralph Rectenbaugh, Orient – For celebrating his 80th birthday.
- 2000\911 Jack and Barbara Harms, Spirit Lake – For celebrating their 50th wedding anniversary.
- 2000\912 Louis and Josephine Rozinek, Ely – For celebrating their 60th wedding anniversary.
- 2000\913 Ozzie and Barb Berry, Ely – For celebrating their 50th wedding anniversary.
- 2000\914 Mary Ordway, Soldier – For celebrating her 80th birthday.
- 2000\915 Wayne and Phyllis Jans, Westside – For celebrating their 60th wedding anniversary.
- 2000\916 James and Ramona Laubscher, Denison – For celebrating their 50th wedding anniversary.
- 2000\917 Annie Simpson, Maquoketa – For being named an All-State Speaker in the area of Storytelling, by the Iowa High School Speech Association.
- 2000\918 Darlene and Leo Rubel, Bellevue – For celebrating their 50th wedding anniversary.

RESOLUTIONS FILED

SCR 114, by McKean and Lamberti, a concurrent resolution requesting the office of the attorney general to establish an operating while intoxicated (OWI) task force to review the clarity, complexity, and functionality of current operating while intoxicated Code provisions and to make recommendations to the general assembly.

Laid over under **Rule 25**.

SCR 116, by Dvorsky and Bolkcom, a concurrent resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program and to direct the commission to develop designs incorporating the Old Capitol as a symbol for the state.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—9043	H.F.	2205	Van Fossen of Scott
H—9044	S.F.	2433	Dix of Butler
H—9045	H.F.	2576	Eddie of Buena Vista
H—9049	S.F.	2338	Grundberg of Polk
H—9055	S.F.	2433	Brunkhorst of Bremer
H—9056	S.F.	2433	Falck of Fayette
H—9058	S.F.	2433	Falck of Fayette
H—9059	S.F.	2427	Kreiman of Davis
H—9060	S.F.	2427	Kreiman of Davis
H—9061	S.F.	2427	Kreiman of Davis
H—9063	H.F.	2572	Mascher of Johnson
H—9064	H.F.	2576	Martin of Scott
H—9068	S.F.	2433	Huser of Polk
H—9070	S.F.	2276	Larson of Linn Kreiman of Davis Parmenter of Story
H—9072	H.F.	2572	Dolecheck of Ringgold Arnold of Lucas
H—9073	H.F.	2572	Greimann of Story
H—9074	H.F.	2545	Senate Amendment
H—9076	H.F.	2554	Senate Amendment
H—9077	H.F.	2552	Senate Amendment

On motion by Rants of Woodbury the House adjourned at 10:53 p.m., until 9:30 a.m., Tuesday, April 25, 2000.

JOURNAL OF THE HOUSE

One Hundred Seventh Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 25, 2000

The House met pursuant to adjournment at 9:40 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by the Honorable Roger Thomas, state representative from Clayton County.

The Journal of Monday, April 24, 2000 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baudler of Adair and Blodgett of Cerro Gordo, until their arrival, on request of Rants of Woodbury, Frevert of Palo Alto on request of Huser of Polk.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2010, a bill for an act relating to the traditional livestock producer's linked investment loan program by modifying eligibility requirements.

Also: That the Senate has on April 25, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2327, a bill for an act relating to certain procedures for the purchase or condemnation of interest in private property by a utility subject to the jurisdiction of the Iowa utilities board.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS
Ways and Means Calendar

The House resumed consideration of **Senate File 2427**, a bill for an act relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes and providing for a fee, an appropriation, and a civil penalty, deferred on April 24, 2000, and found on page 1727 of the House Journal.

Kreiman of Davis asked and received unanimous consent to withdraw amendments H-9060 and H-9061 filed by him on April 24, 2000.

Kreiman of Davis offered the following amendment H-9059 filed by him and moved its adoption:

H-9059

- 1 Amend Senate File 2427, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 4, by inserting after the word
- 4 "violator." the following: "Nothing in this section
- 5 shall be construed as limiting any cause of action or
- 6 remedy existing at law before the effective date of
- 7 this Act."

A non-record roll call was requested.

The ayes were 35, nays 46.

Amendment H-9059 lost.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2427)

The ayes were, 74:

Alons	Arnold	Barry	Bell
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Bukta	Carroll
Cataldo	Chiodo	Cohoon	Cormack

Davis	Dix	Doderer	Dolecheck
Drake	Eddie	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jacobs
Jenkins	Johnson	Kettering	Klemme
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Nelson-Forbes
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Shey	Siegrist, Spkr.
Stevens	Sunderbruch	Taylor, D.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Wise
Witt	Sukup, Presiding		

The nays were, 20:

Connors	Dotzler	Drees	Falck
Fallon	Foege	Holveck	Jochum
Kreiman	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Schrader	Shoultz
Taylor, T.	Warnstadt	Weigel	Whitead

Absent or not voting, 6:

Baudler	Blodgett	Ford	Frevort
Hansen	Jager		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that Senate File 2427 be immediately messaged to the Senate.

Unfinished Business Calendar

Senate File 2245, a bill for an act relating to penalties for city and county ordinances and to scheduled violations, with report of committee recommending amendment and passage, was taken up for consideration.

Raecker of Polk offered amendment H-8363 filed by the committee on judiciary as follows:

H-8363

- 1 Amend Senate File 2245, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 8 through 12 and
- 4 inserting the following:
- 5 "Violations of this section are punishable as
- 6 ~~provided in section 321.482 as a scheduled violation~~
- 7 under section 805.8, subsection 2, paragraph "a1."
- 8 2. Page 5, line 5, by striking the figure
- 9 "321.366," and inserting the following: "321.366,".
- 10 3. Page 7, by striking lines 23 through 27.
- 11 4. By renumbering as necessary.

Raecker of Polk offered the following amendment H-8538, to the committee amendment H-8363, filed by him and moved its adoption:

H-8538

- 1 Amend the amendment, H-8363, to Senate File 2245,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting before line 3 the
- 5 following:
- 6 " _____. Page 1, by inserting after line 28 the
- 7 following:
- 8 "Sec. _____. Section 321.104, unnumbered paragraph
- 9 1, Code Supplement 1999, is amended to read as
- 10 follows:
- 11 It is a simple misdemeanor, punishable as ~~provided~~
- 12 ~~in section 321.482 a scheduled violation under section~~
- 13 805.8, subsection 12, for any person to commit any of
- 14 the following acts:"
- 15 _____. Page 2, by inserting after line 28 the
- 16 following:
- 17 "Sec. _____. Section 321.294, Code 1999, is amended
- 18 to read as follows:
- 19 321.294 MINIMUM SPEED REGULATION.
- 20 ~~No a~~ person shall ~~not~~ drive a motor vehicle at such
- 21 a slow speed as to impede or block the normal and
- 22 reasonable movement of traffic except when reduced
- 23 speed is necessary for safe operation or in compliance
- 24 with law. Peace officers are hereby authorized to
- 25 enforce this provision by directions to drivers, and
- 26 in the event of apparent willful disobedience to this
- 27 provision and refusal to comply with direction of an
- 28 officer in accordance herewith the continued slow
- 29 operation by a driver shall be a simple misdemeanor,
- 30 ~~and be punished as provided in section 321.482~~
- 31 punishable as a scheduled violation under section
- 32 805.8, subsection 2, paragraph "1"."

33 2. Page 1, by inserting after line 7 the
34 following:
35 " _____. Page 3, by inserting before line 13 the
36 following:
37 "Sec. _____. Section 321.381, Code 1999, is amended
38 to read as follows:
39 321.381 MOVEMENT OF UNSAFE OR IMPROPERLY EQUIPPED
40 VEHICLES.
41 It is a simple misdemeanor, punishable as provided
42 ~~in section 321.482 as a scheduled violation under~~
43 section 805.8, subsection 2, paragraph "m", for any
44 person to drive or move or for the owner to cause or
45 knowingly permit to be driven or moved on any highway
46 any vehicle or combination of vehicles which is in
47 such unsafe condition as to endanger any person, or
48 which does not contain those parts or is not at all
49 times equipped with such lamps and other equipment in
50 proper condition and adjustment as required in this

Page 2

1 chapter, or which is equipped with one or more unsafe
2 tires or which is equipped in any manner in violation
3 of this chapter."
4 _____. Page 3, line 31, by striking the word "or"
5 and inserting the following: "~~or~~ and".
6 _____. Page 4, by inserting after line 9 the
7 following:
8 "Sec. _____. Section 380.10, subsection 2, Code
9 1999, is amended to read as follows:
10 2. A portion of the Code of Iowa may be adopted by
11 reference only if the criminal penalty provided by the
12 law adopted does not exceed thirty days' imprisonment
13 ~~or and a one five~~ hundred dollar fine."
14 3. By renumbering as necessary.

Amendment H-8538 was adopted.

May of Worth asked and received unanimous consent to withdraw amendment H-8616, to the committee amendment H-8363, filed by him and Blodgett of Cerro Gordo on March 28, 2000.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-8664, to the committee amendment H-8363, filed by him and Kreiman of Davis on March 30, 2000.

On motion by Raecker of Polk the committee amendment H-8363, as amended, was adopted.

Blodgett of Cerro Gordo offered the following amendment H-8458 filed by him and moved its adoption:

H-8458

1 Amend Senate File 2245, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Section 1. Section 321.20B, subsection 6, Code
6 Supplement 1999, is amended to read as follows:

7 6. This section does not apply to a motor vehicle
8 driven upon a highway in conformance with the
9 provisions of this chapter relating to manufacturers,
10 transporters, or dealers, or a motor vehicle
11 identified in section 321.18, subsections 1 2 through
12 6, and subsection 8."

13 2. Page 1, by inserting after line 34 the
14 following:

15 "Sec. ____ Section 321.194, subsection 1,
16 paragraph a, subparagraph (1), Code 1999, is amended
17 to read as follows:

18 (1) During the hours of 6 a.m. to 10 p.m. over the
19 most direct and accessible route between the following
20 locations for the purpose of attending duly scheduled
21 courses of instruction and duly scheduled
22 extracurricular activities at the designated
23 locations:

24 (a) The licensee's residence and schools of
25 enrollment and between schools,

26 b. Schools of enrollment for the purpose of
27 attending duly scheduled courses of instruction and
28 extracurricular activities within the school district.

29 (c) The licensee's residence or schools of
30 enrollment and off-campus locations within the school
31 district of enrollment.

32 Sec. ____ Section 321.218, subsections 1, 3, and
33 4, Code Supplement 1999, are amended to read as
34 follows:

35 1. A person whose driver's license or operating
36 privilege has been denied, canceled, suspended, or
37 revoked as provided in this chapter or as provided in
38 section 252J.8 or 261.126 or section 901.5, subsection
39 10, and who operates a motor vehicle upon the highways
40 of this state while the license or privilege is
41 denied, canceled, suspended, or revoked, commits a
42 simple misdemeanor. In addition to any other
43 penalties, the punishment imposed for a violation of
44 this subsection shall include assessment of a fine of
45 not less than two hundred fifty dollars nor more than
46 one thousand five hundred dollars.

47 3. The department, upon receiving the record of
 48 the conviction of a person under this section upon a
 49 charge of operating a motor vehicle while the license
 50 of the person is suspended or revoked, shall, except

Page 2

1 for licenses suspended under section 252J.8, 261.126,
 2 321.210, subsection 1, paragraph "c", section
 3 321.210A, 321.210B, or 321.513, extend the period of
 4 suspension or revocation for an additional like
 5 period, and the department shall not issue a new
 6 driver's license to the person during the additional
 7 period.

8 If the department receives a record of a conviction
 9 of a person under this section but the person's
 10 driving record does not indicate what the original
 11 grounds of suspension were, the period of suspension
 12 under this subsection shall be for a period not to
 13 exceed six months.

14 4. A person who operates a commercial motor
 15 vehicle upon the highways of this state when
 16 disqualified from operating the commercial motor
 17 vehicle under section 321.208 commits a serious simple
 18 misdemeanor if a commercial driver's license is
 19 required for the person to operate the commercial
 20 motor vehicle."

21 3. Page 2, by striking lines 29 through 34 and
 22 inserting the following:
 23 "Sec. . Section 321.302, Code 1999, is amended
 24 to read as follows:

25 321.302 OVERTAKING ON THE RIGHT.

26 1. The Unless otherwise prohibited by law the
 27 driver of a vehicle may overtake and pass upon the
 28 right of another vehicle which is making or about to
 29 make a left turn on a roadway with unobstructed
 30 pavement of sufficient width for two or more lines of
 31 traffic moving in the same direction as the vehicle
 32 being passed when such movement can be made in safety.

33 2. The driver of a vehicle may overtake and,
 34 allowing sufficient clearance, pass another vehicle
 35 proceeding in the same direction either upon the left
 36 or upon the right on a roadway with unobstructed
 37 pavement of sufficient width for four or more lines of
 38 moving traffic when such movement can be made in
 39 safety.

40 3. No A person shall not drive off the pavement,
 41 or upon the shoulder of the roadway, or upon the apron
 42 or roadway of an intersecting highway in overtaking or
 43 passing on the right.

44 A person convicted of a violation of this section
 45 is guilty of a simple misdemeanor punishable as a

46 scheduled violation under section 805.8, subsection 2,
47 paragraph "h".
48 4. Page 3, by inserting after line 18 the
49 following:
50 "Sec. ____ Section 321.423, subsection 6, Code

Page 3

1 1999, is amended to read as follows:
2 6. AMBER FLASHING LIGHT. A farm tractor, farm
3 tractor with towed equipment, self-propelled implement
4 of husbandry, road construction or maintenance
5 vehicle, road grader, or other vehicle principally
6 designed for use off the highway which, when operated
7 on a primary or secondary road, is operated at a speed
8 of ~~twenty-five~~ thirty-five miles an hour or less,
9 shall be equipped with and display an amber flashing
10 light visible from the rear at any time from sunset to
11 sunrise. If the amber flashing light is obstructed by
12 the towed equipment, the towed equipment shall also be
13 equipped with and display an amber flashing light as
14 required under this subsection. All vehicles
15 specified in this subsection which are manufactured
16 for sale or sold in this state shall be equipped with
17 an amber flashing light in accordance with the
18 standards of the American society of agricultural
19 engineers."
20 5. Title page, line 1, by inserting after the
21 word "ordinances" the following: ", motor vehicle
22 registration and making penalties applicable,".

Amendment H-8458 was adopted.

Jager of Black Hawk offered the following amendment H-8871
filed by him and Mascher of Johnson and moved its adoption:

H-8871

1 Amend Senate File 2245, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 80.39, Code 1999, is amended
6 to read as follows:
7 80.39 DISPOSITION OF PERSONAL PROPERTY.
8 1. Personal property, except for motor vehicles
9 subject to sale pursuant to section 321.89, and
10 seizable property subject to disposition pursuant to
11 chapter 809 or 809A, which personal property is found
12 or seized by, turned in to, or otherwise lawfully
13 comes into the possession of the department of public

14 safety or a local law enforcement agency and which the
15 department or agency does not own, shall be disposed
16 of pursuant to this section. If by examining the
17 property the owner or lawful custodian of the property
18 is known or can be readily ascertained, the department
19 or agency shall notify the owner or custodian by
20 certified mail directed to the owner's or custodian's
21 last known address, as to the location of the
22 property. If the identity or address of the owner
23 cannot be determined, notice by one publication in a
24 newspaper of general circulation in the area where the
25 property was found is sufficient notice. A published
26 notice may contain multiple items.

27 2. The department or agency may return the
28 property to a person if that person or the person's
29 representative does all of the following:

30 a. Appears at the location where the property is
31 located.

32 b. Provides proper identification.

33 c. Demonstrates ownership or lawful possession of
34 the property to the satisfaction of the department or
35 agency.

36 3. After ninety days following the mailing or
37 publication of the notice required by this section, or
38 if the owner or lawful custodian of the property is
39 unknown or cannot be readily determined, or the
40 department or agency has not turned the property over
41 to the owner, the lawful custodian, or the owner's or
42 custodian's representative, the department or agency
43 may dispose of the property in any lawful way,
44 including but not limited to the following:

45 a. Selling the property at public auction with the
46 proceeds, less department or agency expenses, going to
47 the general fund of the state if sold by the
48 department, the rural services fund if sold by a
49 county agency, and the general fund of a city if sold
50 by a city agency, however, the department or agency

Page 2

1 shall be reimbursed from the proceeds for the
2 reasonable expenses incurred in selling the property
3 at the auction.

4 b. Retaining the property for the department's or
5 agency's own use.

6 c. Giving the property to another agency of
7 government.

8 d. Giving the property to an appropriate
9 charitable organization.

10 e. Destroying the property.

11 4. Except when a person appears in person or
12 through a representative within the time periods set

13 by this section, and satisfies the department or
14 agency that the person is the owner or lawful
15 custodian of the property, disposition of the property
16 shall be at the discretion of the department or
17 agency. The department or agency shall maintain the
18 receipt and disposition records for all property
19 processed under this section. Good faith compliance
20 with this section is a defense to any claim or action
21 at law or in equity regarding the disposition of the
22 property."

23 2. Page 3, by inserting after line 32 the
24 following:

25 "Sec. ____ Section 331.652, Code 1999, is amended
26 by adding the following new subsection:
27 **NEW SUBSECTION.** 8. The sheriff may dispose of
28 personal property under section 80.39."

29 3. Page 4, by inserting after line 9 the
30 following:

31 "Sec. ____ Section 364.22, Code 1999, is amended
32 by adding the following new subsection:
33 **NEW SUBSECTION.** 14. A police department may
34 dispose of personal property under section 80.39."

35 4. Title page, line 1, by inserting after the
36 words "relating to" the following: "disposition of
37 personal property by a law enforcement agency, and
38 to".

A non-record roll call was requested.

The ayes were 49, nays 20.

Amendment H-8871 was adopted, placing amendment H-8880 filed by Jager of Black Hawk and Mascher of Johnson on April 13, 2000, out of order.

Huser of Polk asked and received unanimous consent to withdraw amendment H-8913 filed by her on April 17, 2000.

May of Worth asked and received unanimous consent to withdraw amendment H-8675 filed by him and Blodgett of Cerro Gordo on March 30, 2000.

Blodgett of Cerro Gordo offered the following amendment H-8912 filed by him and moved its adoption:

H-8912

1 Amend Senate File 2245, as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by inserting after line 18 the
 4 following:
 5 "Sec. ____ Section 322A.11, Code 1999, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 5. The fact that the dealership
 8 does not meet an index or standard established by the
 9 franchiser, unless the franchiser proves that the
 10 failure of the dealership to meet the index or
 11 standard will be substantially detrimental to the
 12 distribution of the franchiser's motor vehicles in the
 13 community."
 14 2. Title page, by striking lines 1 and 2, and
 15 inserting the following: "An Act relating to the
 16 enforcement and applicable penalties of local
 17 ordinances, and motor vehicle-related offenses and
 18 franchises."

Amendment H-8912 was adopted.

Raecker of Polk offered the following amendment H-8687 filed by him and Kreiman of Davis and moved its adoption:

H-8687

1 Amend Senate File 2245, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, line 25, by inserting after the figure
 4 "321.91," the following: "subsection 2,"
 5 2. Page 7, by inserting after line 22 the
 6 following:
 7 "Sec. ____ Section 903.1, subsection 3, Code
 8 Supplement 1999, is amended to read as follows:
 9 3. A person under eighteen years of age convicted
 10 of a simple misdemeanor under chapter 321, 321G, 453A,
 11 461A, 461B, 462A, 481A, 481B, 483A, 484A, or 484B, or
 12 a violation of a county or municipal curfew or traffic
 13 ordinance, except for an offense subject to section
 14 805.8, may be required to pay a fine, not to exceed
 15 ~~one~~ five hundred dollars, as fixed by the court, or
 16 may be required to perform community service as
 17 ordered by the court."
 18 3. Title page, line 1, by inserting after the
 19 words "penalties for" the following: "simple
 20 misdemeanors,"

Amendment H-8687 lost.

Holveck of Polk asked and received unanimous consent to withdraw amendment H-8467 filed by him on March 21, 2000.

The following amendment H-9087 filed by Raecker of Polk from the floor, was adopted by unanimous consent:

H-9087

- 1 Amend Senate File 2245, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Title page, by striking lines 1 and 2, and
- 4 inserting the following: "An Act relating to law
- 5 enforcement agencies, and to the enforcement of
- 6 criminal offenses, local ordinances, and franchises,
- 7 and making penalties applicable."

With the adoption of amendment H-9087 the following amendments were placed out of order:

Amendment H-8871 page 2, lines 35 through 38.

Amendment H-8912 lines 14 through 18.

Amendment H-8458 page 3, lines 20 through 22.

Raecker of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2245)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter

Raecker	Rants	Rayhons	Reynolds
Richardson	Scherman	Schrader	Shey
Shoultz	Siegrist, Spkr.	Stevens	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Sukup, Presiding

The nays were, 3:

Drees	Fallon	Huser
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Absent or not voting, 1:

Lord

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2351, a bill for an act relating to a sales and use tax exemption for the sales of clothing and footwear for a limited time period annually and including an effective date.

Also: That the Senate has on April 25, 2000, refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 2562, a bill for an act relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision.

MICHAEL E. MARSHALL, Secretary

On motion by Jacobs of Polk, the House was recessed at 12:02 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:12 p.m., Speaker pro tempore Sukup in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-eight members present, twenty-two absent.

SENATE AMENDMENTS CONSIDERED

Boal of Polk called up for consideration **House File 2351**, a bill for an act relating to a sales and use tax exemption for the sales of clothing and footwear for a limited time period annually and including an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-9086:

H-9086

- 1 Amend House File 2351, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 10, by striking the word "Sunday"
- 4 and inserting the following: "Saturday".
- 5 2. Page 1, by inserting after line 20 the
- 6 following:
- 7 "Sec. ____ During the regular session of the
- 8 general assembly convening in 2002, the appropriate
- 9 committees shall review the impact that the exemption
- 10 enacted in section 1 of this Act has had in the
- 11 economy and tax revenues of the state. After
- 12 reviewing such impact, the appropriate committees
- 13 shall consider the benefits of expanding the exemption
- 14 enacted in section 1 of this Act to apply to sales of
- 15 articles of clothing and footwear regardless of when
- 16 such sales take place."
- 17 3. By renumbering, relettering, or redesignating
- 18 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9086.

Boal of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2351)

The ayes were, 85:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carrroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Eddie	Falck	Fallon	Ford
Frevert	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Myers	Nelson-Forbes
O'Brien	Raecker	Rants	Rayhons
Reynolds	Richardson	Schrader	Shey
Siegrist, Spkr.	Stevens	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Witt

Sukup,
Presiding

The nays were, 14:

Doderer	Drees	Foegen	Greimann
Holmes	Jochum	Mascher	Murphy
Osterhaus	Parmenter	Scherrman	Shoultz
Weigel	Wise		

Absent or not voting, 1:

Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that House File 2351 be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2435, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, providing effective dates, and providing for retroactive applicability.

MICHAEL E. MARSHALL, Secretary

Brunkhorst of Bremer called up for consideration **House File 2545**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, amended by the Senate amendment H-9074:

H-9074

- 1 Amend House File 2545, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, line 30, by striking the figure
- 4 "92.50" and inserting the following: "93.50".
- 5 2. Page 6, line 35, by striking the figure
- 6 "1,903,765" and inserting the following: "1,967,539".
- 7 3. Page 7, line 19, by striking the figure
- 8 "2,311,097" and inserting the following: "2,247,323".
- 9 4. Page 7, line 30, by striking the figure
- 10 "217,130" and inserting the following: "237,130".
- 11 5. Page 9, line 31, by striking the figure
- 12 "1,401,934" and inserting the following: "1,462,096".
- 13 6. Page 10, line 2, by striking the figure
- 14 "125,319" and inserting the following: "129,517".
- 15 7. Page 10, line 9, by striking the figure
- 16 "120,598" and inserting the following: "140,598".
- 17 8. Page 10, line 10, by striking the figure
- 18 "2.50" and inserting the following: "3.00".
- 19 9. Page 10, line 19, by striking the figure
- 20 "270,886" and inserting the following: "279,960".
- 21 10. Page 11, line 8, by striking the figure
- 22 "514,910" and inserting the following: "554,910".
- 23 11. Page 11, line 32, by striking the figure
- 24 "2,390,188" and inserting the following: "2,453,188".
- 25 12. Page 12, line 3, by striking the figure
- 26 "634,488" and inserting the following: "844,004".

27 13. Page 12, line 4, by striking the figure
 28 "12.00" and inserting the following: "15.00".
 29 14. Page 13, line 6, by striking the figure
 30 "2,073,848" and inserting the following: "2,240,424".
 31 15. Page 13, by inserting after line 7 the
 32 following:
 33 "Of the funds appropriated in this section, \$85,576
 34 shall be used to conduct an extended harness racing
 35 season."
 36 16. Page 14, line 6, by striking the figure
 37 "1,980,914" and inserting the following: "2,262,237".
 38 17. Page 14, line 7, by striking the figure
 39 "30.00" and inserting the following: "31.00".
 40 18. Page 14, by inserting after line 7 the
 41 following:
 42 "From the funds appropriated in this subsection,
 43 \$100,000 shall be allocated for expenses associated
 44 with the redesign of the state budget system."
 45 19. Page 14, by inserting after line 13 the
 46 following:
 47 "3. STATEWIDE PROPERTY TAX ADMINISTRATION
 48 For salaries, support, and miscellaneous purposes,
 49 and for not more than the following full-time
 50 equivalent positions:

Page 2

1	\$	75,000
2	FTE	1.00
3 4. COUNCIL OF STATE GOVERNMENTS		
4 For support of the membership assessment:		
5	\$	86,554"
6 20. Page 15, line 11, by striking the figure		
7 "1,734,417" and inserting the following: "1,833,417".		
8 21. Page 15, line 19, by striking the figure		
9 "2,891,481" and inserting the following: "2,916,481".		
10 22. Page 15, by inserting after line 20 the		
11 following:		
12 "3. INSTITUTE FOR PUBLIC LEADERSHIP.		
13 To be credited to the training revolving fund		
14 created in section 19A.12 for expenses related to the		
15 institute for public leadership:		
16	\$	40,000".
17 23. Page 17, line 7, by striking the figure		
18 "5,555,302" and inserting the following: "5,539,567".		
19 24. Page 18, by striking lines 5 through 18.		
20 25. Page 27, line 9, by striking the figure		
21 "10,437,269" and inserting the following:		
22 "10,735,295".		
23 26. Page 27, line 13, by striking the figure		
24 "11,066,674" and inserting the following:		
25 "11,416,309".		

- 26 27. Page 27, line 17, by striking the figure
- 27 "6,460,688" and inserting the following: "6,509,988".
- 28 28. Page 27, line 25, by striking the word
- 29 "shall" and inserting the following: "may".
- 30 29. Page 28, line 31, by striking the figure
- 31 "756,749" and inserting the following: "776,749".
- 32 30. Page 29, by inserting after line 19 the
- 33 following:
- 34 "4. DECENNIAL REDISTRICTING
- 35 For costs associated with decennial redistricting:
- 36\$ 25,000"
- 37 31. Page 30, by striking lines 5 through 7 and
- 38 inserting the following:
- 39 "Of the moneys remaining on June 30, 2000, in the
- 40 administrative fund established in section 12D.4A,
- 41 \$150,000 shall not revert to the general fund of the
- 42 state but shall be carried forward to the fiscal year
- 43 beginning July 1, 2000, and may be expended for
- 44 establishing an automated distribution system for
- 45 educational savings plan benefits."
- 46 32. By striking page 30, line 30 through page 31,
- 47 line 16.
- 48 33. By striking page 31, line 17 through page 32,
- 49 line 6.
- 50 34. Page 32, by inserting before line 7 the

Page 3

- 1 following:
- 2 "Sec. __. Section 99B.11, subsection 2, Code
- 3 1999, is amended by adding the following new
- 4 paragraph:
- 5 NEW PARAGRAPH. e. A video machine golf tournament
- 6 game which is an interactive bona fide contest. A
- 7 player operates a video machine golf tournament game
- 8 with a trackball assembly which acts as the golfer's
- 9 swing and determines the results of play and
- 10 tournament scores. A video machine golf tournament
- 11 game is capable of receiving program and data
- 12 information from an off-site location. A tournament
- 13 operator shall prominently display all tournament
- 14 rules."
- 15 35. Page 33, by striking lines 2 through 19.
- 16 36. By renumbering, relettering, or redesignating
- 17 and correcting internal references as necessary.

Brunkhorst of Bremer asked and received unanimous consent to withdraw amendment H-9083, to the Senate amendment H-9074, filed by him and Van Engelenhoven of Mahaska from the floor.

Van Fossen of Scott offered the following amendment H-9082, to the Senate amendment H-9074, filed by him from the floor and moved its adoption:

H-9082

- 1 Amend the amendment, H-9074, to House File 2545, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 2, by striking lines 20 through 27.

Amendment H-9082 lost.

Van Fossen of Scott offered the following amendment H-9080, to the Senate amendment H-9074, filed by him from the floor as follows:

H-9080

- 1 Amend the amendment, H-9074, to House File 2545, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 2, by striking lines 28 and 29 and
- 5 inserting the following:
- 6 " ____ . Page 27, by striking lines 25 through 31."

The House stood at ease at 3:03 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 2545 and amendment H-9080, at 4:28 p.m., Speaker Siegrist in the chair.

Van Fossen of Scott moved the adoption of amendment H-9080, to the Senate amendment H-9074.

Amendment H-9080 lost.

On motion by Brunkhorst of Bremer the House concurred in the Senate amendment H-9074.

Brunkhorst of Bremer moved that the bill, as amended by the Senate, and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2545)

The ayes were, 70:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Cohoon	Connors
Dix	Dolecheck	Drake	Eddie
Foege	Ford	Frevert	Garman
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Kuhn	Larkin
Lord	Martin	Mascher	May
Metcalf	Millage	Mundie	Myers
Nelson-Forbes	Parmenter	Raecker	Rants
Rayhons	Schrader	Shey	Shoultz
Sukup	Taylor, D.	Taylor, T.	Teig
Thomson	Van Engelenhoven	Weidman	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 30:

Alons	Chiodo	Cormack	Davis
Doderer	Dotzler	Drees	Falck
Fallon	Huser	Jager	Jochum
Kreiman	Larson	Mertz	Murphy
O'Brien	Osterhaus	Reynolds	Richardson
Scherrman	Stevens	Sunderbruch	Thomas
Tyrrell	Van Fossen	Warnstadt	Weigel
Welter	Whitead		

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2545** be immediately messaged to the Senate.

Garman of Story called up for consideration **House File 2554**, a bill for an act relating to and making appropriations to the judicial branch, amended by the Senate, and moved that the House concur in the following Senate amendment H-9076:

H-9076

- 1 Amend House File 2554, as passed by the House, as
- 2 follows:
- 3 1. By striking page 3, line 23, through page 5,
- 4 line 10.
- 5 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9076.

Garman of Story moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2554)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 1:

Kreiman

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2554** be immediately messaged to the Senate.

Heaton of Henry called up for consideration **Senate File 2435**, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, providing effective dates, and providing for retroactive applicability, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-9090 to the House amendment:

H-9090

- 1 Amend the House amendment, S-5387, to Senate File
- 2 2435, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 " _____. Page 2, line 10, by striking the figure
- 7 "3,200,000" and inserting the following: "2,550,000".
- 8 _____. Page 2, line 16, by striking the figure
- 9 "3,200,000" and inserting the following: "2,550,000".
- 10 _____. Page 5, line 16, by striking the figure
- 11 "20,619,567" and inserting the following:
- 12 "23,219,567".
- 13 _____. Page 5, line 17, by striking the figure
- 14 "500,000" and inserting the following: "200,000".
- 15 _____. Page 6, line 2, by striking the figure
- 16 "500,000" and inserting the following: "200,000".
- 17 2. Page 1, by inserting after line 6 the
- 18 following:
- 19 " _____. Page 6, line 10, by striking the figure
- 20 "400,000" and inserting the following: "300,000".
- 21 _____. Page 6, by striking lines 19 through 27."
- 22 3. Page 1, line 7, by striking the words and
- 23 figure "after line 27" and inserting the following:
- 24 "before line 28".

25 4. Page 1, by inserting after line 11 the
 26 following:
 27 " _____. Page 16, line 24, by striking the figure
 28 "6,454,841" and inserting the following: "6,471,841".
 29 _____. Page 18, by inserting after line 7 the
 30 following:
 31 " _____. The department shall expend up to \$51,000,
 32 including federal financial participation, for the
 33 fiscal year beginning July 1, 2000, for a child
 34 support public awareness campaign. The department and
 35 the office of the attorney general shall cooperate in
 36 continuation of the campaign. The public awareness
 37 campaign shall emphasize, through a variety of media
 38 activities, the importance of maximum involvement of
 39 both parents in the lives of their children as well as
 40 the importance of payment of child support
 41 obligations."
 42 _____. Page 18, line 13, by inserting after the
 43 word "assistance" the following: "reimbursement and
 44 associated costs as specifically provided in the
 45 reimbursement methodologies in effect on June 30,
 46 2000, except as otherwise expressly authorized by
 47 law".
 48 5. Page 1, line 14, by striking the figure
 49 "422,129,000" and inserting the following:
 50 "400,662,028".

Page 2

1 6. Page 1, by striking lines 19 through 24.
 2 7. Page 1, by striking lines 26 through 30 and
 3 inserting the following: "inserting the following:
 4 "mental illness under the medical assistance program,
 5 and county funding shall be used to provide the match
 6 for the federal funding, except for individuals with
 7 state case status, for whom state funding shall
 8 provide the match. The department and county
 9 representatives shall appear in January 2001 before
 10 the joint appropriations subcommittee on human
 11 services to report their proposals concerning
 12 implementation of the option."
 13 8. By striking page 1, line 50, through page 2,
 14 line 4, and inserting the following: "for family and
 15 pediatric nurse practitioners who are employed by a
 16 hospital and are providing services in a hospital-
 17 owned facility or in another location that is not on
 18 or part of the hospital's licensed premises."
 19 9. Page 2, by striking lines 5 through 11 and
 20 inserting the following:
 21 " _____. Of the funds appropriated in this section,
 22 \$100,000 is allocated for development of options for
 23 implementation of a personal assistance services

24 program, based upon the provisions outlined in House
25 File 2380, as introduced in the Seventy-eighth General
26 Assembly, 2000 Session."

27 10. Page 2, line 22, by inserting after the word
28 "committee" the following: "on or before September 1,
29 2000".

30 11. Page 2, by striking lines 40 and 41 and
31 inserting the following: "planning committee.

32 The planning committee shall review federal
33 guidelines and other guidance, other states'
34 approaches, and other resources in its planning
35 efforts. The planning committee shall submit to the
36 governor and the general assembly an initial set of
37 options on or before March 1, 2001, and a final set of
38 options, including a transition plan, on or before
39 January 31, 2002. The options which the planning
40 group shall provide shall include but are not limited
41 to all of the following:"

42 12. Page 5, by inserting after line 19 the
43 following:

44 " ___. Representatives of the community action
45 program agencies receiving funding from the state to
46 provide outreach for the HAWK-I program shall appear
47 before the joint appropriations subcommittee on human
48 services in January 2001 to report the outcomes of the
49 outreach efforts."

50 13. Page 5, by inserting before line 20 the

Page 3

1 following:

2 " ___. Page 25, line 3, by striking the figure
3 "8,276,282" and inserting the following:
4 "8,426,282".

5 14. Page 5, by striking lines 25 through 31.

6 15. Page 5, by inserting before line 32 the
7 following:

8 " ___. By striking page 27, line 12, through page
9 28, line 4."

10 16. Page 5, line 38, by striking the figure
11 "10,405,336" and inserting the following:
12 "10,455,336".

13 17. Page 5, by inserting after line 38 the
14 following:

15 " ___. Page 29, line 35, by striking the figure
16 "227.93" and inserting the following: "229.53".

17 ___. Page 30, line 22, by inserting after the
18 word "services" the following: "reimbursement and
19 associated costs as specifically provided in the
20 reimbursement methodologies in effect on June 30,
21 2000, except as otherwise expressly authorized by
22 law".

- 23 18. Page 5, by striking lines 39 through 41.
24 19. Page 5, by inserting before line 42 the
25 following:
26 " _____. Page 30, by inserting after line 23 the
27 following:
28 "In addition to reimbursement methodology changes
29 to implement the recommendations of the child welfare
30 work group established by the legislative council, if
31 the department has completed its review of
32 reimbursement methodologies for child welfare
33 services, has developed options for changing
34 methodologies for child welfare services that are
35 complementary to those being implemented in accordance
36 with the child welfare work group recommendations, and
37 reported the options to the persons designated by this
38 Act to receive reports, the department may implement
39 one or more options on a pilot project basis that
40 affect not more than 50 children during the course of
41 the fiscal year. The department shall adopt rules to
42 implement any reimbursement changes for services paid
43 for in whole or in part under this section."
44 _____. Page 31, by inserting after line 24 the
45 following:
46 "(3) The department shall work with private
47 providers of PMIC services to develop and implement a
48 plan that shall substantially reduce or eliminate
49 collection of client participation by PMICs. The plan
50 shall be implemented on or before December 1, 2000.""

Page 4

- 1 20. Page 6, line 2, by inserting after the word
2 "final" the following: "and inserting the following:
3 "The department and the work group shall appear in
4 January 2001 before the joint appropriations
5 subcommittee on human services to discuss the work
6 group findings and recommendations.""
7 21. Page 6, by inserting after line 18 the
8 following:
9 " _____. Page 39, line 24, by striking the figure
10 "12,782,425" and inserting the following:
11 "12,807,425".
12 22. Page 7, line 18, by striking the figure
13 "13,000,000" and inserting the following:
14 "13,308,845".
15 23. By striking page 7, line 49, through page 8,
16 line 10.
17 24. Page 8, line 18, by striking the figure
18 "44,370,000" and inserting the following:
19 "44,795,000".
20 25. Page 8, by inserting after line 18 the
21 following:

22 " _____. Page 49, line 5, by striking the figure
23 "1,918.54" and inserting the following: "1,921.50".
24 26. Page 8, by striking lines 29 and 30.
25 27. Page 8, line 33, by striking the figure
26 "13,530,112" and inserting the following:
27 "14,862,874".
28 28. Page 8, line 35, by striking the figure
29 "359.13" and inserting the following: "366.00".
30 29. Page 8, by striking lines 38 through 49 and
31 inserting the following:
32 " "4. The number of full-time equivalent positions
33 authorized in this section includes a reduction of all
34 but three of the full-time equivalent positions
35 previously assigned to the state-county assistance
36 team. One of the remaining full-time equivalent
37 positions shall provide staffing services to the
38 state-county management committee.""
39 30. Page 9, by striking line 12 and inserting the
40 following: "with express authorization in law."
41 31. Page 9, by striking lines 28 through 35 and
42 inserting the following: "cost line item."
43 32. Page 9, by inserting before line 36, the
44 following:
45 " _____. Page 52, by inserting before line 8, the
46 following:
47 "c. The organizations representing certified nurse
48 aides and nursing facilities and other providers of
49 services employing certified nurse aides are requested
50 to discuss how nursing facilities and the other

Page 5

1 providers can improve the ongoing training,
2 communication skills development, mentoring, and other
3 activities intended to enhance the expertise of
4 certified nurse aides. It is the intent of the
5 general assembly that the organizations involved with
6 the discussions will make a presentation to the joint
7 appropriations subcommittee on human services during
8 January 2001 concerning their discussions and plans
9 for improvements." "
10 33. Page 9, by inserting after line 48 the
11 following:
12 " _____. Page 59, line 19, by striking the figure
13 "21,273,602" and inserting the following:
14 "20,982,446".
15 _____. Page 59, line 26, by striking the figure
16 "1,500,000" and inserting the following:
17 "1,208,844".
18 34. Page 10, line 2, by striking the word and
19 figures "June 30, 2001" and inserting the following:
20 "July 1, 2001".

- 21 35. By renumbering, relettering, or redesignating
 22 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9090, to the House amendment.

Heaton of Henry moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2435)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiado
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Foege	Ford
Frevert	Garman	Gipp	Greimann
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Klemme	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	Osterhaus	Raecker
Rants	Rayhons	Reynolds	Scherrman
Schrader	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman.	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 11:

Drees	Falck	Fallon	Jager
Kettering	Kreiman	Kuhn	O'Brien
Parmenter	Richardson	Thomas	

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2435** be immediately messaged to the Senate.

Garman of Story called up for consideration **House File 2552**, a bill for an act relating to and making appropriations to the justice system, making related statutory changes, and providing an effective date, amended by the Senate amendment H-9077 as follows:

H-9077

- 1 Amend House File 2552, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, by striking lines 26 and 27 and
- 4 inserting the following:
- 5 ".....\$ 30,153,729
- 6FTEs 533.50"
- 7 2. Page 5, by striking line 34 and inserting the
- 8 following:
- 9 ".....\$ 23,601,997"
- 10 3. Page 6, by striking line 9 and inserting the
- 11 following:
- 12 ".....\$ 21,300,914"
- 13 4. Page 6, by striking line 15 and inserting the
- 14 following:
- 15 ".....\$ 22,775,087"
- 16 5. Page 6, by striking line 23 and inserting the
- 17 following:
- 18 ".....\$ 21,490,369"
- 19 6. Page 6, by striking line 29 and inserting the
- 20 following:
- 21 ".....\$ 7,117,981"
- 22 7. Page 6, by striking line 35 and inserting the
- 23 following:
- 24 ".....\$ 17,814,313"
- 25 8. Page 7, by striking line 11 and inserting the
- 26 following:
- 27 ".....\$ 11,960,757"
- 28 9. Page 13, by striking line 13 and inserting the
- 29 following:
- 30 ".....\$ 8,793,845"
- 31 10. Page 13, by striking line 19 and inserting
- 32 the following:
- 33 ".....\$ 7,024,872"
- 34 11. Page 13, by striking line 25 and inserting

35 the following:
 36 ".....\$ 4,261,670"
 37 12. Page 14, by striking line 2 and inserting the
 38 following:
 39 ".....\$ 11,708,518"
 40 13. Page 14, by striking line 8 and inserting the
 41 following:
 42 ".....\$ 8,875,900"
 43 14. Page 14, by striking line 20 and inserting
 44 the following:
 45 ".....\$ 5,062,560"
 46 15. Page 20, by striking lines 26 and 27 and
 47 inserting the following:
 48 ".....\$ 12,470,844
 49FTEs 233.50"
 50 16. Page 21, by striking lines 17 and 18 and

Page 2

1 inserting the following:
 2 ".....\$ 3,972,285
 3FTEs 65.00"
 4 17. Page 23, line 23, by striking the words "one
 5 hundred percent of the" and inserting the following:
 6 "eighty percent of the salary".
 7 18. Page 23, line 25, by inserting after the word
 8 "chapter" the following: "and an additional amount
 9 for the division's costs to enforce this chapter
 10 which, for all licensees, shall not exceed thirty
 11 thousand dollars".
 12 19. By striking page 23, line 31 through page 24,
 13 line 6 and inserting the following: "the commission
 14 plus the cost of salaries for no more than two special
 15 agents and no more than four gaming enforcement
 16 officers for each excursion gambling boat for the
 17 division of criminal investigation's excursion
 18 gambling boat activities and an amount for all
 19 licensees, not to exceed one hundred twenty-five
 20 thousand dollars, representing other associated costs
 21 of the division, as the basis for determining the
 22 amount of revenue to be raised from the license fees
 23 and admission fees. The division's".
 24 20. Page 24, line 7, by striking the words "one
 25 hundred" and inserting the following: "eighty".
 26 21. Page 24, line 8, by striking the words "and
 27 sixty-five," and inserting the following: "and sixty-
 28 five".
 29 22. Page 24, line 9, by striking the word "salary"
 30 and inserting the following: "salary".
 31 23. Page 24, line 9, by striking the words "one
 32 hundred" and inserting the following: "eighty".
 33 24. Page 24, by striking lines 11 and 12 and

34 inserting the following: "laws and rules adopted by
35 the commission."
36 25. Page 24, line 16, by striking the words "one
37 hundred percent of the" and inserting the following:
38 "eighty percent of the salary".
39 26. Page 25, line 8, by inserting after the word
40 "review." the following: "If the commissioner
41 establishes by rule a fee for the performance of a
42 building plan review by the department, the
43 commissioner shall also provide by rule that the
44 failure of the department to approve or disapprove a
45 building plan review within sixty days of submission
46 of the plan shall be deemed to be an approval of the
47 plan."
48 27. Page 25, by inserting after line 14 the
49 following:
50 "Sec. __. Section 123.3, Code 1999, is amended by

Page 3

1 adding the following new subsection:
2 NEW SUBSECTION. 12A. "Designated security
3 employee" means an agent or employee of a licensee or
4 permittee who is primarily employed for security
5 purposes at a commercial establishment licensed or
6 permitted under chapter 123.
7 Sec. __. Section 123.31, Code 1999, is amended by
8 adding the following new subsection:
9 NEW SUBSECTION. 6A. A statement, if required by
10 the local authority, indicating whether all designated
11 security employees have received training and
12 certification as provided in section 123.32.
13 Sec. __. Section 123.32, Code 1999, is amended by
14 adding the following new subsection:
15 NEW SUBSECTION. 3A. A local authority, as a
16 condition of obtaining a license or permit for on
17 premises consumption, may require a designated
18 security employee as defined in section 123.3, to be
19 trained and certified in security methods. The
20 training shall include but is not limited to mediation
21 techniques, civil rights or unfair practices awareness
22 as provided in section 216.7, and providing
23 instruction on the proper physical restraint methods
24 used against a person who has become combative.
25 Sec. __. Section 321.47, Code Supplement 1999, is
26 amended by adding the following new unnumbered
27 paragraph:
28 NEW UNNUMBERED PARAGRAPH. A person convicted of a
29 violation of this section is guilty of a simple
30 misdemeanor punishable as a scheduled violation under
31 section 805.8, subsection 2, paragraph "ad".
32 Sec. __. Section 321.91, subsection 2, Code 1999,

33 is amended to read as follows:

34 2. ~~Any A person who abandons a vehicle shall be~~
35 convicted of a violation of this section is guilty of
36 a simple misdemeanor punishable as a scheduled
37 violation under section 805.8, subsection 2, paragraph
38 "m".

39 Sec. __. Section 321.99, Code 1999, is amended to
40 read as follows:

41 321.99 FRAUDULENT USE OF REGISTRATION.

42 A person shall not knowingly lend to another a
43 registration card, registration plate, special plate,
44 or permit issued to the person if the other person
45 desiring to borrow the card, plate, or permit would
46 not be entitled to the use of it. a person shall not
47 knowingly permit the use of a registration card,
48 registration plate, special plate, or permit issued to
49 the person by one not entitled to it, nor shall a
50 person knowingly display upon a vehicle a registration

Page 4

1 card, registration plate, special plate, or permit not
2 issued for that vehicle under this chapter. A person
3 convicted of a violation of this section is guilty of
4 a simple misdemeanor punishable as a scheduled
5 violation under section 805.8, subsection 2, paragraph
6 "o".

7 Sec. __. Section 321.115, Code 1999, is amended
8 by adding the following new subsection:

9 NEW SUBSECTION. 5. A person convicted of a
10 violation of this section is guilty of a simple
11 misdemeanor punishable as a scheduled violation under
12 section 805.8, subsection 2, paragraph "o".

13 Sec. __. Section 321.219, Code 1999, is amended
14 to read as follows:

15 321.219 PERMITTING UNAUTHORIZED MINOR TO DRIVE.

16 No A person shall not cause or knowingly permit the
17 person's child or ward under the age of eighteen years
18 to drive a motor vehicle upon any highway when such
19 the minor is not authorized hereunder under this
20 section or in violation of any of the provisions of
21 this chapter.

22 A person convicted of a violation of this section
23 is guilty of a simple misdemeanor punishable as a
24 scheduled violation under section 805.8, subsection 2,
25 paragraph "w".

26 Sec. __. Section 321.220, Code 1999, is amended
27 by adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. A person convicted of a
29 violation of this section is guilty of a simple
30 misdemeanor punishable as a scheduled violation under
31 section 805.8, subsection 2, paragraph "w".

32 Sec. __. Section 321.234A, Code Supplement 1999,
33 is amended by adding the following new unnumbered
34 paragraph:
35 NEW UNNUMBERED PARAGRAPH. A person convicted of a
36 violation of this section is guilty of a simple
37 misdemeanor punishable as a scheduled violation under
38 section 805.8, subsection 4, paragraph "b".
39 Sec. __. Section 321.247, Code 1999, is amended
40 by adding the following new unnumbered paragraph:
41 NEW UNNUMBERED PARAGRAPH. A person convicted of a
42 violation of this section is guilty of a simple
43 misdemeanor punishable as a scheduled violation under
44 section 805.8, subsection 2, paragraph "e".
45 Sec. __. Section 321.302, Code 1999, is amended
46 by adding the following new unnumbered paragraph:
47 NEW UNNUMBERED PARAGRAPH. A person convicted of a
48 violation of this section is guilty of a simple
49 misdemeanor punishable as a scheduled violation under
50 section 805.8, subsection 2, paragraph "h".

Page 5

1 Sec. __. Section 321.327, Code 1999, is amended
2 by adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. A person convicted of a
4 violation of this section is guilty of a simple
5 misdemeanor punishable as a scheduled violation under
6 section 805.8, subsection 2, paragraph "i".
7 Sec. __. Section 321.366, unnumbered paragraph 3,
8 Code 1999, is amended to read as follows:
9 Violations A person convicted of a violation of
10 subsection 6 is guilty of a simple misdemeanor
11 punishable as a scheduled violation under section
12 805.8, subsection 2, paragraph "ai". Other violations
13 of this section are punishable as provided in section
14 321.482.
15 Sec. __. Section 321.421, Code 1999, is amended
16 by adding the following new unnumbered paragraph:
17 NEW UNNUMBERED PARAGRAPH. A person convicted of a
18 violation of this section is guilty of a simple
19 misdemeanor punishable as a scheduled violation under
20 section 805.8, subsection 2, paragraph "e".
21 Sec. __. Section 331.302, subsection 2, Code
22 Supplement 1999, is amended to read as follows:
23 2. A county shall not provide a penalty in excess
24 of a two five hundred dollar fine or in excess of
25 thirty days imprisonment for the violation of an
26 ordinance. The criminal penalty surcharge required by
27 section 911.2 shall be added to a county fine and is
28 not a part of the county's penalty.
29 Sec. __. Section 331.302, subsection 4A,
30 paragraph a, subparagraph (2), Code Supplement 1999,

31 is amended to read as follows:

32 (2) A portion of the Code of Iowa may be adopted
33 by reference only if the criminal penalty provided by
34 the law adopted does not exceed thirty days'
35 imprisonment or a ~~two~~ five hundred dollar fine.

36 Sec. ____ Section 364.3, subsection 2, Code
37 Supplement 1999, is amended to read as follows:

38 2. A city shall not provide a penalty in excess of
39 a ~~two~~ five hundred dollar fine or in excess of thirty
40 days imprisonment for the violation of an ordinance.

41 An amount equal to ten percent of all fines collected
42 by cities shall be deposited in the account

43 established in section 602.8108. However, one hundred
44 percent of all fines collected by a city pursuant to
45 section 321.236, subsection 1, shall be retained by
46 the city. The criminal penalty surcharge required by
47 section 911.2 shall be added to a city fine and is not
48 a part of the city's penalty.

49 Sec. ____ Section 380.10, subsection 2, Code 1999,
50 is amended to read as follows:

Page 6

1 2. A portion of the Code of Iowa may be adopted by
2 reference only if the criminal penalty provided by the
3 law adopted does not exceed thirty days' imprisonment
4 ~~or and a one~~ five hundred dollar fine.

5 Sec. ____ Section 482.15, Code 1999, is amended to
6 read as follows:

7 482.15 PENALTIES.

8 A person who violates a ~~provision of this chapter~~
9 or a rule issued under this chapter is guilty of a
10 simple misdemeanor punishable as a scheduled violation
11 under section 805.8, subsection 5, paragraph "e".

12 Sec. ____ Section 483A.42, Code 1999, is amended
13 to read as follows:

14 483A.42 PENALTIES.

15 A person who violates a ~~provision of this chapter~~
16 is guilty of a simple misdemeanor ~~and shall be fined~~
17 ~~not less than ten dollars for each cited offense~~
18 punishable as a scheduled violation under section
19 805.8, subsection 5, paragraph "e".

20 Sec. ____ Section 610A.3, subsection 1, paragraphs
21 a and b, Code 1999, are amended to read as follows:

22 a. The loss of some or all of the ~~good conduct~~
23 earned time credits acquired by the inmate or
24 prisoner. Previous dismissals under section 610A.2
25 may be considered in determining the appropriate level
26 of penalty.

27 b. If the inmate or prisoner has no ~~good conduct~~
28 earned time credits to deduct, the order of the court
29 or the disciplinary hearing may deduct up to fifty

30 percent of the average balance of the inmate account
31 under section 904.702 or of any prisoner account.

32 Sec. . NEW SECTION. 622.51A COMPUTER
33 PRINTOUTS.

34 For purposes of chapters 714 and 716, computer
35 printouts shall be admitted as evidence of any
36 computer software, program, or data contained in or
37 taken from a computer, notwithstanding an applicable
38 rule of evidence to the contrary.

39 Sec. . NEW SECTION. 702.1A COMPUTER
40 TERMINOLOGY.

41 For purposes of section 714.1, subsection 7A, and
42 section 716.6B:

43 1. "Computer" means an electronic device which
44 performs logical, arithmetical, and memory functions
45 by manipulation of electronic or magnetic impulses,
46 and includes all input, output, processing, storage,
47 computer software, and communication facilities which
48 are connected or related to the computer in a computer
49 system or computer network.

50 2. "Computer access" means to instruct,

Page 7

1 communicate with, store data in, or retrieve data from
2 a computer, computer system, or computer network.

3 3. "Computer data" means a representation of
4 information, knowledge, facts, concepts, or
5 instructions that has been prepared or is being
6 prepared in a formalized manner and has been
7 processed, or is intended to be processed in a
8 computer. Computer data may be in any form including,
9 but not limited to, printouts, magnetic storage media,
10 punched cards, and as stored in the memory of a
11 computer.

12 4. "Computer network" means a set of related,
13 remotely connected devices and communication
14 facilities including two or more computers with
15 capability to transmit data among them through
16 communication facilities.

17 5. "Computer program" means an ordered set of
18 instructions or statements that, when executed by a
19 computer, causes the computer to process data.

20 6. "Computer services" means the use of a
21 computer, computer system, or computer network and
22 includes, but is not limited to, computer time, data
23 processing, and storage functions.

24 7. "Computer software" means a set of computer
25 programs, procedures, or associated documentation used
26 in the operation of a computer.

27 8. "Computer system" means related, connected or
28 unconnected, computers or peripheral equipment.

29 9. "Loss of property" means the greatest of the
30 following:

31 a. The retail value of the property involved.
32 b. The reasonable replacement or repair cost,
33 whichever is less.

34 10. "Loss of services" means the reasonable value
35 of the damage created by the unavailability or lack of
36 utility of the property or services involved until
37 repair or replacement can be effected.

38 Sec. __. Section 702.14, Code 1999, is amended to
39 read as follows:

40 702.14 PROPERTY.

41 "Property" is anything of value, whether publicly
42 or privately owned, including but not limited to
43 computers and computer data, computer software, and
44 computer programs. The term includes both tangible
45 and intangible property, labor, and services. The
46 term includes all that is included in the terms "real
47 property" and "personal property".

48 Sec. __. NEW SECTION. 702.20A VIDEO RENTAL
49 PROPERTY.

50 "Video rental property" means an audiovisual

Page 8

1 recording, including a videotape, videodisc, or other
2 tangible medium of expression on which an audiovisual
3 work is recorded or otherwise stored, or any equipment
4 or supplies used to view the recording, and which is
5 held out for rental to the public in the ordinary
6 course of business.

7 Sec. __. Section 709.8, unnumbered paragraph 2,
8 Code 1999, is amended to read as follows:

9 Any person who violates a provision of this section
10 shall, upon conviction, be guilty of a class "D"
11 felony. A person who violates a provision of this
12 section and who is sentenced to a term of confinement
13 shall also be sentenced to an additional term of
14 parole or work release not to exceed two years. The
15 board of parole shall determine whether the person
16 should be released on parole or placed in a work
17 release program. The sentence of an additional term
18 of parole or work release supervision shall commence
19 immediately upon the expiration of the preceding
20 sentence and shall be under the terms and conditions
21 as set out in chapter 906. Violations of parole or
22 work release shall be subject to the procedures set
23 out in chapter 905 or 908 or rules adopted under those
24 chapters. The sentence of an additional term of
25 parole or work release shall be consecutive to the
26 original term of confinement.

27 Sec. __. Section 713.6A, Code 1999, is amended to

28 read as follows:

29 713.6A BURGLARY IN THE THIRD DEGREE.

30 1. All burglary which is not burglary in the first
31 degree or burglary in the second degree is burglary in
32 the third degree. Burglary in the third degree is a
33 class "D" felony.

34 2. Notwithstanding any other provision of the Code
35 to the contrary, a person who violates this section
36 may be sentenced to a combination of any intermediate
37 criminal sanction level or sublevel under section
38 901B.1, subsection 1. If a person is sentenced to
39 prison, the court, at its discretion, may sentence a
40 person to a maximum indeterminate term which is less
41 than the maximum term provided for class "D" felonies
42 under section 902.9, if mitigating circumstances
43 warrant a reduction in the maximum term and those
44 circumstances are stated specifically on the record.
45 The state may appeal the discretionary decision on the
46 grounds that the stated mitigating circumstances do
47 not warrant a reduction of the sentence.

48 Sec. __. Section 714.1, Code 1999, is amended by
49 adding the following new subsections:

50 NEW SUBSECTION. 7A. Knowingly and without

Page 9

1 authorization accesses or causes to be accessed a
2 computer, computer system, or computer network, or any
3 part thereof, for the purpose of obtaining computer
4 services, information, or property or knowingly and
5 without authorization and with the intent to
6 permanently deprive the owner of possession, takes,
7 transfers, conceals, or retains possession of a
8 computer, computer system, or computer network or any
9 computer software or computer program, or computer
10 data contained in a computer, computer system, or
11 computer network.

12 NEW SUBSECTION. 7B. a. Obtains the temporary use
13 of video rental property with the intent to deprive
14 the owner of the use and possession of the video
15 rental property without the consent of the owner.

16 b. Lawfully obtains the temporary use of video
17 rental property and fails to return the video rental
18 property by the agreed time with the intent to deprive
19 the owner of the use and possession of the video
20 rental property without the consent of the owner. The
21 aggregate value of the video rental property involved
22 shall be the original retail value of the video rental
23 property.

24 Sec. __. NEW SECTION. 714.6A VIDEO RENTAL
25 PROPERTY THEFT - EVIDENCE OF INTENTION - AFFIRMATIVE
26 DEFENSE.

27 1. The fact that a person obtains possession of
 28 video rental property by means of deception, including
 29 but not limited to furnishing a false name, address,
 30 or other identification to the owner, is evidence that
 31 possession was obtained with intent to knowingly
 32 deprive the owner of the use and possession of the
 33 video rental property.

34 2. The fact that a person, having lawfully
 35 obtained possession of video rental property, fails to
 36 pay the owner the fair market value of the video
 37 rental property or to return or make arrangements
 38 acceptable to the owner to return the video rental
 39 property to the owner, within forty-eight hours after
 40 receipt of written notice and demand from the owner is
 41 evidence of an intent to knowingly deprive the owner
 42 of the use and possession of the video rental
 43 property.

44 3. It shall be an affirmative defense to a
 45 prosecution under section 714.1, subsection 7B,
 46 paragraph "a", if the defendant in possession of video
 47 rental property pays the owner the fair market value
 48 of the video rental property or returns the property
 49 to the owner within forty-eight hours of arrest,
 50 together with any standard overdue charges for the

Page 10

1 period that the owner was unlawfully deprived of
 2 possession, but not to exceed one hundred twenty days,
 3 and the value of the damage to the property, if any.

4 Sec. ____ Section 715A.2, Code 1999, is amended by
 5 adding the following new subsection:

6 **NEW SUBSECTION.** 3. Notwithstanding any other
 7 provision of the Code to the contrary a person who
 8 violates this section may be sentenced to a
 9 combination of any intermediate criminal sanction
 10 level or sublevel under section 901B.1, subsection 1.
 11 If a person is sentenced to prison, the court, at its
 12 discretion may sentence a person to a maximum
 13 indeterminate term which is less than the maximum term
 14 provided for class "D" felonies under section 902.9 or
 15 aggravated misdemeanors under section 903.1, if
 16 mitigating circumstances warrant a reduction in the
 17 maximum term and those circumstances are stated
 18 specifically in the record. The state may appeal the
 19 discretionary decision on the grounds that the stated
 20 mitigating circumstances do not warrant a reduction of
 21 the sentence.

22 Sec. ____ **NEW SECTION.** 716.6B UNAUTHORIZED
 23 COMPUTER ACCESS.

24 A person who knowingly and without authorization
 25 accesses a computer, computer system, or computer

26 network commits a simple misdemeanor.

27 Sec. __. Section 722.4, Code 1999, is amended to
28 read as follows:

29 722.4 BRIBERY OF ELECTOR OR ELECTION OFFICIALS.

30 1. A person who offers, promises, or gives
31 anything of value or any benefit to any elector for
32 the purpose of influencing the elector's vote, in any
33 election authorized by law, or any elector who
34 receives anything of value or any benefit knowing that
35 it was given for such purpose, commits an aggravated
36 misdemeanor.

37 2. A person who offers, promises, or gives
38 anything of value or any benefit to any precinct
39 election official authorized by law, or to any
40 executive officer attending the same, conditioned on
41 some act done or omitted to be done contrary to the
42 person's official duty in relation to such election,
43 commits an aggravated misdemeanor.

44 Sec. __. Section 722.8, Code 1999, is amended to
45 read as follows:

46 722.8 DURESS TO PREVENT OR PROCURE VOTING.

47 1. A person who unlawfully and by force, or
48 threats of force, prevents or endeavors to prevent an
49 elector from giving the elector's vote at any public
50 election commits an aggravated misdemeanor.

Page 11

1 2. A person who procures, or endeavors to procure,
2 the vote of an elector for or against any candidate or
3 for or against any issue by means of violence, threats
4 of violence, or by any means of duress commits an
5 aggravated misdemeanor.

6 Sec. __. Section 805.8, subsection 2, paragraph
7 e, Code Supplement 1999, is amended to read as
8 follows:

9 e. For improperly used or nonused or defective or
10 improper equipment under sections 321.383, 321.384,
11 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
12 321.409, 321.419, 321.420, 321.423, 321.430, and
13 321.433, the scheduled fine is twenty dollars. For
14 violations of sections 321.247 and 321.421, the
15 scheduled fine is one hundred dollars.

16 Sec. __. Section 805.8, subsection 2, paragraph
17 h, Code Supplement 1999, is amended to read as
18 follows:

19 h. For operating, passing, turning, and standing
20 violations under section 321.236, subsections 3, 4, 9,
21 and 12, section 321.275, subsections 1 through 7,
22 sections 321.295, 321.297, 321.299, 321.303, 321.304,
23 subsections 1 and 2, sections 321.305, 321.306,
24 321.311, 321.312, 321.314, 321.315, 321.316, 321.318,

25 321.323, 321.340, 321.353, 321.354, 321.363, 321.365,
 26 ~~321.366~~, 321.368, 321.382, and 321.395, the scheduled
 27 fine is fifteen dollars. For violations of section
 28 321.302, the scheduled fine is one hundred dollars.
 29 Sec. ____ Section 805.8, subsection 2, paragraph
 30 i, Code Supplement 1999, is amended to read as
 31 follows:
 32 i. For violations involving failures to yield or
 33 to observe pedestrians and other vehicles under
 34 section 321.257, subsection 2, sections 321.288,
 35 321.298, 321.307, 321.308, 321.313, 321.319, 321.320,
 36 321.321, 321.329, 321.333, and 321.367, the scheduled
 37 fine is twenty dollars. For violations of section
 38 321.327, the scheduled fine is one hundred dollars.
 39 Sec. ____ Section 805.8, subsection 2, paragraph
 40 m, Code Supplement 1999, is amended to read as
 41 follows:
 42 m. For height, weight, length, width, and load
 43 violations and towed vehicle violations under sections
 44 321.309, 321.310, 321.381, 321.394, 321.437, 321.454,
 45 321.455, 321.456, 321.457, 321.458, 321.461, and
 46 321.462, the scheduled fine is twenty-five dollars.
 47 For weight violations under sections 321.459 and
 48 321.466, the scheduled fine is twenty dollars for each
 49 two thousand pounds or fraction thereof of overweight.
 50 For abandoned vehicles under section 321.91, the

Page 12

1 scheduled fine is one hundred dollars.
 2 Sec. ____ Section 805.8, subsection 2, paragraph
 3 o, Code Supplement 1999, is amended to read as
 4 follows:
 5 o. For violation of registration provisions under
 6 section 321.17; violation of intrastate hauling on
 7 foreign registration under section 321.54; improper
 8 operation or failure to register under section 321.55;
 9 and violation of requirement for display of
 10 registration or plates under section 321.98, the
 11 scheduled fine is twenty dollars. For fraudulent use
 12 of registration violations under section 321.99 and
 13 violations of antique car registration requirements
 14 under section 321.115, the scheduled fine is one
 15 hundred dollars.
 16 Sec. ____ Section 805.8, subsection 2, paragraph
 17 v, Code Supplement 1999, is amended to read as
 18 follows:
 19 v. Violations of the schedule of axle and tandem
 20 axle and gross or group of axle weight violations in
 21 section 321.463 shall be scheduled violations subject
 22 to the provisions, procedures and exceptions contained
 23 in sections 805.6 to 805.11, irrespective of the

24 amount of the fine under that schedule. Violations of
25 the schedule of weight violations shall be chargeable,
26 where the fine charged does not exceed one ~~hundred~~
27 thousand dollars, only by uniform citation and
28 complaint. Violations of the schedule of weight
29 violations, where the fine charged exceeds one ~~hundred~~
30 thousand dollars shall, when the violation is admitted
31 and section 805.9 applies, be chargeable upon uniform
32 citation and complaint, indictment, or county
33 attorney's information, but otherwise, shall be
34 chargeable only upon indictment or county attorney's
35 information.

36 In all cases of charges under the schedule of
37 weight violations, the charge shall specify the amount
38 of fine charged under the schedule. Where a defendant
39 is convicted and the fine under the foregoing schedule
40 of weight violations exceeds one ~~hundred thousand~~
41 dollars, the conviction shall be of an indictable
42 offense although section 805.9 is employed and whether
43 the violation is charged upon uniform citation and
44 complaint, indictment, or county attorney's
45 information.

46 Sec. __. Section 805.8, subsection 2, paragraph
47 w, Code 1999, is amended to read as follows:

48 w. For failure to have a valid license or permit
49 for operating a motor vehicle on the highways of this
50 state pursuant to section 321.174, or permitting an

Page 13

1 unauthorized minor to drive in violation of section
2 321.219, or permitting an unauthorized person to drive
3 in violation of section 321.220, the scheduled fine is
4 one hundred dollars.

5 Sec. __. Section 805.8, subsection 2, paragraph
6 ad, Code Supplement 1999, is amended to read as
7 follows:

8 ad. For violations of section 321.57, the
9 scheduled fine is fifty dollars. For violations of
10 section 321.62, the scheduled fine is fifty dollars.
11 For violations of section 321.47, the scheduled fine
12 is one hundred dollars.

13 Sec. __. Section 805.8, subsection 2, Code
14 Supplement 1999, is amended by adding the following
15 new paragraph:

16 NEW PARAGRAPH. ai. For violations of section
17 321.366, the scheduled fine is one hundred dollars.

18 Sec. __. Section 805.8, subsection 4, paragraph
19 b, Code Supplement 1999, is amended to read as
20 follows:

21 b. For operating violations under section 321G.9,
22 subsections 1, 2, 3, 4, 5 and 7, sections 321G.11, and

23 321G.13, subsections 4 and 9, the scheduled fine is
24 twenty dollars. For violations of section 321.234A,
25 the scheduled fine is one hundred dollars.
26 Sec. ___. Section 805.8, subsection 5, paragraph
27 e, Code Supplement 1999, is amended to read as
28 follows:
29 e. For violations of sections 481A.85, 481A.93,
30 481A.95, 481A.120, 481A.137, 481B.5, 482.3, and 482.9,
31 482.15, and 483A.42, the scheduled fine is one hundred
32 dollars.
33 Sec. ___. Section 901.5, subsection 9, paragraph
34 a, Code 1999, is amended to read as follows:
35 a. That the defendant's term of incarceration may
36 be reduced ~~by as much as half of~~ from the maximum
37 sentence because of statutory good conduct earned
38 time, work credits, and program credits.
39 Sec. ___. Section 901.5A, Code Supplement 1999, is
40 amended by adding the following new subsection:
41 NEW SUBSECTION. 1A. A defendant may have a
42 judgment and sentence entered under section 901.5
43 reopened for resentencing if the following apply:
44 a. The sentence of the defendant is subject to a
45 maximum accumulation of good conduct time of fifteen
46 percent of the total sentence of confinement under
47 section 902.12.
48 b. The board of parole and the department of
49 corrections file a motion in the sentencing court to
50 reopen the sentence of the defendant.

Page 14

1 c. The county attorney from the county which
2 prosecuted the defendant is served a copy of the
3 motion to reopen by certified mail. The motion shall
4 specify the county attorney has ninety days to consult
5 with the victim if possible and to file a written
6 objection.
7 d. The court, upon hearing, grants the motion.
8 Sec. ___. Section 901.5A, subsections 2 and 3,
9 Code Supplement 1999, are amended to read as follows:
10 2. Upon a finding by the court that the defendant
11 cooperated in the prosecution of other persons or upon
12 the court granting a motion to reopen the sentence by
13 the board of parole and the department of corrections,
14 the court may reduce the maximum sentence imposed
15 under the original sentencing order.
16 3. For purposes of calculating good conduct earned
17 time under section 903A.2, the sentencing date for a
18 defendant whose sentence has been reopened under this
19 section shall be the date of the original sentencing
20 order. If the original sentence was subject to the
21 maximum accumulation of earned time of fifteen percent

22 of the total sentence of confinement under section
23 902.12, the maximum accumulation of earned time on the
24 new sentence of confinement shall be fifteen percent
25 of the new total sentence of confinement imposed by
26 the court upon reopening. Any earned time accumulated
27 on the original sentence shall be credited to the new
28 sentence upon reopening.

29 Sec. __. Section 903A.2, Code 1999, is amended to
30 read as follows:

31 903A.2 GOOD CONDUCT TIME EARNED TIME.

32 1. Each inmate committed to the custody of the
33 director of the department of corrections is eligible
34 ~~for to earn~~ a reduction of sentence ~~for good behavior~~
35 in the manner provided in this section. For purposes
36 of calculating the amount of time by which an inmate's
37 sentence may be reduced, inmates shall be grouped into
38 the following two sentencing categories:

39 a. Category "A" sentences are those sentences
40 which are not subject to a maximum accumulation of
41 ~~good conduct earned~~ time of fifteen percent of the
42 total sentence of confinement under section 902.12.
43 To the extent provided in subsection 5, category "A"
44 sentences also include life sentences imposed under
45 section 902.1. An inmate of an institution under the
46 control of the department of corrections who is
47 serving a category "A" sentence is eligible for a
48 reduction of sentence ~~equal to one day for each day of~~
49 ~~good conduct while committed to one of the~~
50 ~~department's institutions. In addition, each inmate~~

Page 15

1 ~~who is serving a category "A" sentence is eligible for~~
2 ~~an additional reduction of up to five days per month~~
3 ~~if the inmate participates satisfactorily in any of~~
4 ~~the following activities equal to one and two-tenths~~
5 ~~days for each day the inmate demonstrates good conduct~~
6 ~~and satisfactorily participates in any program or~~
7 ~~placement status identified by the director to earn~~
8 ~~the reduction. The programs include but are not~~
9 ~~limited to the following:~~

10 (1) Employment in the institution.

11 (2) Iowa state industries.

12 (3) An employment program established by the
13 director.

14 (4) A treatment program established by the
15 director.

16 (5) An inmate educational program approved by the
17 director.

18 b. Category "B" sentences are those sentences
19 which are subject to a maximum accumulation of ~~good~~
20 ~~conduct earned~~ time of fifteen percent of the total

21 sentence of confinement under section 902.12. An
22 inmate of an institution under the control of the
23 department of corrections who is serving a category
24 "B" sentence is eligible for a reduction of sentence
25 equal to fifteen eighty-fifths of a day for each day
26 of good conduct by the inmate.

27 2. ~~Good conduct~~ Earned time ~~earned~~ accrued
28 pursuant to this section may be forfeited in the
29 manner prescribed in section 903A.3.

30 3. Time served in a jail or another facility prior
31 to actual placement in an institution under the
32 control of the department of corrections and credited
33 against the sentence by the court shall accrue for the
34 purpose of reduction of sentence under this section.
35 Time which elapses during an escape shall not accrue
36 for purposes of reduction of sentence under this
37 section.

38 4. Time which elapses between the date on which a
39 person is incarcerated, based upon a determination of
40 the board of parole that a violation of parole has
41 occurred, and the date on which the violation of
42 parole was committed shall not accrue for purposes of
43 reduction of sentence under this section.

44 5. ~~Good conduct~~ Earned time accrued by inmates
45 serving life sentences imposed under section 902.1
46 shall not reduce the life sentence, but shall be
47 credited against the inmate's sentence if the life
48 sentence is commuted to a term of years under section
49 902.2.

50 Sec. __. Section 903A.3, subsections 1 and 3,

Page 16

1 Code 1999, are amended to read as follows:

2 1. Upon finding that an inmate has violated an
3 institutional rule, or has had an action or appeal
4 dismissed under section 610A.2, the independent
5 administrative law judge may order forfeiture of any
6 or all ~~good conduct~~ earned time ~~earned~~ accrued and not
7 forfeited up to the date of the violation by the
8 inmate and may order forfeiture of any or all ~~good~~
9 ~~conduct~~ earned time ~~earned~~ accrued and not forfeited
10 up to the date the action or appeal is dismissed,
11 unless the court entered such an order under section
12 610A.3. The independent administrative law judge has
13 discretion within the guidelines established pursuant
14 to section 903A.4, to determine the amount of time
15 that should be forfeited based upon the severity of
16 the violation. Prior violations by the inmate may be
17 considered by the administrative law judge in the
18 decision.

19 3. The director of the Iowa department of

20 corrections or the director's designee, may restore
21 all or any portion of previously forfeited good
22 ~~conduct~~ earned time for acts of heroism or for
23 meritorious actions. The director shall establish by
24 rule the requirements as to which activities may
25 warrant the restoration of ~~good conduct~~ earned time
26 and the amount of ~~good conduct~~ earned time to be
27 restored.

28 Sec. __. Section 903A.4, Code 1999, is amended to
29 read as follows:

30 903A.4 POLICIES AND PROCEDURES.

31 The director of the Iowa department of corrections
32 shall develop policy and procedural rules to implement
33 sections 903A.1 through 903A.3. The rules may specify
34 disciplinary offenses which may result in the loss of
35 ~~good conduct~~ earned time, and the amount of good
36 ~~conduct~~ earned time which may be lost as a result of
37 each disciplinary offense. The director shall
38 establish rules as to what constitutes "satisfactory
39 participation" for purposes of ~~additional~~ a reduction
40 of sentence under section ~~903A.3~~, for employment in
41 the institution, in Iowa state industries, in an
42 inmate employment program established by the director,
43 ~~or for participation in an educational program~~
44 ~~approved by the director, when such employment or~~
45 ~~programs are available~~ sentence under section 903A.2,
46 for programs that are available or unavailable. The
47 rules shall specify that earned time shall be
48 calculated on a monthly basis as it accrues. The
49 department shall generate an earned time report for
50 each inmate which shall include the amount of actual

Page 17

1 time served, the number of earned time credits which
2 have not been lost or forfeited, and the amount of
3 time remaining on an inmate's sentence.

4 Sec. __. Section 903A.5, unnumbered paragraph 1,
5 Code Supplement 1999, is amended to read as follows:

6 An inmate shall not be discharged from the custody
7 of the director of the Iowa department of corrections
8 until the inmate has served the full term for which
9 the inmate was sentenced, less ~~good conduct~~ earned
10 time and other credits earned and not forfeited,
11 unless the inmate is pardoned or otherwise legally
12 released. ~~Good conduct~~ Earned time earned accrued and
13 not forfeited shall apply to reduce a mandatory
14 minimum sentence being served pursuant to section
15 124.406, 124.413, 902.7, 902.8, 902.8A, or 902.11. An
16 inmate shall be deemed to be serving the sentence from
17 the day on which the inmate is received into the
18 institution. If an inmate was confined to a county

19 jail or other correctional or mental facility at any
20 time prior to sentencing, or after sentencing but
21 prior to the case having been decided on appeal,
22 because of failure to furnish bail or because of being
23 charged with a nonbailable offense, the inmate shall
24 be given credit for the days already served upon the
25 term of the sentence. However, if a person commits
26 any offense while confined in a county jail or other
27 correctional or mental health facility, the person
28 shall not be granted jail credit for that offense.
29 Unless the inmate was confined in a correctional
30 facility, the sheriff of the county in which the
31 inmate was confined shall certify to the clerk of the
32 district court from which the inmate was sentenced and
33 to the department of corrections' records
34 administrator at the Iowa medical and classification
35 center the number of days so served. The department
36 of corrections' records administrator, or the
37 administrator's designee, shall apply jail credit as
38 ordered by the court of proper jurisdiction or as
39 authorized by this section and section 907.3,
40 subsection 3, and shall forward a copy of the number
41 of days served to the clerk of the district court from
42 which the inmate was sentenced.

43 Sec. ____ Section 903A.5, unnumbered paragraph 2,
44 Code Supplement 1999, is amended to read as follows:
45 An inmate shall not receive credit upon the
46 inmate's sentence for time spent in custody in another
47 state resisting return to Iowa following an escape, ~~or~~
48 ~~for time served.~~ However, an inmate shall receive
49 credit upon the inmate's sentence while incarcerated
50 in an institution or jail of another jurisdiction

Page 18

1 during any period of time the person is receiving
2 credit upon a sentence of that other jurisdiction.
3 Sec. ____ Section 903A.7, Code 1999, is amended to
4 read as follows:
5 903A.7 SEPARATE SENTENCES.
6 Consecutive multiple sentences that are within the
7 same category under section 903A.2 shall be construed
8 as one continuous sentence for purposes of calculating
9 reductions of sentence for ~~good conduct earned~~ time.
10 If a person is sentenced to serve sentences of both
11 categories, category "B" sentences shall be served
12 before category "A" sentences are served, and ~~good~~
13 ~~conduct earned~~ time ~~earned~~ accrued against the
14 category "B" sentences shall not be used to reduce the
15 category "A" sentences. If an inmate serving a
16 category "A" sentence is sentenced to serve a category
17 "B" sentence, the category "A" sentence shall be

18 interrupted, and no further ~~good conduct~~ earned time
19 shall accrue against that sentence until the category
20 "B" sentence is completed."

21 28. Page 26, by inserting after line 7 the
22 following:

23 "Sec. __. Section 904.513, subsection 1, Code
24 1999, is amended to read as follows:

25 1. a. The department of corrections, in
26 cooperation with the judicial district departments of
27 correctional services, shall establish in each
28 judicial district a continuum of programming for the
29 supervision and treatment of offenders convicted of
30 violating chapter 321J who are sentenced to the
31 custody of the director. The continuum shall include
32 a range of sanctioning options that include, but are
33 not limited to, prisons and residential facilities.

34 b. (1) The department of corrections shall
35 develop standardized assessment criteria for the
36 assignment of offenders pursuant to this chapter.
37 (2) Offenders convicted of violating chapter 321J,
38 sentenced to the custody of the director, and awaiting
39 placement in a community residential substance abuse
40 treatment program for such offenders shall be placed
41 in an institutional substance abuse program for such
42 offenders within sixty days of admission to the
43 institution or as soon as practical. When placing
44 offenders convicted of violating chapter 321J in
45 community residential substance abuse treatment
46 programs for such offenders, the department shall give
47 priority as appropriate to the placement of those
48 offenders currently in institutional substance abuse
49 programs for such offenders. The department shall
50 work with each judicial district to enable such

Page 19

1 offenders to enter community residential substance
2 abuse treatment programs at a level comparable to
3 their prior institutional program participation.

4 (3) Assignment shall be for the purposes of risk
5 management and substance abuse treatment and may
6 include education or work programs when the offender
7 is not participating in other program components.

8 (4) Assignment may also be made on the basis of
9 the offender's treatment program performance, as a
10 disciplinary measure, for medical needs, and for space
11 availability at community residential facilities. If
12 there is insufficient space at a community residential
13 facility, the court may order an offender to be
14 released to the supervision of the judicial district
15 department of correctional services or held in jail."

16 29. Page 27, by inserting after line 13 the

17 following:

18 "Sec. 101. CONVERSION OF GOOD CONDUCT TIME. On
 19 the effective date of this Act, the department shall
 20 convert the existing accrued good conduct time and
 21 other accrued reductions on each inmate's sentence to
 22 earned time. An inmate's sentence shall be credited
 23 with one day of earned time for every one day of
 24 reduction credited under section 903A.2 and not lost
 25 or forfeited under section 903A.3. The earned time
 26 credited to an inmate's sentence shall equal the
 27 amount of good conduct time or other reductions
 28 credited which have not been lost or forfeited prior
 29 to January 1, 2001. The department shall provide an
 30 inmate with the number of earned time credits which
 31 have been applied to the inmate's sentence as a result
 32 of the conversion by February 1, 2001."

33 30. Page 27, by inserting after line 23 the
 34 following:

35 "Sec. __. SEX OFFENDER REGISTRY - STUDY. The
 36 legislative council is requested to establish a
 37 legislative interim committee to study issues
 38 concerning the operation of the sex offender registry
 39 program pursuant to chapter 692A. The committee
 40 should be directed to assess the current effectiveness
 41 of the sex offender registry program and to consider,
 42 among other issues, the method of determining
 43 placement on the registry, the timeliness of
 44 information placed on the registry, and the
 45 dissemination of information on the registry. In
 46 conducting its study, the committee should examine the
 47 effectiveness of sex offender registry programs in
 48 other states and should consider testimony from
 49 interested stakeholders involved in Iowa's sex
 50 offender registry program at both the state and local

Page 20

1 level. The interim committee should submit a report,
 2 including its findings and recommendations, to the
 3 general assembly for the 2001 legislative session."

4 31. Page 27, by inserting after line 23 the
 5 following:

6 "Sec. __. Chapter 714C, Code 1999, is repealed.

7 Sec. __. Chapter 716A, Code 1999 and Code
 8 Supplement 1999, is repealed.

9 Sec. __. Sections 722.6 and 722.9, Code 1999, are
 10 repealed.

11 Sec. __. EFFECTIVE DATE. The amendments in this
 12 Act to chapter 903A, and section 101 of this Act
 13 converting good conduct time, take effect on January
 14 1, 2001."

15 32. Title page, line 2, by inserting after the

16 word "statutory" the following: "and criminal
17 penalty".
18 33. By renumbering, relettering, or redesignating
19 and correcting internal references as necessary.

Garman of Story asked and received unanimous consent to withdraw amendment H-9089, to the Senate amendment H-9077, filed by her from the floor.

Garman of Story offered the following amendment H-9085, to the Senate amendment H-9077, filed by her from the floor and moved its adoption:

H-9085

1 Amend the Senate amendment, H-9077, to House File
2 2552, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 27 the
5 following:
6 " ___. Page 9, line 20, by inserting after the
7 word "facility." the following: "However, in order to
8 facilitate the phaseout of using medical contract
9 employees for medical services at the Fort Madison
10 correctional facility, the department may continue to
11 use medical contract employees at the facility for a
12 period of time not to exceed the three months
13 immediately following July 1, 2000." "

Amendment H-9085 was adopted.

Shey of Linn offered the following amendment H-9092, to the Senate amendment H-9077, filed by him, Larson of Linn and Kreiman of Davis, from the floor and moved its adoption:

H-9092

1 Amend the Senate amendment, H-9077, to House File
2 2552, as amended, passed, and reprinted by the House
3 as follows:
4 1. Page 1, by inserting after line 27 the
5 following:
6 " ___. Page 10, by inserting after line 21 the
7 following:
8 "h. As a condition of the appropriation made in
9 this subsection, the director of the department of
10 corrections, in consultation with the directors of the
11 judicial district departments of correctional services

- 12 and the director of the department of workforce
13 development, shall consider developing a
14 rehabilitation program pilot project in two judicial
15 districts. The rehabilitation program pilot project
16 may include but is not limited to the following:
17 1. A career interest inventory assessment.
18 2. An employment program.
19 3. A treatment program.
20 4. An educational program.""
21 2. By renumbering as necessary.

Amendment H-9092 lost.

Parmenter of Story offered the following amendment H-9084, to the Senate amendment H-9077, filed by him from the floor and moved its adoption:

H-9084

- 1 Amend Senate amendment, H-9077, to House File 2552,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 17, line 48, by striking the word "shall"
5 and inserting the following: "may".

Amendment H-9084 was adopted.

Millage of Scott offered amendment H-9079, to the Senate amendment H-9077, filed by him from the floor as follows:

H-9079

- 1 Amend the Senate amendment, H-9077, to House File
2 2552, as amended, passed, and reprinted by the House,
3 as follows:
4 1. By striking page 2, line 48, through page 19,
5 line 32.
6 2. Page 20, by striking lines 4 through 17.

Ford of Polk offered amendment H-9091, to amendment H-9079, to the Senate amendment H-9077, filed by him from the floor as follows:

H-9091

- 1 Amend the amendment, H-9079, to Senate amendment,
2 H-9077, to House File 2552, as amended, passed, and
3 reprinted by the House, as follows:

- 4 1. Page 1, line 4, by striking the word and
 5 figures "2, line 48" and inserting the following: "3,
 6 line 25".

Weigel of Chickasaw asked for unanimous consent to defer House File 2552.

Objection was raised.

Weigel of Chickasaw moved to defer House File 2552.

A non-record roll call was requested.

The ayes were 44, nays 51.

The motion to defer House File 2552 lost.

Ford of Polk moved the adoption of amendment H-9091, to amendment H-9079, to the Senate amendment H-9077.

Roll call was requested by Ford of Polk and Schrader of Marion.

On the question "Shall amendment H-9091, to amendment H-9079, to the Senate amendment H-9077, be adopted?" (H.F. 2552)

The ayes were, 47:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Cormack	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Frevert	Greimann
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Martin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor, D.	Taylor, T.
Thomas	Van Fossen	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 53:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner

Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Metcalf	Millage	Nelson-Forbes
Raecker	Rants	Rayhons	Shey
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Weidman	Welter
Mr. Speaker			
Siegrist			

Absent or not voting, none.

Amendment H-9091 lost.

Hansen of Pottawattamie in the chair at 7:13 p.m.

Speaker pro tempore Sukup in the chair at 7:20 p.m.

Millage of Scott moved the adoption of amendment H-9079, to the Senate amendment H-9077.

Roll call was requested by Greiner of Washington and Larson of Linn.

Rule 75 was invoked.

On the question "Shall amendment H-9079, to the Senate amendment H-9077, be adopted?" (H.F. 2552)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Metcalf	Millage	Nelson-Forbes	Raecker
Rants	Rayhons	Shey	Siegrist, Spkr.
Sunderbruch	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Sukup, Presiding

The nays were, 41:

Bell	Bukta	Cataldo	Chiodo
Cohoon	Connors	Davis	Doderer
Dotzler	Falck	Fallon	Foege
Ford	Frevert	Greimann	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor, D.	Taylor, T.	Weigel	Wise
Witt			

Absent or not voting, 3:

Drees	Grundberg	Martin
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Amendment H-9079 was adopted, placing amendment H-9084, previously adopted and found on page 1822 of the House Journal, out of order.

Speaker Siegrist in the chair at 7:45 p.m.

Garman of Story offered amendment H-9093 filed by her, Bell of Jasper, Davis of Wapello, Jager of Black Hawk, Mundie of Webster and Richardson of Warren from the floor as follows:

H-9093

- 1 Amend the Senate amendment, H-9077, to House File
- 2 2552, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 " ____ Page 3, by striking line 35 and inserting
- 7 the following:
- 8 "..... \$ 950,000"
- 9 2. Page 1, by striking lines 5 and 6 and
- 10 inserting the following:
- 11 ".....\$ 29,970,766
- 12 ".....FTEs 534.58"
- 13 3. Page 1, line 12, by striking the figure
- 14 "21,300,914" and inserting the following:
- 15 "21,350,914".
- 16 4. Page 1, line 27, by striking the figure
- 17 "11,960,757" and inserting the following:
- 18 "12,053,329".
- 19 5. Page 1, by inserting after line 27 the

20 following:

21 " _____. Page 10, by inserting after line 35 the

22 following:

23 "In addition to the funds appropriated in this
24 subsection, \$300,000 is appropriated from the general
25 fund of the state to the department of corrections for
26 the fiscal year beginning July 1, 2000, and ending
27 June 30, 2001, for additional educational programs for
28 inmates at state penal institutions."

29 6. Page 1, line 30, by striking the figure
30 "8,793,845" and inserting the following: "8,816,416".

31 7. Page 1, line 33, by striking the figure
32 "7,024,872" and inserting the following: "7,026,552".

33 8. Page 1, line 39, by striking the figure
34 "11,708,518" and inserting the following:
35 "11,778,613".

36 9. Page 1, line 42, by striking the figure
37 "8,875,900" and inserting the following: "8,887,640".

38 10. Page 1, by inserting after line 42 the
39 following:

40 " _____. Page 14, by striking line 14 and inserting
41 the following:
42 "..... \$ 5,183,141" "

43 11. Page 1, by inserting after line 45 the
44 following:

45 " _____. Page 18, by inserting after line 18 the
46 following:

47 "In addition to the funds appropriated in this
48 subsection, \$20,000 is appropriated from the general
49 fund of the state to the Iowa law enforcement academy
50 for the fiscal year beginning July 1, 2000, and ending

Page 2

1 June 30, 2001, for the training of instructional staff
2 at the academy."

3 _____. Page 19, by striking line 13 and inserting
4 the following:

5 "..... \$ 1,054,904" "

6 12. Page 2, by striking lines 4 through 38 and
7 inserting the following:

8 " _____. Page 23, by striking line 3 and inserting
9 the following:
10 "..... \$ 959,405"

11 _____. Page 23, by inserting after line 9 the
12 following:

13 "Sec. _____. JUDICIAL BRANCH. There is appropriated
14 from the general fund of the state to the judicial
15 branch for the fiscal year beginning July 1, 2000, and
16 ending June 30, 2001, the following amount, or so much
17 thereof as is necessary, to be used for the purpose
18 designated:

- 19 For the court appointed special advocate program,
- 20 and for not more than the following full-time
- 21 equivalent positions:
- 22 \$ 112,550
- 23 FTEs 3.76 "
- 24 13. By renumbering as necessary.

Roll call was requested by Garman of Story and Chiodo of Polk.

On the question "Shall amendment H-9093, to the Senate amendment H-9077, be adopted?" (H.F. 2552)

The ayes were, 26:

Alons	Bell	Boal	Boddicker
Brunkhorst	Cormack	Davis	Fallon
Frevert	Garman	Greimann	Grundberg
Holveck	Jager	Kreiman	Kuhn
Larson	Mascher	Mundie	Parmenter
Raecker	Richardson	Schrader	Shey
Weigel	Witt		

The nays were, 70:

Arnold	Barry	Baudler	Blodgett
Bogges	Bradley	Brauns	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Foege	Ford	Gipp	Greiner
Hahn	Hansen	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Larkin	Lord
Martin	May	Mertz	Metcalf
Millage	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Rants	Rayhons
Reynolds	Scherrman	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Welter	Whitead
Wise	Mr. Speaker		
	Siegrist		

Absent or not voting, 4:

Drees	Heaton	Shoultz	Tyrrell
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Amendment H-9093 lost.

On motion by Garman of Story the House concurred in the Senate amendment H-9077, as amended.

Garman of Story moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2552)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carrroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Fallon
Foege	Frevert	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	Osterhaus	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 5:

Ford	Jager	Kreiman	O'Brien
Parmenter			

Absent or not voting, 2:

Drees	Shoultz
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2552** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2560, a bill for an act providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns, an alternative method for computing the individual and corporate income tax credit for increasing research and development, an assistive device tax credit under the individual and corporate taxes for assisting persons with a disability in the workplace, and an increase in the deduction for pension and retirement income for income tax purposes, and including applicability dates.

Also: That the Senate has on April 25, 2000, passed the following bill in which the concurrence of the Senate was asked:

House File 2581, a bill for an act relating to the authorization of the Iowa higher education loan authority to make loans and issue obligations to make loans to entities other than educational institutions, and to finance projects to be leased to educational institutions, and providing that the obligations and income from obligations are exempt from taxation.

Also: That the Senate has on April 25, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2252, a bill for an act eliminating the future repeal of the school finance formula and providing for periodic legislative review.

Also: That the Senate has on April 25, 2000, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing effective dates and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

Unfinished Business Calendar

Senate File 441, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations, with report of committee recommending passage, was taken up for consideration.

Carroll of Poweshiek offered the following amendment H-8725 filed by him and Grundberg of Polk and moved its adoption:

H-8725

- 1 Amend Senate File 441, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 4, by striking the words
- 4 "accident and health" and inserting the following:
- 5 "dental".
- 6 2. Title page, line 2, by striking the words
- 7 "accident and health" and inserting the following:
- 8 "dental".

Amendment H-8725 was adopted.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 441)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Eddie	Falck	Fallon	Foege
Ford	Frevort	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy

Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 2:

Doderer Weigel

Absent or not voting, 3:

Drees Hoffman Shoultz

Under the provision of Rule 76, conflict of interest, Shey of Linn refrained from voting.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Carroll of Poweshiek in the chair at 8:35 p.m.

The House stood at ease at 8:37 p.m., until the fall of the gavel.

The House resumed session at 8:45 p.m., Carroll of Poweshiek in the chair.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 441** be immediately messaged to the Senate.

MOTIONS TO RECONSIDER (Amendment H-8871 to Senate File 2245)

I move to reconsider the vote by which amendment H-8871 to Senate File 2245 was adopted by the House.

MASCHER of Johnson

(Senate File 2245)

I move to reconsider the vote by which Senate File 2245 passed the House on April 25, 2000.

MASCHER of Johnson

(Senate File 2453)

I move to reconsider the vote by which Senate File 2453 passed the House on April 24, 2000.

GIPP of Winneshiek

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Tuesday morning, April 25, 2000. Had I been present, I would have voted "aye" on Senate File 2427.

BAUDLER of Adair

I was necessarily absent from the House chamber on April 25, 2000. Had I been present, I would have voted "aye" on Senate File 2427.

HANSEN of Pottawattamie

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 25th day of April, 2000: House Files 475, 683, 754, 2463 and 2473.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 25, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2198, an act directing the department of education to conduct a feasibility study of reorganization and sharing incentives for school districts.

House File 2419, an act concerning the criminal penalties relating to amphetamines or drug paraphernalia.

Senate File 2213, an act relating to on-site presence of a pipeline company representative during farmland improvements near pipelines.

Senate File 2302, an act relating to programs and public health issues under the purview of the Iowa department of public health and the appropriation of certain fees to the department and providing an effective date.

Senate File 2426, an act relating to the designation, valuation, and taxation of property in a horizontal property regime and including an effective date.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

April 25, 2000

Brent Siegrist
Speaker of the House
State Capitol Building
L O C A L

Dear Speaker Siegrist:

I hereby transmit House File 2502, an act relating to fee-supported services provided by a county including the payment of county law enforcement salaries and expenses and providing applicability dates.

I am unable to approve House File 2502, and hereby transmit it to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

House File 2502 provides that a county shall use general funds to pay for salary costs and expenses incurred in the performance of law enforcement responsibilities. This bill was introduced to specifically address the issue of uniform patrol expenditures. In recent years, some counties have moved away from covering all uniform patrol expenditures through the county general fund and have started to apportion

costs associated with patrol in unincorporated areas to the county rural services fund. This bill would prohibit that apportionment from occurring.

For FY00, twelve counties have funded uniform patrol services for unincorporated areas from the rural services fund. There currently is litigation pending against two of those counties on the issue of whether those services can be funded through the rural services fund. It would be premature to make code changes before these cases have been resolved by the courts.

I am also concerned about the potential double taxation this bill would impose on some taxpayers. City residents could be paying for law enforcement through both the city budget and the county budget, thus paying twice for these services.

For the above reasons, I hereby respectfully disapprove House File 2502.

Sincerely,
Thomas J. Vilsack
Governor

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five sixth grade students from Lenox Elementary School, Lenox, accompanied by teachers Mary Beaman, Gary Smith and Tina Ecklin. By Boggess of Page.

Thirty-one elementary students from New Market School, New Market, accompanied by Martha Hergberg. By Boggess of Page.

Fifty fifth grade students from Stowe Elementary School, Des Moines, accompanied by Mrs. Peake, Ms. Serianz, Ms. Fagan and Mrs. Wimber. By Connors of Polk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\920 Edna and Dean Beresford, Douds – For celebrating their 60th wedding anniversary.
- 2000\921 Margaret and Ferd Michaels, Waterloo – For celebrating their 50th wedding anniversary.
- 2000\922 Beverly and Herbert Heth, Washburn – For celebrating their 50th wedding anniversary.
- 2000\923 Matthew Becker, Algona – For being selected a Northwest Regional Winner for the Des Moines Register's 2000 Academic All-State Team.
- 2000\924 Walter Szemkus, Garber – For celebrating his 85th birthday.
- 2000\925 Lois Davies, Elkader – For celebrating her 87th birthday.
- 2000\926 Lucy Leete, Volga – For celebrating her 90th birthday.
- 2000\927 Linda Klasen, McGregor – For celebrating her 102nd birthday.
- 2000\928 Jeffrey Ohman, Ames – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

RESOLUTIONS FILED

HR 125, by Alons, a resolution requesting the United States Congress to enact legislation equalizing the federal tax treatment of medical savings accounts and third-party health insurance coverage provided by employers.

Laid over under **Rule 25**.

HCR 124, by Heaton, a concurrent resolution requesting the legislative council to establish one or more interim committees to study human services issues.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—9081	H.F.	2572	Murphy of Dubuque
H—9088	H.F.	2572	Murphy of Dubuque
H—9094	H.F.	2560	Senate Amendment
H—9095	H.F.	2560	Warnstadt of Woodbury Whitead of Woodbury
H—9096	H.F.	2560	Jager of Black Hawk

H—9097	S.F.	2433	Dix of Butler
H—9098	S.F.	2252	Senate Amendment

On motion by Rants of Woodbury the House adjourned at 8:50 p.m., until 9:00 a.m., Wednesday, April 26, 2000.

JOURNAL OF THE HOUSE

One Hundred Eighth Calendar Day - Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 26, 2000

The House met pursuant to adjournment at 9:10 a.m., Speaker Siegrist in the chair.

Prayer was offered by the Honorable Brent Siegrist, Speaker of the House.

The Journal of Tuesday, April 25, 2000 was approved.

SPECIAL PRESENTATION

Speaker Siegrist invited Doorkeeper Marvin Hollingshead to the well and presented to him a certificate of recognition for his outstanding skill in woodcraft, and his devotion to sharing his talent with the Iowa House of Representatives.

The House rose and expressed its appreciation.

MOTIONS TO RECONSIDER WITHDRAWN (Senate File 2245)

Mascher of Johnson asked and received unanimous consent to withdraw the motion to reconsider Senate File 2245, a bill for an act relating to penalties for city and county ordinances and to scheduled violations, filed by her on April 25, 2000, and amendment H-8871 found on pages 1781 and 1782 of the House Journal.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2245** be immediately messaged to the Senate.

Rants of Woodbury asked and received unanimous consent to suspend the rules for the consideration of House File 2576.

SENATE AMENDMENT CONSIDERED

Grundberg of Polk called up for consideration **Senate File 2252**, a bill for an act eliminating the future repeal of the school finance formula and providing for periodic legislative review, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-9098 to the House amendment:

H-9098

- 1 Amend the House amendment, S-5336, to Senate File
- 2 2252, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 3 through 12 and
- 4 inserting the following:
- 5 " ____ Page 1, by striking lines 5 through 26 and
- 6 inserting the following:
- 7 **"NEW SUBSECTION. 4. LEGISLATIVE REVIEW.** The
- 8 provisions of this chapter shall be subject to
- 9 legislative review at least every five years. The
- 10 review shall be based upon a school finance formula
- 11 status report containing the recommendations of a
- 12 legislative interim committee appointed to conduct a
- 13 review of the school finance formula, to be prepared
- 14 with the assistance of the department of education, in
- 15 association with the departments of management and
- 16 revenue and finance. The report shall include
- 17 recommendations for school finance formula changes or
- 18 revisions based upon demographic changes, enrollment
- 19 trends, and property tax valuation fluctuations
- 20 observed during the preceding five-year interval; an
- 21 analysis of the operation of the school finance
- 22 formula during the preceding five-year interval; and a
- 23 summary of issues that have arisen since the previous
- 24 review and potential approaches for their resolution.
- 25 The first such report shall be submitted to the
- 26 general assembly no later than January 1, 2005, with
- 27 subsequent reports developed and submitted by January
- 28 1 at least every fifth year thereafter." "
- 29 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9098, to the House amendment.

Grundberg of Polk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2252)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Jager Van Fossen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2241, a bill for an act relating to the consolidation of certain criminal

offenses concerning computer access, damage, or theft, video rental theft, election bribery, and voting duress.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILL Appropriations Calendar

House File 2576, a bill for an act providing a death benefit for certain volunteer emergency services providers killed in the line of duty and providing a standing appropriation, with report of committee recommending passage, was taken up for consideration.

Eddie of Buena Vista asked and received unanimous consent to withdraw amendment H-9045 filed by him on April 24, 2000.

Horbach of Tama offered the following amendment H-8967 filed by him and moved its adoption:

H-8967

- 1 Amend House File 2576 as follows:
- 2 1. Page 2, line 16, by striking the figure "97B"
- 3 and inserting the following: "97A, 97B,".

Amendment H-8967 was adopted.

Baudler of Adair asked and received unanimous consent to withdraw amendment H-8923 filed by Baudler, et al., on April 18, 2000.

Martin of Scott asked and received unanimous consent to withdraw amendment H-8927 filed by her on April 18, 2000.

Martin of Scott offered the following amendment H-9064 filed by her and moved its adoption:

H-9064

- 1 Amend House File 2576 as follows:
- 2 1. Page 2, by inserting after line 16 the
- 3 following:
- 4 "Sec. ____ REPEAL -- LEGISLATIVE INTENT.
- 5 1. This Act is repealed July 1, 2002.
- 6 2. It is the intent of the general assembly that

7 the repeal of this Act on July 1, 2002, will allow
 8 consideration of recommendations relating to this Act
 9 to be received by the general assembly from the
 10 department of management based on the department's
 11 study of the possible implementation of a system to
 12 provide retirement benefits and death and survivor
 13 benefits to volunteer fire fighters and volunteer
 14 emergency medical service personnel."
 15 2. By renumbering as necessary.

Amendment H-9064 was adopted.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2576)

The ayes were, 100:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiодо
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Siegrist

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2576** and **Senate File 2252**.

SENATE AMENDMENT CONSIDERED

Baudler of Adair called up for consideration **Senate File 2241**, a bill for an act relating to the consolidation of certain criminal offenses concerning computer access, damage, or theft, video rental theft, election bribery, and voting duress, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-9100, to the House amendment:

H-9100

- 1 Amend the House amendment, S-5562, to Senate File
- 2 2241, as passed by the Senate, as follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "purposes" the following: "at a commercial
- 5 establishment licensed or permitted under this
- 6 chapter".
- 7 2. Page 1, line 20, by inserting after the word
- 8 "permit" the following: "for on-premises
- 9 consumption,".
- 10 3. By striking page 1, line 29, through page 3,
- 11 line 14.
- 12 4. Page 3, by inserting after line 35 the
- 13 following:
- 14 "____. Page 5, by inserting after line 4 the
- 15 following:
- 16 "Sec. ____ Section 901B.1, subsection 3, Code
- 17 1999, is amended to read as follows:
- 18 3. Each judicial district and judicial district
- 19 department of correctional services shall implement an
- 20 intermediate criminal sanctions program by July 1,
- 21 2001. An intermediate criminal sanctions program
- 22 shall consist of only levels two, three, and sublevels
- 23 one and three of level four of the corrections
- 24 continuum and shall be operated in accordance with an
- 25 intermediate criminal sanctions plan adopted by the
- 26 chief judge of the judicial district and the director
- 27 of the judicial district department of correctional

28 services. The plan adopted shall be designed to
29 reduce probation revocations to prison through the use
30 of incremental, community-based sanctions for
31 probation violations.

32 The plan shall be subject to rules adopted by the
33 department of corrections. The rules shall include
34 provisions for transferring individuals between levels
35 in the continuum. The provisions shall include a
36 requirement that the reasons for the transfer be in
37 writing and that an opportunity for the individual to
38 contest the transfer be made available.

39 A copy of the program and plan shall be filed with
40 the chief judge of the judicial district, the
41 department of corrections, and the division of
42 criminal and juvenile justice planning of the
43 department of human rights by July 1, 2001.

44 Sec. ___. Section 907.3, subsection 2, unnumbered
45 paragraph 1, Code Supplement 1999, is amended to read
46 as follows:

47 At the time of or after pronouncing judgment and
48 with the consent of the defendant, the court may defer
49 the sentence and assign the defendant to the judicial
50 district department of correctional services. The

Page 2

1 court may assign the defendant to supervision or
2 services under section 901B.1 at the level of
3 sanctions which the district department determines to
4 be appropriate, ~~if an intermediate criminal sanctions~~
5 ~~plan and program has been adopted in the judicial~~
6 ~~district under section 901B.1.~~ However, the court
7 shall not defer the sentence for a violation of any of
8 the following: "

9 5. By renumbering, relettering, or redesignating
10 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9100, to the House amendment.

Baudler of Adair moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2241)

The ayes were, 100:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greimann	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Siegrist

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2241** be immediately messaged to the Senate.

HOUSE REFUSED TO CONCUR

Sunderbruch of Scott called up for consideration **House File 2519**, a bill for an act relating to probation and parole by extending the repeal of the sixth judicial district pilot project concerning probation revocation hearings and by establishing the position of vice chairperson of the board of parole, and providing an effective date,

amended by the Senate, and moved that the House concur in the following Senate amendment H-8806:

H-8806

1 Amend House File 2519, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 80D.1, Code 1999, is amended
6 to read as follows:

7 80D.1 ESTABLISHMENT OF a FORCE OF RESERVE PEACE
8 OFFICERS.

9 The governing body of a city, a county, ~~or~~ the
10 state of Iowa, or a judicial district department of
11 correctional services may provide, either separately
12 or collectively through a chapter 28E agreement, for
13 the establishment of a force of reserve peace
14 officers, and may limit the size of the reserve force.
15 In the case of the state, the department of public
16 safety shall act as the governing body.

17 This chapter constitutes the only procedure for
18 appointing reserve peace officers.

19 Sec. 2. Section 80D.6, Code 1999, is amended to
20 read as follows:

21 80D.6 STATUS OF RESERVE PEACE OFFICERS.

22 Reserve peace officers shall serve as peace
23 officers on the orders and at the discretion of the
24 chief of police, sheriff, ~~or~~ commissioner of public
25 safety or the commissioner's designee, or director of
26 the judicial district department of correctional
27 services or the director's designee, as the case may
28 be.

29 While in the actual performance of official duties,
30 reserve peace officers shall be vested with the same
31 rights, privileges, obligations, and duties as any
32 other peace officers.

33 Sec. 3. Section 80D.7, Code 1999, is amended to
34 read as follows:

35 80D.7 CARRYING WEAPONS.

36 A member of a reserve force shall not carry a
37 weapon in the line of duty until the member has been
38 approved by the governing body and certified by the
39 Iowa law enforcement academy council to carry weapons.
40 After approval and certification, a reserve peace
41 officer may carry a weapon in the line of duty only
42 when authorized by the chief of police, sheriff, ~~or~~
43 commissioner of public safety or the commissioner's
44 designee, or director of the judicial district
45 department of correctional services or the director's
46 designee, as the case may be.

47 Sec. 4. Section 80D.9, Code 1999, is amended to
 48 read as follows:
 49 80D.9 SUPERVISION OF RESERVE PEACE OFFICERS.
 50 Reserve peace officers shall be subordinate to

Page 2

1 regular peace officers, shall not serve as peace
 2 officers unless under the direction of regular peace
 3 officers, and shall wear a uniform prescribed by the
 4 chief of police, sheriff, ~~or~~ commissioner of public
 5 safety, or director of the judicial district
 6 department of correctional services unless that
 7 superior officer designates alternate apparel for use
 8 when engaged in assignments involving special
 9 investigation, civil process, court duties, jail
 10 duties and the handling of mental patients. The
 11 reserve peace officer shall not wear an insignia of
 12 rank. Each department for which a reserve force is
 13 established shall appoint a regular force peace
 14 officer as the reserve force co-ordinating and
 15 supervising officer. That regular peace officer shall
 16 report directly to the chief of police, sheriff, ~~or~~
 17 commissioner of public safety or the commissioner's
 18 designee, or director of the judicial district
 19 department of correctional services or the director's
 20 designee, as the case may be.

21 Sec. 5. Section 80D.11, Code 1999, is amended to
 22 read as follows:

23 80D.11 EMPLOYEE – PAY.

24 While performing official duties, each reserve
 25 peace officer shall be considered an employee of the
 26 governing body which the officer represents and shall
 27 be paid a minimum of one dollar per year. The
 28 governing body of a city, a county, ~~or~~ the state, or a
 29 judicial district department of correctional services
 30 may provide additional monetary assistance for the
 31 purchase and maintenance of uniforms and equipment
 32 used by reserve peace officers.

33 Sec. 6. Section 222.60, unnumbered paragraph 1,
 34 Code 1999, is amended to read as follows:

35 All necessary and legal expenses for the cost of
 36 admission or commitment, including expenses incurred
 37 pursuant to section 812.5, or for the treatment,
 38 training, instruction, care, habilitation, support and
 39 transportation of persons with mental retardation, as
 40 provided for in the county management plan provisions
 41 implemented pursuant to section 331.439, subsection 1,
 42 in a state hospital-school, or in a special unit, or
 43 any public or private facility within or without the
 44 state, approved by the director of the department of
 45 human services, shall be paid by either:

46 Sec. 7. Section 226.30, Code 1999, is amended to
47 read as follows:
48 226.30 TRANSFER OF DANGEROUS PATIENTS.
49 When a patient of any hospital for persons with
50 mental illness becomes incorrigible, and unmanageable

Page 3

1 to such an extent that the patient is dangerous to the
2 safety of others in the hospital, the administrator,
3 following review and approval of the director of the
4 department of corrections, may apply in writing to the
5 district court or to any judge ~~thereof~~, of the county
6 in which the hospital is situated, for an order to
7 transfer the patient to the Iowa medical and
8 classification center and if the order is granted the
9 patient shall be ~~so~~ transferred. The county attorney
10 of the county shall appear in support of the
11 application on behalf of the administrator.
12 Sec. 8. Section 230.1, subsection 1, unnumbered
13 paragraph 1, Code Supplement 1999, is amended to read
14 as follows:
15 The necessary and legal costs and expenses
16 attending the taking into custody, care,
17 investigation, admission, commitment, including civil
18 commitment pursuant to section 812.5, and support of a
19 person with mental illness admitted or committed to a
20 state hospital shall be paid by a county or by the
21 state as follows:
22 Sec. 9. Section 704.8, Code 1999, is amended to
23 read as follows:
24 704.8 ESCAPE FROM PLACE OF CONFINEMENT.
25 A correctional officer or peace officer is
26 justified in using reasonable force, including deadly
27 force, which is necessary to prevent the escape of any
28 person from any jail, penal institution, correctional
29 facility, or similar place of confinement, or place of
30 trial or other judicial proceeding, or to prevent the
31 escape from custody of any person who is being
32 transported from any such place of confinement, trial
33 or judicial proceeding to any other such place, except
34 that deadly force may not be used to prevent the
35 escape of one who the correctional officer or peace
36 officer knows ~~or should know~~ is confined on a charge
37 or conviction of any class of misdemeanor.
38 Sec. 10. Section 904.202, Code 1999, is amended to
39 read as follows:
40 904.202 INTAKE AND CLASSIFICATION CENTER.
41 The director may provide facilities and personnel
42 for a diagnostic intake and classification center.
43 The work of the center shall include a scientific
44 study of each inmate, the inmate's career and life

45 history, the causes of the inmate's criminal acts and
46 recommendations for the inmate's custody, care,
47 training, employment, and counseling with a view to
48 rehabilitation and to the protection of society. To
49 facilitate the work of the center and to aid in the
50 rehabilitation of the inmates, the trial judge,

Page 4

1 prosecuting attorney, and presentence investigators
2 shall furnish the director ~~upon request~~ with any
3 previously authorized presentence investigation report
4 and a full statement of facts and circumstances
5 attending the commission of the offense so far as
6 known or believed by them. If the department develops
7 and utilizes an inmate classification system, it must,
8 within a reasonable time, present evidence from
9 independent experts as to the effectiveness and
10 validity of the classification system.

11 Sec. 11. Section 904.405, Code 1999, is amended to
12 read as follows:

13 904.405 TRANSCRIPT OF TESTIMONY.

14 The director shall cause the testimony taken at the
15 investigation to be ~~transcribed and recorded~~. The
16 recording of the testimony shall not be transcribed
17 unless the testimony is part of a case that is
18 appealed or an interested party requests a transcript.
19 The recording of the testimony, or the transcription
20 thereof, shall be filed and maintained in the
21 director's office at the seat of government within ten
22 days after the testimony is taken, or as soon as
23 practicable, and when filed the testimony shall be
24 open for the inspection of any person for at least
25 five years from the date the testimony is taken or the
26 date of a final decision in a case involving the
27 testimony, whichever is later.

28 Sec. 12. Section 904.508, subsections 1 and 2,
29 Code 1999, are amended to read as follows:

30 1. The superintendent of each institution shall
31 receive and care for any property an inmate may
32 possess on the inmate's person upon entering the
33 institution, and on the discharge of the inmate,
34 return the property to the inmate or the inmate's
35 legal representatives, unless the property has been
36 previously disposed of according to the inmate's
37 written designation or policies prescribed by the
38 board. ~~The superintendent may place an inmate's money~~
39 ~~at interest, keeping an account of the money and~~
40 ~~returning the remaining money upon discharge.~~

41 2. The director shall establish and maintain an
42 inmate savings fund in an ~~interest-bearing~~ account for
43 the deposit of all or part of an inmate's allowances,

44 as provided in section 904.702. All or part of an
45 inmate's allowances shall be deposited into the
46 savings fund, until the inmate's deposit is equal to
47 the amount due the inmate upon discharge, parole, or
48 placement on work release, as provided in section
49 906.9. If an inmate's deposits equal this amount, the
50 inmate may voluntarily withdraw from the savings fund.

Page 5

1 The director shall notify the inmate of this right to
2 withdraw and shall provide the inmate with a written
3 request form to facilitate the withdrawal. If the
4 inmate withdraws and the inmate's deposits exceed the
5 amount due as provided in section 906.9, the director
6 shall disburse the excess amount as provided for
7 allowances under section 904.702, except the director
8 shall not deposit the excess amount in the inmate
9 savings fund. If the inmate chooses to continue to
10 participate in the savings fund, the inmate's deposits
11 shall be returned to the inmate upon discharge,
12 parole, or placement on work release. Otherwise, the
13 inmate's deposits shall be disposed of as provided in
14 subsection 3. An inmate's deposits into the savings
15 fund may be used to provide the money due the inmate
16 upon discharge, parole, or placement on work release,
17 as required under section 906.9. ~~Interest earned from
18 the savings fund shall be placed in a separate
19 account, and may be used for purchases approved by the
20 director to directly and collectively benefit inmates.~~

21 Sec. 13. Section 904.602, subsection 1, Code 1999,
22 is amended by adding the following new paragraph:
23 NEW PARAGRAPH. m. Family and personal history if
24 the individual is dead or has not received services
25 from the department or the judicial district
26 departments of correctional services for at least ten
27 years prior to a request for the information.

28 Sec. 14. Section 904.602, subsection 2, paragraph
29 h, Code 1999, is amended to read as follows:

30 h. Family and personal history if the individual
31 is alive and has received services from the department
32 or the judicial district departments of correctional
33 services within the ten years preceding a request for
34 the information.

35 Sec. 15. Section 904.809, subsection 2, paragraph
36 b, Code Supplement 1999, is amended by adding the
37 following new subparagraph:

38 NEW SUBPARAGRAPH. (3) The lease agreement shall
39 establish a cost for the lease which shall take into
40 consideration compensation for the amount of building
41 space utilized compared to the cost of similar space
42 leased outside the institution in the local community,

43 maintenance costs, and modifications made to a
44 correctional facility to accommodate the lessee such
45 as payment of utilities and depreciation costs, and a
46 pro rata cost of correctional officer supervision of
47 inmates.
48 Sec. 16. Section 904.809, subsection 2, Code
49 Supplement 1999, is amended by adding the following
50 new paragraph:

Page 6

1 NEW PARAGRAPH. c. Effective July 1, 2001, a
2 portion of moneys received pursuant to a lease
3 negotiated pursuant to the requirements of this
4 section shall be deposited in the general fund of the
5 state and that portion of the moneys received
6 representing the cost of building maintenance,
7 modification, and utilities as it relates to the lease
8 are deemed repayment receipts as defined in section
9 8.2.

10 Sec. 17. Section 904A.1, Code 1999, is amended to
11 read as follows:

12 904A.1 BOARD OF PAROLE.

13 The board of parole is created to consist of five
14 members. Each member, except the chairperson and the
15 vice chairperson, shall be compensated on a day-to-day
16 basis. Each member shall serve a term of four years
17 beginning and ending as provided by section 69.19;
18 except for members appointed to fill vacancies who
19 shall serve for the balance of the unexpired term.
20 The terms shall be staggered. The chairperson and
21 vice chairperson of the board shall be a full-time,
22 salaried ~~member~~ members of the board. A majority of
23 the members of the board constitutes a quorum to
24 transact business.

25 Sec. 18. NEW SECTION. 904A.4C VICE CHAIRPERSON
26 OF THE BOARD OF PAROLE.

27 The vice chairperson of the board of parole shall
28 be appointed from the membership of the board of
29 parole by the governor. The vice chairperson shall
30 serve at the pleasure of the governor and shall have
31 such responsibilities and duties as are determined by
32 the chairperson. The vice chairperson shall act as
33 the chairperson in the absence or disability of the
34 chairperson or in the event of a vacancy in that
35 office, until such time as a new chairperson is
36 appointed by the governor.

37 Sec. 19. Section 904A.6, Code 1999, is amended to
38 read as follows:

39 904A.6 SALARIES AND EXPENSES.

40 Each member, except the chairperson and the vice
41 chairperson, of the board shall be paid per diem as

42 determined by the general assembly. The chairperson
43 and vice chairperson of the board shall be paid a
44 salary as determined by the general assembly. Each
45 member of the board and all employees are entitled to
46 receive, in addition to their per diem or salary,
47 their necessary maintenance and travel expenses while
48 engaged in official business.
49 Sec. 20. 1998 Iowa Acts, chapter 1197, section 13,
50 is amended to read as follows:

Page 7

1 SEC. 13. EFFECTIVE DATES – REPEALS.
2 1. This division and Division I of this Act, being
3 deemed of immediate importance, take effect upon
4 enactment.
5 2. Division I of this Act is repealed June 30,
6 ~~2000~~ 2002.
7 3. Division II of this Act takes effect July 1,
8 ~~2000~~ 2002.
9 Sec. 21. PERSONS WITH MENTAL RETARDATION –
10 LIABILITY OF COUNTY AND STATE.
11 1. Notwithstanding any provision of section 222.60
12 to the contrary, all necessary and legal expenses for
13 the cost of admission or commitment, including
14 expenses incurred pursuant to section 812.5, or for
15 the treatment, training, instruction, care,
16 habilitation, support, and transportation of an
17 eligible person with mental retardation shall be paid
18 by the county in which such person has a legal
19 settlement as defined in section 252.16, or, if such
20 person has no legal settlement or when such settlement
21 is unknown, by the state. The provisions of section
22 222.60 not inconsistent with this section shall apply
23 to this section.
24 2. For purposes of this section, an "eligible
25 person with mental retardation" means a person with
26 mental retardation who has been charged with a
27 criminal offense and who is transferred or referred to
28 a state hospital-school or state hospital for any of
29 the following reasons:
30 a. A diagnosis or recommendation as part of the
31 pretrial or presentence procedure.
32 b. A determination of mental competency or,
33 pursuant to Iowa rule of criminal procedure 21, a
34 placement of a defendant.
35 c. A determination of competency to stand trial, a
36 determination of a defendant's dangerousness, or a
37 commitment as mentally incompetent to stand trial
38 pursuant to section 812.4.
39 d. A diagnosis, evaluation, or treatment for a
40 prisoner transferred from a county or city jail.

41 3. The single entry point process established by a
42 county under section 331.440 shall not apply to this
43 section and a court is not required to seek
44 authorization through the single entry point process
45 prior to transferring or referring an eligible person
46 with mental retardation to a state hospital-school or
47 state hospital for any reason described in subsection
48 2, paragraphs "a" through "d".

49 4. This section is repealed June 30, 2001.

50 Sec. 22. PERSONS WITH MENTAL ILLNESS – LIABILITY

Page 8

1 OF COUNTY AND STATE.

2 1. Notwithstanding any provision of section 230.1
3 to the contrary, the necessary and legal costs and
4 expenses attending the taking into custody, care,
5 investigation, admission, commitment, including civil
6 commitment pursuant to section 812.5, and support of
7 an eligible person with mental illness shall be paid
8 by a county in which such person has a legal
9 settlement; or, if such person has no legal settlement
10 in this state or the person's legal settlement is
11 unknown, by the state. The provisions of section
12 230.1 not inconsistent with this section shall apply
13 to this section.

14 2. For purposes of this section, an "eligible
15 person with mental illness" means a person with mental
16 illness who has been charged with a criminal offense
17 and who is transferred or referred to a state hospital
18 for any of the following reasons:

19 a. A psychosocial diagnosis or recommendation as
20 part of the pretrial or presentence procedure.

21 b. A determination of mental competency or,
22 pursuant to Iowa rule of criminal procedure 21, a
23 placement of a defendant.

24 c. A determination of competency to stand trial, a
25 determination of a defendant's dangerousness, or a
26 commitment as mentally incompetent to stand trial
27 pursuant to section 812.4.

28 d. A diagnosis, evaluation, or treatment for
29 mental illness for a prisoner transferred from a
30 county or city jail.

31 3. The single entry point process established by a
32 county under section 331.440 shall not apply to this
33 section and a court is not required to seek
34 authorization through the single entry point process
35 prior to transferring or referring an eligible person
36 with mental illness to a state hospital for any reason
37 described in subsection 2, paragraphs "a" through "d".

38 4. This section is repealed June 30, 2001.

39 Sec. 23. LEGISLATIVE STUDY – LIABILITY OF STATE

40 OR COUNTY – PERSONS WITH MENTAL ILLNESS OR MENTAL
41 RETARDATION. The legislative council of the Iowa
42 general assembly is requested to establish a
43 legislative interim study committee during the 2000
44 interim to review issues concerning whether the county
45 or state should be liable for the payment of costs and
46 expenses associated with the transferring and
47 referring of a person to a state hospital or state
48 hospital-school for mental illness or mental
49 retardation who has been charged with a criminal
50 offense. The committee shall consider proposals,

Page 9

1 including the mechanism established in sections 22 and
2 23 of this Act, for determining when the county or the
3 state should be liable and, if applicable, for
4 determining which county should be liable. The
5 legislative interim study committee should issue a
6 report to the general assembly by January 1, 2001,
7 concerning its findings and recommendations.
8 Sec. 24. EFFECTIVE DATE. Section 20 of this Act,
9 being deemed of immediate importance, takes effect
10 upon enactment."
11 2. Title page, by striking lines 1 through 5 and
12 inserting the following: "An Act relating to the
13 department of corrections and concerning the
14 establishment of reserve peace officers, the transfer
15 of patients to the Iowa medical and classification
16 center, the transcription and recording of testimony
17 in certain departmental investigations, inmate
18 accounts and work programs, the receipt and release of
19 certain records by the department, the use of force by
20 correctional or peace officers, the establishment of a
21 vice chairperson for the board of parole, the delayed
22 repeal of the sixth judicial district pilot project
23 concerning probation revocation hearings, requesting
24 an interim study, and providing an effective date."
25 3. By renumbering as necessary.

The motion lost and the House refused to concur in the Senate amendment H-8806.

Unfinished Business Calendar

Rants of Woodbury asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2265 and Senate File 2276.

Senate File 2265, a bill for an act to provide an additional sentence of parole or work release for certain persons who commit the crime of lascivious acts with a child, with report of committee recommending passage, was taken up for consideration.

Jager of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2265)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Foege
Ford	Frevert	Gipp	Greimann
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shey	Shoultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 2:

Fallon Garman

Absent or not voting, 4:

Falck Grundberg Jenkins Schrader

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Sukup of Franklin in the chair at 11:05 a.m.

Senate File 2276, a bill for an act relating to the application of earned time credits against a criminal sentence and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Shey of Linn asked and received unanimous consent to withdraw amendment H-8421 filed by the committee on judiciary on March 20, 2000, placing amendment H-9070 filed by Larson, et al., on April 24, 2000, out of order.

Shey of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2276)

The ayes were, 79:

Arnold	Baudler	Blodgett	Boal
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Dolecheck	Drake	Eddie	Foege
Frevert	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shoultz	Stevens
Sunderbruch	Taylor, D.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Welter	Whitead
Wise	Witt	Sukup,	
		Presiding	

The nays were, 19:

Alons	Boddicker	Bogges	Doderer
Dotzler	Drees	Falck	Fallon
Ford	Garman	Greimann	Heaton

Huser	Mascher	Nelson-Forbes	O'Brien
Siegrist, Spkr.	Taylor, T.	Weigel	

Absent or not voting, 2:

Barry	Bell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2519** and **Senate Files 2265** and **2276**.

HOUSE RECEDED

Van Fossen of Scott called up for consideration **House File 2562**, a bill for an act relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, and including an effective and retroactive applicability date provision, amended by the House and moved that the House recede from its amendment.

The motion prevailed and the House receded.

Van Fossen of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2562)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Drake
Eddie	Falck	Foege	Ford
Frevert	Garman	Gipp	Greiner

Grundberg	Hahn	Hansen	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	Osterhaus
Raecker	Rants	Rayhons	Scherrman
Schrader	Shey	Shoultz	Siegrist, Spkr.
Stevens	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Sukup, Presiding		

The nays were, 9:

Dotzler	Drees	Fallon	Greimann
Mertz	O'Brien	Parmenter	Reynolds
Richardson			

Absent or not voting, 1:

Heaton

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent to immediately message **House File 2562** to the Senate.

MOTION TO RECONSIDER PREVAILED

Gipp of Winneshiek called up for consideration the motion to reconsider Senate File 2453 filed on April 25, 2000, and moved to reconsider the vote by which **Senate File 2453**, a bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of

veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates, passed the House and was placed on its last reading on April 24, 2000.

A non-record roll call was requested.

The ayes were 74, nays 2.

The motion prevailed and the House reconsidered Senate File 2453.

Speaker Siegrist in the chair at 11:35 a.m.

Gipp of Winneshiek offered the following amendment H-9102 filed by him from the floor and moved its adoption:

H-9102

- 1 Amend Senate File 2453, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 24 through 28 and
- 4 inserting the following:
- 5 "2. For facility utilization review services
- 6 including a program statement, site recommendations,
- 7 schematic designs, and other design development for
- 8 additional facilities which will meet laboratory,
- 9 office, and other facility needs of state agencies,
- 10 including but not limited to interim or long-term
- 11 leasing and relocation needs related to such projects,
- 12 notwithstanding section 8.57, subsection 5, paragraph
- 13 "c":
- 14\$ 3,200,000
- 15 3. For routine maintenance of state buildings and
- 16 facilities under the purview of the department,
- 17 notwithstanding section 8.57, subsection 5, paragraph
- 18 "c":
- 19 \$ 2,000,000
- 20 The department shall quarterly file a report with
- 21 the legislative fiscal bureau detailing the use and
- 22 disposition of funds appropriated in this subsection."
- 23 2. By striking page 4, line 10, through page 5,
- 24 line 4.
- 25 3. Page 5, by striking line 33 and inserting the
- 26 following:
- 27 ".....\$ 10,300,000"

- 28 4. Page 7, by inserting after line 4 the
 29 following:
 30 "Sec. ____ 1999 Iowa Acts, chapter 204, section 6,
 31 unnumbered paragraph 2, is amended to read as follows:
 32 For planning, design, and construction of a new
 33 judicial building:
 34 FY 1999-2000.....\$ 10,000,000
 35 FY 2000-2001.....\$ 10,000,000
 36 8,000,000"
 37 5. By numbering, renumbering, and correcting internal
 38 references as necessary.

Amendment H-9102 was adopted, placing amendment H-9046, previously adopted and found on page 1757 of the House Journal, out of order.

Gipp of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2453)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cphoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Lord
Martin	Mascher	May	Mertz
Metcalf	Mundie	Murphy	Myers
Nelson-Forbes	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shey
Shoultz	Stevens	Sukup	Sunderbruch
Taylor, D.	Taylor, T.	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 5:

Drees	Fallon	Larson	Millage
Van Fossen			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

PRESENTATION TO RETIRING MEMBERS AND LEADERS

Carroll of Poweshiek and Connors of Polk invited to the well of the House for special recognition, members of the House who will be retiring or are candidates for the Iowa Senate. Plaques were presented to the following members:

Gary B. Blodgett, District 19	1993 – 2000
Minnette Doderer, District 45	1977 – 2000
James H. Drees, District 80	1995 – 2000
Sandra H. Greiner, District 96	1993 – 2000
Danny Holmes, District 40	1997 – 2000
Jack Holveck, District 72	1983 – 2000
David G. Lord, District 77	1995 – 2000
Mona L. Martin, District 43	1993 – 2000
Norman Mundie, District 14	1993 – 2000
Roger Thomas, District 32	1997 – 2000
Rosemary R. Thomson, District 51	1995 – 2000
Keith W. Weigel, District 30	1993 – 2000
Jerry Welter, District 56	1993 – 2000

House Speaker Brent Siegrist, Majority Leader Christopher Rants and Minority Leader David Schrader were invited to the Speaker's station for a special presentation.

Carroll of Poweshiek and Connors of Polk, on behalf of the House presented plaques to each leader in appreciation of his service and dedication to the Iowa House of Representatives during the Seventy-eighth General Assembly.

The House rose and expressed its appreciation.

On motion by Rants of Woodbury, the House was recessed at 11:55 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:28 p.m., Speaker Siegrist in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-two members present, forty-eight absent.

SENATE AMENDMENT CONSIDERED

Jager of Black Hawk called up for consideration **House File 2560**, a bill for an act providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns, an alternative method for computing the individual and corporate income tax credit for increasing research and development, an assistive device tax credit under the individual and corporate taxes for assisting persons with a disability in the workplace, and an increase in the deduction for pension and retirement income for income tax purposes, and including applicability dates, amended by the Senate amendment H-9094 as follows:

H-9094

- 1 Amend House File 2560, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 4, line 27, by inserting after the word
- 4 "credit" the following: ", subject to the
- 5 availability of the credit,".
- 6 2. Page 4, by striking lines 31 and 32 and
- 7 inserting the following: "credits in excess of tax
- 8 liabilities shall be refunded as provided in section
- 9 404A.4, subsection 3."
- 10 3. Page 5, by striking lines 28 through 31 and
- 11 inserting the following: "the project completion
- 12 date.
- 13 For purposes of this chapter, qualified
- 14 rehabilitation costs include amounts if they are
- 15 properly includable in computing the basis for tax
- 16 purposes of the eligible property. Amounts treated as
- 17 an expense and deducted in the tax year in which they

18 are paid or incurred and amounts that are otherwise
 19 not added to the basis for tax purposes of the
 20 eligible property are not qualified rehabilitation
 21 costs. Amounts incurred for architectural and
 22 engineering fees, site survey fees, legal expenses,
 23 insurance premiums, development fees, and other
 24 construction-related costs are qualified
 25 rehabilitation costs to the extent they are added to
 26 the basis for tax purposes of the eligible property.
 27 Costs of sidewalks, parking lots, and landscaping do
 28 not constitute qualified rehabilitation costs."

29 4. Page 6, line 14, by striking the word "sixty"
 30 and inserting the following "one hundred twenty".

31 5. Page 6, line 16, by striking the word "sixty-
 32 day" and inserting the following: "one hundred
 33 twenty-day".

34 6. Page 7, line 2, by striking the word
 35 "TRANSFER" and inserting the following: "REFUND".

36 7. Page 7, by striking line 11 and inserting the
 37 following: "department of economic development, in
 38 consultation with the state historical preservation
 39 office, shall issue a property".

40 8. Page 7, line 15, by inserting after the word
 41 "credit," the following: "and".

42 9. Page 7, by striking lines 16 through 30 and
 43 inserting the following: "information required by the
 44 department of revenue and finance.

45 3. A person receiving a property rehabilitation
 46 tax credit under this chapter which is in excess of
 47 the person's tax liability for the tax year is
 48 entitled to a refund of the excess at a discounted
 49 value. The discounted value of the tax credit refund,
 50 as calculated by the department of economic

Page 2

1 development, in consultation with the department of
 2 revenue and finance, shall be determined based on the
 3 discounted value of the tax credit five years after
 4 the tax year of the project completion at an interest
 5 rate equivalent to the prime rate plus two percent.
 6 The refunded tax credit shall not exceed seventy-five
 7 percent of the allowable tax credit.

8 4. The total amount of tax credits that may be
 9 approved for a fiscal year under this chapter shall
 10 not exceed two million four hundred thousand dollars.
 11 Tax credit certificates shall be issued on the basis
 12 of the earliest awarding of certifications of
 13 completion as provided in subsection 1. The
 14 departments of economic development and revenue and
 15 finance shall each adopt rules to jointly administer
 16 this subsection and shall provide by rule for the

17 method to be used to determine for which fiscal year
18 the tax credits are approved."
19 10. Page 7, line 33, by inserting after the word
20 "affairs" the following: ", in consultation with the
21 department of economic development,".
22 11. Page 8, line 7, by inserting after the word
23 "unused" the following: "and eligible for refund".
24 12. Page 11, line 9, by striking the word "is"
25 and inserting the following: "shall be refunded as
26 provided in section 404A.4, subsection 3."
27 13. Page 11, by striking lines 10 and 11.
28 14. Page 11, by striking lines 19 through 23.
29 15. Page 12, line 21, by striking the figure "9"
30 and inserting the following: "8A".
31 16. Page 16, line 4, by striking the figure
32 "422.11D" and inserting the following: "422.11E".
33 17. Page 17, by striking lines 9 through 15 and
34 inserting the following: "tax liability shall be
35 refunded as provided in section 404A.4, subsection 3."
36 18. Page 17, by inserting after line 17 the
37 following:
38 "Sec. 100. Section 427.1, Code Supplement 1999, is
39 amended by adding the following new subsection:
40 NEW SUBSECTION. 31. BARN PRESERVATION. The
41 increase in assessed value added to a farm structure
42 constructed prior to 1937 as a result of improvements
43 made to the farm structure for purposes of preserving
44 the integrity of the internal and external features of
45 the structure as a barn is exempt from taxation. To
46 be eligible for the exemption, the structure must have
47 been first placed in service as a barn prior to 1937.
48 The exemption shall apply to the assessment year
49 beginning after the completion of the improvements to
50 preserve the structure as a barn.

Page 3

1 For purposes of this subsection, "barn" means an
2 agricultural structure, in whatever shape or design,
3 which is used for the storage of farm products or feed
4 or for the housing of farm animals, poultry, or farm
5 equipment.
6 Application for this exemption shall be filed with
7 the assessing authority not later than February 1 of
8 the first year for which the exemption is requested,
9 on forms provided by the department of revenue and
10 finance. The application shall describe and locate
11 the specific structure for which the added value is
12 requested to be exempt.
13 Once the exemption is granted, the exemption shall
14 continue to be granted for subsequent assessment years
15 without further filing of applications as long as the

16 structure continues to be used as a barn. The
17 taxpayer shall notify the assessing authority when the
18 structure ceases to be used as a barn.

19 Sec. __. Section 25B.7 does not apply to the
20 exemption granted pursuant to section 100 of this
21 Act."

22 19. Page 17, by inserting before line 18 the
23 following:

24 "Sec. 200. Section 427.1, Code Supplement 1999, is
25 amended by adding the following new subsection:
26 NEW SUBSECTION. 32. ONE-ROOM SCHOOLHOUSE
27 PRESERVATION. The increase in assessed value added to
28 a one-room schoolhouse as a result of improvements
29 made to the structure for purposes of preserving the
30 integrity of the internal and external features of the
31 structure as a one-room schoolhouse is exempt from
32 taxation. The exemption shall apply to the assessment
33 year beginning after the completion of the
34 improvements to preserve the structure as a one-room
35 schoolhouse.

36 Application for this exemption shall be filed with
37 the assessing authority not later than February 1 of
38 the first year for which the exemption is requested,
39 on forms provided by the department of revenue and
40 finance. The application shall describe and locate
41 the specific one-room schoolhouse for which the added
42 value is requested to be exempt.

43 Once the exemption is granted, the exemption shall
44 continue to be granted for subsequent assessment years
45 without further filing of applications as long as the
46 structure is not used for dwelling purposes and the
47 structure is preserved as a one-room schoolhouse. The
48 taxpayer shall notify the assessing authority when the
49 structure ceases to be eligible. The exemption in
50 this subsection applies even though the one-room

Page 4

1 schoolhouse is no longer used for instructional
2 purposes.

3 Sec. __. Section 25B.7 does not apply to the
4 exemption granted pursuant to section 200 of this
5 Act."

6 20. Title page, line 9, by inserting after the
7 word "purposes" the following: "and a property tax
8 exemption for increasing the value of certain barns as
9 a result of the rehabilitation of the barns,".

10 21. Title page, line 9, by inserting after the
11 word "purposes" the following: "and a property tax
12 exemption for increasing the value of one-room
13 schoolhouses as a result of the rehabilitation of the
14 one-room schoolhouses,".

15 22. By renumbering, relettering, or redesignating
16 and correcting internal references as necessary.

Jager of Black Hawk asked and received unanimous consent to withdraw amendment H-9096, to the Senate amendment H-9094, filed by him on April 25, 2000.

Jager of Black Hawk offered the following amendment H-9104, to the Senate amendment H-9094, filed by him from the floor and moved its adoption:

H-9104

1 Amend the Senate amendment, H-9094, to House File
2 2560, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, line 30, by striking the words "one
5 hundred twenty" and inserting the following:
6 "ninety".
7 2. Page 1, lines 32 and 33, by striking the words
8 "one hundred twenty-day" and inserting the following:
9 "ninety-day".
10 3. Page 1, by striking lines 36 through 39 and
11 inserting the following:
12 "___ . Page 7, line 11, by inserting after the
13 word "office" the following: ", in consultation with
14 the department of economic development,." "
15 4. Page 4, by inserting after line 5 the
16 following:
17 "___ . Page 17, by inserting before line 18 the
18 following:
19 "Sec. ___. The legislative council is requested to
20 establish an interim study committee to review the
21 benefits of allowing state tax credits to be
22 transferable. In reviewing the transferability of
23 state tax credits, the study committee shall analyze
24 the benefits to the transferor, the transferee, and to
25 the state, the administrative costs involved, the
26 conditions under which transferability should be
27 allowed, and the restrictions that should be placed on
28 transferability, if any. The study committee's report
29 along with its recommendations shall be filed with the
30 legislative council by January 1, 2001."

Amendment H-9104 was adopted.

Warnstadt of Woodbury offered the following amendment H-9095, to the Senate amendment H-9094, filed by him and Whitead of Woodbury and moved its adoption:

H-9095

- 1 Amend the Senate amendment H-9094 to House File
- 2 2560, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 4, by inserting after line 5 the
- 5 following:
- 6 " ____ . Page 17, by striking lines 19 through 21 and
- 7 inserting the following: "in this Act, applies to
- 8 qualified rehabilitation costs incurred on or after
- 9 July 1, 2000." "

Amendment H-9095 was adopted.

Gipp of Winneshiek in the chair at 1:50 p.m.

On motion by Jager of Black Hawk the House concurred in the Senate amendment H-9094, as amended.

Jager of Black Hawk moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2560)

The ayes were, 98:

Alons	Arnold	Barry	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Siegrist, Spkr.	Stevens

Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Baudler Hoffman

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2549, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2560** and **Senate File 2453**.

CONSIDERATION OF BILL

Appropriations Calendar

House File 2571, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of infor-

mation technology, providing for the use of the network, and providing an effective date, was taken up for consideration.

SPECIAL PRESENTATION

Murphy of Dubuque announced to the House that the Honorable John Connors, state representative from Polk County, will be inducted into the National Golden Gloves Hall of Fame.

The House rose and expressed its congratulations.

The House resumed consideration of House File 2571.

Dix of Butler offered the following amendment H-8917 filed by him and moved its adoption:

H-8917

- 1 Amend House File 2571 as follows:
- 2 1. Page 1, by inserting after line 27 the
- 3 following:
- 4 "___ Notwithstanding section 8.57, subsection 5,
- 5 paragraph "c", there is appropriated from the rebuild
- 6 Iowa infrastructure fund to the Iowa
- 7 telecommunications and technology commission for the
- 8 fiscal year beginning July 1, 2000, and ending June
- 9 30, 2001, the following amount, or so much thereof as
- 10 is necessary, to be used for the purposes designated:
- 11 To be used solely for maintenance and lease costs
- 12 associated with Part III connections:
- 13 \$ 2,727,004"
- 14 2. By striking page 5, line 3, through page 7,
- 15 line 12, and inserting the following:
- 16 "a. To the division of information technology
- 17 services of the department of general services for
- 18 IowAccess:
- 19 \$ 300,000
- 20 b. To the process project office of the division
- 21 of information technology services of the department
- 22 of general services:
- 23 \$ 250,000
- 24 c. To the department of human services for
- 25 electronic data collection, management, and reporting
- 26 associated with the temporary assistance for needy
- 27 families (TANF) welfare reform program:
- 28 \$ 760,384
- 29 d. To the department of human services for
- 30 continuing the child support recovery unit system:

31	\$ 297,024
32 e. To the department of workforce development for	
33 developing an integrated information system:	
34	\$ 639,000
35 f. To the department of corrections for a	
36 corrections offender network:	
37	\$ 655,141
38 g. To the department of workforce development for	
39 developing a resource house:	
40	\$ 500,000
41 h. To the department of agriculture and land	
42 stewardship for participation in the field automation	
43 and information management system (FAIM):	
44	\$ 132,600
45 i. To the division of information technology	
46 services of the department of general services for a	
47 data warehouse for the division of criminal and	
48 juvenile justice planning of the department of human	
49 rights:	
50	\$ 608,390

Page 2

1 . Of the amount allocated in this paragraph "i",	
2 \$60,000 shall be allocated for the support of one	
3 full-time equivalent position in the division of	
4 criminal and juvenile justice planning of the	
5 department of human rights to be associated with the	
6 data warehouse.	
7 j. To the department of agriculture and land	
8 stewardship for gasoline measurement testing	
9 equipment:	
10	\$ 100,000
11 k. To the department of human services for an	
12 electronic benefits transfer system:	
13	\$ 180,000
14 l. To the Iowa telecommunications and technology	
15 commission for continued buildout of asynchronous	
16 transfer mode technology for the network:	
17	\$ 7,000,000
18 m. To the public broadcasting division of the	
19 department of education for the conversion to digital	
20 television broadcasts:	
21	\$ 7,000,000

22 Notwithstanding section 8.33, moneys allocated to
 23 the public broadcasting division of the department of
 24 education in this paragraph "m" which remain
 25 unobligated or unexpended at the close of the fiscal
 26 year shall not revert but shall remain available for
 27 the purpose designated in this paragraph "m" for the
 28 fiscal year beginning July 1, 2001, and ending June
 29 30, 2002.

30	n. To the department of human services for an	
31	electronic data warehouse:	
32	.....	\$ 1,681,520
33	o. To the department of cultural affairs for the	
34	costs of establishing an Iowa communications network	
35	room in the state historical building:	
36	.....	\$ 185,799
37	p. To the department of education for electronic	
38	data interchange:	
39	.....	\$ 500,000
40	q. To the division of information technology	
41	services of the department of general services for	
42	developing and implementing an electronic professional	
43	license renewal system:	
44	.....	\$ 1,000,000
45	r. To the secretary of state for developing and	
46	implementing an electronic filing system for corporate	
47	information and UCC information:	
48	.....	\$ 750,000
49	s. To the Iowa department of public health for	
50	developing and implementing an electronic system for	

Page 3

1	vital records:	
2	.....	\$ 500,000
3	t. To the state department of transportation for	
4	developing and implementing an on-line vehicle	
5	registration system:	
6	.....	\$ 2,000,000
7	u. To the department of revenue and finance for telefiling	
8	of tax returns:	
9	.....	\$ 2,000,000
10	v. To the department of natural resources for	
11	developing and implementing an on-line system for	
12	issuing environmental permits:	
13	.....	\$ 1,000,000
14	w. To the state department of transportation for	
15	developing and implementing an on-line driver's	
16	license renewal system:	
17	.....	\$ 1,250,000"
18	3. By renumbering as necessary.	

Amendment H-8917 was adopted.

SENATE FILE 2433 SUBSTITUTED FOR HOUSE FILE 2571

Dix of Butler asked and received unanimous consent to substitute Senate File 2433 for House File 2571.

Senate File 2433, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date, was taken up for consideration.

Falck of Fayette asked and received unanimous consent to withdraw amendment H-8847 filed by him on April 11, 2000.

Dix of Butler offered amendment H-9097 filed by him as follows:

H-9097

1 Amend Senate File 2433, as passed by the Senate, as
2 follows:
3 1. Page 1, line 26, by striking the figure
4 "2,981,920" and inserting the following: "3,181,920".
5 2. Page 4, line 16, by striking the figure
6 "3,563,943" and inserting the following: "4,563,943".
7 3. Page 4, by inserting after line 17 the
8 following:
9 "The division of information technology services
10 shall not increase any fees or charges to other state
11 agencies for services provided to such state agencies
12 by the division, unless such increase in fees or
13 charges is first submitted to, and approved by, the
14 department of management. It is the intent of the
15 general assembly that the division not increase fees
16 for the purpose of generating revenue to offset the
17 difference in the amount of the appropriation
18 contained in this section and the amount of the
19 appropriation initially requested for the division by
20 the department of general services."
21 4. Page 5, line 3, by inserting after the word
22 "paragraph," the following: "if revenue received by
23 the state for deposit in the general fund of the state
24 does not exceed the most recent estimate of the
25 revenue estimating conference created in section 8.22A
26 by at least \$7,500,000 for the fiscal year beginning
27 July 1, 1999, and ending June 30, 2000,".
28 5. By striking page 5, line 13, through page 8,
29 line 3, and inserting the following:
30 "a. The first \$1,500,000 shall be allocated to the
31 department of education for purposes of making
32 technology available to students of accredited
33 nonpublic schools in accordance with section 201 of
34 this Act.

35 b. The next \$1,000,000 shall be allocated to the
36 university of northern Iowa for developing a twenty-
37 first century learning initiative. The university of
38 northern Iowa shall consult with the division of
39 information technology services of the department of
40 general services and the department of education in
41 developing this initiative.

42 c. The next \$3,500,000 shall be allocated to the
43 Iowa telecommunications and technology commission for
44 continued buildout of asynchronous transfer mode
45 technology for the network.

46 d. The next \$21,000,000 shall be allocated to the
47 division of information technology services of the
48 department of general services only for the projects
49 designated in this paragraph as follows:

50 (1) A process project office for the division of

Page 2

1 information technology services of the department of
2 general services.

3 (2) An electronic data collection, management, and
4 reporting associated with the temporary assistance for
5 needy families (TANF) welfare reform program of the
6 department of human services.

7 (3) A child support recovery unit system for the
8 department of human services.

9 (4) A corrections offender network for the
10 department of corrections.

11 (5) The development of a resource house for the
12 department of workforce development.

13 (6) A data warehouse for the division of criminal
14 and juvenile justice planning of the department of
15 human rights.

16 (7) Participation in the field automation and
17 information management system (FAIM) by the department
18 of agriculture and land stewardship.

19 (8) Gasoline measurement testing equipment for the
20 department of agriculture and land stewardship.

21 (9) An electronic benefits transfer system for the
22 department of human services.

23 (10) An electronic database directory of all
24 health care and support services available to senior
25 citizens for the department of elder affairs, as
26 required under the senior living program Act, as
27 enacted in Senate File 2193, and for other costs
28 associated with the implementation of that program.

29 (11) The costs associated with filings under the
30 Uniform Commercial Code if House File 2513 is enacted
31 and incurred by the secretary of state.

32 (12) The conversion to digital television
33 broadcasts by the public broadcasting division of the

- 34 department of education.
35 (13) The continued buildout of asynchronous
36 transfer mode technology for the Iowa communications
37 network by the Iowa telecommunications and technology
38 commission.
39 (14) An integrated institutional computer system
40 for the veterans home of the department of veterans
41 affairs.
42 (15) The development of budget system programs of
43 township trustees as determined by the department of
44 management.
45 (16) An electronic data warehouse for the
46 department of human services.
47 (17) Establishment of an Iowa communications
48 network room in the state historical building for the
49 department of cultural affairs.
50 (18) An electronic data interchange for the

Page 3

- 1 department of education.
2 (19) The development and implementation of an
3 electronic professional license renewal system for the
4 division of information technology services of the
5 department of general services.
6 (20) The development and implementation of an
7 electronic system for vital records for the Iowa
8 department of public health.
9 (21) The telefiling of tax returns for the
10 department of revenue and finance.
11 (22) The development and implementation of an on-
12 line system for issuing environmental permits for the
13 department of natural resources.
14 (23) Reengineering projects for the division of
15 information technology services of the department of
16 general services."
17 6. By striking page 8, line 35, through page 9,
18 line 1 and inserting the following: "section 321A.3,
19 subsection 1, shall be transferred to".
20 7. Page 9, by striking lines 9 through 12.
21 8. Page 12, by inserting after line 28 the
22 following:
23 "Sec. 101. Section 455G.3, subsection 3, paragraph
24 e, Code Supplement 1999, is amended by striking the
25 paragraph.
26 Sec. 102. Section 455G.6, subsection 17, Code
27 Supplement 1999, is amended by striking the
28 subsection.
29 Sec. 103. Section 455G.9, subsection 1, Code
30 Supplement 1999, is amended by adding the following
31 new paragraph:
32 NEW PARAGRAPH. k. Corrective action for a

33 condition caused by a release from an underground
 34 storage tank located on a site for which the
 35 department, after January 31, 1997, has issued a no
 36 further action certificate under section 455B.474. As
 37 a condition of receiving benefits under this
 38 paragraph, the department must determine that the
 39 condition necessitating the corrective action was not
 40 a result of a release that occurred after the issuance
 41 of the no further action certificate, and that the
 42 site qualified for remedial benefits under this
 43 section prior to the issuance of the no further action
 44 certificate."
 45 9. Page 16, by inserting after line 9, the
 46 following:
 47 "Sec. 104. Section 455G.22, Code 1999, is
 48 repealed.
 49 Sec. 105. Notwithstanding section 455G.22,
 50 unencumbered and unobligated moneys remaining in the

Page 4

1 no further action fund on the effective date of this
 2 section shall be transferred to the pooled technology
 3 account established in section 5 of this Act."
 4 10. Page 16, by inserting after line 9 the
 5 following:
 6 " ____ Section 14B.102, subsection 2, paragraph d,
 7 as enacted by 2000 Iowa Acts, Senate File 2395, is
 8 amended to read as follows:
 9 ~~d. Developing and implementing recommended~~
 10 ~~implementing~~ standards for information technology,
 11 ~~including but not limited to system design and systems~~
 12 ~~integration and interoperability, as developed by the~~
 13 ~~council pursuant to section 14B.107, which when~~
 14 ~~implemented shall apply to all participating agencies~~
 15 ~~except as otherwise provided in this chapter. The~~
 16 ~~department shall implement information technology~~
 17 ~~standards as established pursuant to this chapter~~
 18 ~~which are applicable to information technology~~
 19 ~~procurements for participating agencies.~~
 20 ____ Section 14B.104, subsection 2, paragraph b,
 21 as enacted by 2000 Iowa Acts, Senate File 2395, is
 22 amended to read as follows:
 23 ~~b. Develop recommended standards for consideration~~
 24 ~~with respect to the procurement of information~~
 25 ~~technology by all participating agencies as provided~~
 26 ~~in section 14B.107.~~
 27 ____ Section 14B.107, as enacted by 2000 Iowa
 28 Acts, Senate File 2395, is amended to read as follows:
 29 14B.107 INFORMATION TECHNOLOGY STANDARDS.
 30 The information technology council shall develop
 31 recommended standards for consideration with respect

32 to the procurement of information technology by all
33 participating agencies. It is the intent of the
34 general assembly that information technology standards
35 be established for the purpose of guiding such
36 procurements. Such standards, unless waived by the
37 council, shall apply to all information technology
38 procurements for participating agencies.

39 Standards adopted pursuant to this section shall
40 apply to existing information technology in use by
41 participating agencies on the effective date of this
42 Act. A participating agency, by no later than June
43 30, 2002, shall seek to procure information technology
44 to replace existing information technology which does
45 not meet the standards adopted by the council, unless
46 a waiver is procured with respect to such information
47 technology pursuant to section 14B.104.

48 The office of the governor or the office of an
49 elective constitutional or statutory officer shall
50 consult with the department prior to procuring

Page 5

1 information technology and consider the standards
2 recommended by the council, and provide a written
3 report to the department relating to the office's
4 decision regarding such acquisitions.

5 Sec. 201. TECHNOLOGY SERVICES FOR ACCREDITED 6 NONPUBLIC SCHOOL STUDENTS.

7 1. Technology adopted and purchased by a school
8 district shall, to the extent funds are appropriated
9 by the general assembly, be made available to students
10 of accredited nonpublic schools located within the
11 boundaries of the school district upon the written
12 request of the authorities in charge of the accredited
13 nonpublic school on behalf of the school's students as
14 provided in this section.

15 2. Funds appropriated for purposes of this section
16 shall be allocated to school districts for the
17 purchase of technology for accredited nonpublic
18 schools as provided in this section, subject to the
19 restrictions of section 295.4, subsection 1. The
20 department of education shall ascertain a maximum
21 annual amount the school district shall be required to
22 use for the purchase of technology for participating
23 accredited nonpublic schools. The amount shall be in
24 the proportion that the basic enrollment of a
25 participating accredited nonpublic school bears to the
26 sum of the basic enrollments of all participating
27 accredited nonpublic schools in the state for the
28 budget year. A participating accredited nonpublic
29 school shall certify its actual enrollment to the
30 department of education by October 1, 2000. By

31 October 15, 2000, the department of education shall
 32 notify the board of directors of each school district
 33 of the maximum amount of its allocation that shall be
 34 made available for purchasing nonsectarian,
 35 nonreligious technology for each of the participating
 36 accredited nonpublic schools located within the school
 37 district in accordance with this section. For
 38 purposes of this section only, an accredited nonpublic
 39 school's enrollment count shall include only students
 40 who are residents of Iowa.

41 3. The costs of providing technology to
 42 participating accredited nonpublic schools as provided
 43 in this section shall not be included in the
 44 computation of district cost under chapter 257, but
 45 shall be shown in the budget as an expense from
 46 miscellaneous income. Technology expenditures made in
 47 accordance with this section shall be kept on file in
 48 the school district."

49 11. Page 16, by inserting after line 28 the
 50 following:

Page 6

1 "Sec. ____ DEPARTMENT OF MANAGEMENT
 2 RECOMMENDATIONS. The department of management shall
 3 develop written recommendations to be delivered to the
 4 general assembly by no later than the start of the
 5 2001 regular legislative session with respect to both
 6 of the following:

7 1. Resolution of the overbilling of the federal
 8 government for certain services provided by the state
 9 to the federal government, and as a result of which
 10 the federal government is seeking reimbursement.

11 2. The manner in which the state's three data
 12 centers should be managed."

13 12. Page 16, line 29, by inserting after the
 14 figure "5," the following: "101, 102, 103,"

15 13. Page 16, line 30, by striking the word and
 16 figure "and 17" and inserting the following: "17,
 17 104, and 105".

18 14. By renumbering as necessary.

Metcalf of Polk offered amendment H-9099, to amendment
 H-9097, filed by her from the floor as follows:

H-9099

1 Amend the amendment, H-9097, to Senate File 2433,
 2 as passed by the Senate, as follows:

3 1. Page 1, by striking lines 30 through 35, and
 4 inserting the following:

- 5 "a. The first \$1,000,000 shall be allocated to
6 the".
7 2. Page 5, by striking lines 4 through 48 and
8 inserting the following: "decision regarding such
9 acquisitions." "
10 3. By renumbering, relettering, and correcting
11 internal references as necessary.

The House stood at ease at 2:55 p.m., until the fall of the gavel.

The House resumed session, and consideration of Senate File 2433 with amendment H-9099, at 3:42 p.m., Speaker Siegrist in the chair.

Carroll of Poweshiek in the chair at 3:50 p.m.

Metcalf of Polk asked and received unanimous consent to withdraw amendment H-9099, to amendment H-9097.

Huser of Polk offered the following amendment H-9101, to amendment H-9097, filed by her and Sunderbruch of Scott from the floor and moved its adoption:

H-9101

- 1 Amend the amendment, H-9097, to Senate File 2433,
2 as passed by the Senate, as follows:
3 1. Page 1, by inserting after line 45 the
4 following:
5 "___ The next \$200,000 shall be allocated to the
6 department of management for developing budget system
7 programs for township trustees."
8 2. Page 2, by striking lines 42 through 44.
9 3. By renumbering as necessary.

Amendment H-9101 was adopted.

Dix of Butler asked and received unanimous consent to withdraw amendment H-9103, to amendment H-9097, filed by him from the floor.

Dix of Butler offered the following amendment H-9106, to amendment H-9097, filed by him from the floor and moved its adoption:

H-9106

- 1 Amend the amendment, H-9097, to Senate File 2433,
2 as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 21 through 27 and
4 inserting the following:
5 "___ . Page 5, line 8, by inserting after the
6 figure "2001." the following: "However, the amount to
7 be deposited in the general fund pursuant to this
8 unnumbered paragraph shall be reduced by an amount
9 equal to the amount of revenue received by the state
10 for deposit in the general fund of the state that
11 exceeds the most recent estimate of the revenue
12 estimating conference created in section 8.22A for the
13 fiscal year beginning July 1, 1999, and ending June
14 30, 2000. The amount of the reduction in revenue to
15 be deposited in the general fund as determined under
16 this unnumbered paragraph shall be deposited in the
17 pooled technology account." "
- 18 2. Page 3, line 16, by inserting after the word
19 "services." the following:
20 "(24) For budget system redesign to be completed
21 by the department of management.
22 (25) The development and implementation of
23 information technology security by the division of
24 information technology services of the department of
25 general services."
- 26 3. Page 3, line 32, by striking the words "for a"
27 and inserting the following: "in response to a high
28 risk".
- 29 4. Page 3, line 44, by inserting after the word
30 "certificate." the follows: "No more than one hundred
31 thousand dollars per site may be used for the costs of
32 a corrective action under this paragraph. This
33 paragraph does not confer a legal right on an owner or
34 operator of petroleum-contaminated property or on any
35 other person to receive benefits under this
36 paragraph."
- 37 5. Page 4, line 19, by inserting after the word
38 "agencies" the following: "and to information
39 technology development by participating agencies".
- 40 6. Page 4, line 24, by inserting after the word
41 "procurement" the following: "and development".
- 42 7. Page 4, line 32, by inserting after the word
43 "procurement" the following: "and development".
- 44 8. Page 4, line 36, by inserting after the word
45 "procurements" the following: "and development".
- 46 9. Page 4, line 38, by inserting after the word
47 "agencies" the following: "and to all information
48 technology development by participating agencies".
- 49 10. Page 4, line 43, by inserting after the word
50 "procure" the following: "or develop".

Page 2

- 1 11. Page 4, line 50, by inserting after the word
2 "procuring" the following: "or developing".
3 12. Page 5, line 4, by striking the word
4 "acquisitions" and inserting the following:
5 "~~acquisitions~~ procurements or development".
6 13. Page 5, by inserting after line 4 the
7 following:
8 "___ Section 14B.108, subsection 2, paragraph a,
9 as enacted by 2000 Iowa Acts, Senate File 2395, is
10 amended to read as follows:
11 a. Standards established by the council, unless
12 waived pursuant to section 14B.104, shall apply to all
13 information technology procurements for participating
14 agencies and to all information technology development
15 by participating agencies."

Amendment H-9106 was adopted.

On motion by Dix of Butler amendment H-9097, as amended, was adopted, placing amendment H-8846 filed by Falck of Fayette on April 11, 2000, and amendment H-9068 filed by Huser of Polk on April 24, 2000, out of order.

Weigel of Chickasaw offered the following amendment H-8979 filed by him and moved its adoption:

H-8979

- 1 Amend Senate File 2433, as passed by the Senate, as
2 follows:
3 1. Page 3, by inserting after line 13 the
4 following:
5 "6. The department of economic development and the
6 Iowa utilities board shall jointly develop a written
7 report with recommendations to ensure that high-speed
8 broadband internet access is available to rural areas
9 of the state where such access is not currently
10 available. The written report shall be submitted to
11 the legislative oversight committee of the legislative
12 council by no later than October 1, 2000."

Amendment H-8979 was adopted.

Falck of Fayette offered the following amendment H-9058 filed by him and moved its adoption:

H-9058

- 1 Amend Senate File 2433, as passed by the Senate, as
2 follows:
- 3 1. Page 8, by inserting before line 4 the
4 following:
- 5 "___ The next \$7,200,000 shall be allocated to
6 the division of information technology services of the
7 department of general services for the projects
8 designated in this paragraph only, and in nonpriority
9 order as follows:
- 10 (1) A data warehouse to be maintained by the
11 division of information technology services of the
12 department of general services.
- 13 (2) For redesign of the budget system for the
14 department of management.
- 15 (3) For reengineering projects for the division of
16 information technology services of the department of
17 general services.
- 18 (4) For business tax redesign for the department
19 of revenue and finance.
- 20 (5) For a first stop business license information
21 system for the Iowa department of economic
22 development.
- 23 (6) For an information technology academy for the
24 Iowa department of economic development.
- 25 (7) For additional support for the child support
26 recovery unit of the department of human services.
- 27 (8) For an integrated client system for the
28 department of human services.
- 29 (9) For an on-line library catalog for the
30 department of cultural affairs.
- 31 (10) For feed and fertilizer testing equipment for
32 the department of agriculture and land stewardship.
- 33 (11) For an electronic institutional medical
34 records system for the department of human services.
- 35 (12) For an integrated institutional computer
36 system for the commission of veterans affairs.
- 37 (13) For technology planning grants for the Iowa
38 department of economic development.
- 39 (14) For computer software and hardware for the
40 department of elder affairs.
- 41 (15) For welcome center technology for the Iowa
42 department of economic development.
- 43 (16) For personal computer and local area network
44 equipment replacement for the department of
45 agriculture and land stewardship."
- 46 2. By renumbering as necessary.

Amendment H-9058 lost.

Dix of Butler offered the following amendment H-9044 filed by him and moved its adoption:

H-9044

1 Amend Senate File 2433, as passed by the Senate, as
2 follows:
3 1. Page 9, by inserting after line 17 the
4 following:
5 "Sec. ___. Section 14B.102, subsection 3, 2000
6 Iowa Acts, Senate File 2395, if enacted, is amended by
7 striking the subsection and inserting the following:
8 3. SERVICE CHARGES. The department shall render a
9 statement to a participating agency or other
10 governmental entity for a reasonable and necessary
11 amount for information technology provided by the
12 department to such agency or entity. An amount
13 indicated on a statement rendered to a participating
14 agency or other governmental entity shall be paid by
15 such agency or entity in a manner determined by the
16 department of revenue and finance. Amounts charged
17 and paid pursuant to this subsection shall be
18 deposited in the operations revolving fund created in
19 section 14B.102A."

Amendment H-9044 was adopted.

The following amendments were withdrawn by unanimous consent:

Amendment H-9055 filed by Brunkhorst of Bremer on April 24, 2000.

Amendment H-8848 filed by Falck of Fayette on April 11, 2000.

Amendment H-8915 filed by Falck of Fayette on April 17, 2000.

Falck of Fayette offered the following amendment H-9056 filed by him and moved its adoption:

H-9056

1 Amend Senate File 2433, as passed by the Senate, as
2 follows:
3 1. Page 16, by inserting after line 28 the
4 following:
5 "Sec. ___. DIRECTIONS TO CODE EDITOR. Effective
6 July 1, 2002, the Code editor shall transfer the
7 provisions of chapter 8D to chapter 14B as enacted in
8 Senate File 2395, if Senate File 2395 is enacted

- 9 during the 2000 Regular Session, and codify the
 10 provisions as a separate subchapter in chapter 14B."
 11 2. By renumbering as necessary.

Amendment H-9056 lost.

Dix of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2433)

The ayes were, 85:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Cormack	Davis	Dix	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Ford	Frevert	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lord	Martin
May	Mertz	Metcalf	Millage
Mundie	Murphy	Nelson-Forbes	O'Brien
Osterhaus	Raecker	Rants	Rayhons
Reynolds	Scherrman	Shey	Siegrist, Spkr.
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Weigel
Welter	Whitead	Wise	Witt
Carroll, Presiding			

The nays were, 14:

Connors	Doderer	Fallon	Foege
Greimann	Kreiman	Mascher	Myers
Parmenter	Richardson	Schrader	Shoultz
Stevens	Warnstadt		

Absent or not voting, 1:

Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2373, a bill for an act relating to the Iowa finance authority by providing for the issuance of closing protection letters and providing for the allocation of the state ceiling of federally tax-exempt private activity bonds.

Also: That the Senate has on April 26, 2000, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

House File 2519, a bill for an act relating to probation and parole by extending the repeal of the sixth judicial district pilot project concerning probation revocation hearings and by establishing the position of vice chairperson of the board of parole, and providing an effective date.

Also: That the Senate has on April 26, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 441, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

Also: That the Senate has on April 26, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2246, a bill for an act relating to the accumulation of credit upon an inmate's sentence for Iowa inmates incarcerated in another jurisdiction.

Also: That the Senate has on April 26, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 119, a concurrent resolution relating to a study of the issues involving railroad rights-of-way crossings by utilities.

Also: That the Senate has on April 26, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 120, a concurrent resolution requesting the legislative council to establish one or more interim committees to study human services issues.

MICHAEL E. MARSHALL, Secretary

MOTION TO RECONSIDER WITHDRAWN
(Senate File 2439)

Rants of Woodbury asked and received unanimous consent to withdraw the motion to reconsider **Senate File 2439**, a bill for an act relating to the accelerated career education program, providing a tax credit from withholding, creating an accelerated career education grant program and fund, relating to the transfer of job training withholding to the workforce development fund account, and providing an effective date, filed by him on April 11, 2000.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 2439** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Hoffman of Crawford called up for consideration **House File 2373**, a bill for an act relating to the Iowa finance authority by providing for the issuance of closing protection letters and providing for the allocation of the state ceiling of federally tax-exempt private activity bonds, amended by the Senate, and moved that the House concur in the following Senate amendment H-9108:

H-9108

- 1 Amend House File 2373, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 1, through page 3,
- 4 line 18.
- 5 2. Page 3, by inserting after line 27 the
- 6 following:
- 7 "Sec. ___. Section 16.92, subsection 1, paragraph
- 8 f, subparagraph (4), Code Supplement 1999, is amended
- 9 to read as follows:
- 10 (4) If after payment of the unpaid balance of the
- 11 loan secured by the mortgage, the mortgage continues
- 12 to secure any unpaid obligation due the mortgagee or
- 13 any unfunded commitment by the mortgagor to the
- 14 mortgagee, ~~the legal description of the property that~~
- 15 ~~will continue to be subject to the mortgage, and the~~
- 16 legal description of the property that will be
- 17 released from the mortgage.
- 18 Sec. ___. Section 16.92, subsection 2, paragraph
- 19 a, subparagraph (1), subparagraph subdivision (b),

20 Code Supplement 1999, is amended to read as follows:

21 (b) The statement contains the legal description
22 of the property to be released from the mortgage ~~and~~
23 ~~the legal description of the property that will~~
24 ~~continue to be subject to the mortgage.~~

25 Sec. __. Section 16.92, subsection 3, paragraph
26 d, subparagraph (2), Code Supplement 1999, is amended
27 to read as follows:

28 (2) A statement that the certificate is a partial
29 release of the mortgage, ~~and~~ the legal description of
30 the property that will be released from the mortgage,
31 ~~and the legal description of the property that will~~
32 ~~continue to be subject to the mortgage.~~

33 Sec. __. Section 16.92, subsection 7, Code
34 Supplement 1999, is amended to read as follows:

35 7. PRIOR MORTGAGES.

36 a. If the real estate lender or closer has
37 notified the division that a mortgage has been paid in
38 full by someone other than the real estate lender or
39 closer, or was paid by the real estate lender or
40 closer under a previous transaction, and an effective
41 release has not been filed of record, the division may
42 execute and record a certificate of release without
43 certification by the real estate lender or closer that
44 payment was made pursuant to a payoff statement and
45 the date payment was received by the mortgagee. A
46 certificate of release filed pursuant to this
47 subsection is subject to the requirements of
48 subsection 2, paragraph "c".

49 b. For purposes of this subsection, an effective
50 release has not been filed of record if there appears

Page 2

1 that a mortgagee in the record chain of title to the
2 mortgage has not, either on the mortgagee's own behalf
3 or by the mortgagee's duly appointed servicer or
4 attorney in fact as established of record by a filed
5 servicing agreement or power of attorney, filed of
6 record either an assignment of the mortgage to another
7 mortgagee in the record chain of title to the mortgage
8 or a release of the mortgagee's interest in the
9 mortgage. For the purposes of this subsection and
10 subsection 2, paragraph "c", "mortgage servicer"
11 includes a mortgagee for which an effective release
12 has not been filed of record as provided in this
13 paragraph."

14 3. Page 5, by inserting after line 2 the
15 following:

16 "Sec. __. STUDY.

17 1. The treasurer of state or the designee of the
18 treasurer of state, the auditor of state or the

19 designee of the auditor of state, the director of the
 20 department of economic development or the designee of
 21 the director, and the executive director of the Iowa
 22 finance authority or the designee of the executive
 23 director shall submit a joint report to the general
 24 assembly regarding proposals for a new allocation
 25 method for the state ceiling allocation under section
 26 7C.4A, subsection 5. The report shall include, but
 27 shall not be limited to, a competitive rating system
 28 for applications and a method for allocating the state
 29 ceiling to political subdivisions of different sizes.
 30 The report shall be submitted to the general assembly
 31 by December 1, 2000.
 32 Sec. __. STATE CEILING ALLOCATION. For the
 33 calendar year beginning January 1, 2001, applications
 34 for the state ceiling allocation under section 7C.4A,
 35 subsection 5, shall not be approved prior to March 1."
 36 4. Title page, line 2, by inserting after the
 37 word "letters" the following: "amending provisions
 38 regarding mortgage release certificates,".
 39 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9108.

Hoffman of Crawford moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2373)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greimann	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz

Metcalf	Millage	Mundie	Murphy
Myers	Nelson-Forbes	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist, Spkr.	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Falck	Grundberg	Shey
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House stood at ease at 4:30 p.m., until the fall of the gavel.

The House resumed session at 5:00 p.m., Speaker Siegrist in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Frevert of Palo Alto on request of Schrader of Marion.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-one members present, thirty-nine absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 2496, a bill for an act providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

Also: That the Senate has on April 26, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 2560, a bill for an act providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns, an alternative method for computing the individual and corporate income tax credit for increasing research and development, an assistive device tax credit under the individual and corporate taxes for assisting persons with a disability in the workplace, and an increase in the deduction for pension and retirement income for income tax purposes, and including applicability dates.

Also: That the Senate has on April 26, 2000, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2245, a bill for an act relating to penalties for city and county ordinances and to scheduled violations.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 5:08 p.m., until the fall of the gavel.

The House resumed session at 5:50 p.m., Speaker Siegrist in the chair.

SENATE AMENDMENTS CONSIDERED

Hansen of Pottawattamie called up for consideration **House File 2549**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates, amended by the Senate amendment H-9105 as follows:

H-9105

- 1 Amend House File 2549, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "COLLEGE STUDENT AID COMMISSION

6 Section 1. There is appropriated from the general
 7 fund of the state to the college student aid
 8 commission for the fiscal year beginning July 1, 2000,
 9 and ending June 30, 2001, the following amounts, or so
 10 much thereof as may be necessary, to be used for the
 11 purposes designated:

12 1. GENERAL ADMINISTRATION

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

16\$ 325,801
 17FTEs 5.40

18 2. DES MOINES UNIVERSITY – OSTEOPATHIC MEDICAL
 19 CENTER

20 a. For forgivable loans to Iowa students attending
 21 the Des Moines university -- osteopathic medical
 22 center under the forgivable loan program pursuant to
 23 section 261.19:

24\$ 254,260

25 b. For the Des Moines university -- osteopathic
 26 medical center for an initiative in primary health
 27 care to direct primary care physicians to shortage
 28 areas in the state:

29\$ 395,000

30 3. STUDENT AID PROGRAMS

31 For payments to students for the Iowa grant
 32 program:

33\$ 1,144,850

34 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

35 For purposes of providing national guard
 36 educational assistance under the program established
 37 in section 261.86:

38\$ 1,250,000

39 5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN
 40 PROGRAM

41 For purposes of providing forgivable loans under
 42 the program established in section 261.71:

43\$ 100,000

44 6. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM

45 For the teacher shortage forgivable loan program
 46 established in section 261.111:

47\$ 525,000

48 DEPARTMENT OF CULTURAL AFFAIRS

49 Sec. 2. There is appropriated from the general
 50 fund of the state to the department of cultural

1 affairs for the fiscal year beginning July 1, 2000,
 2 and ending June 30, 2001, the following amounts, or so
 3 much thereof as is necessary, to be used for the
 4 purposes designated:

5 1. ARTS DIVISION

6 For salaries, support, maintenance, miscellaneous
7 purposes, including funds to match federal grants and
8 for not more than the following full-time equivalent
9 positions:

10\$ 1,408,269
11FTEs 10.00

12 2. HISTORICAL DIVISION

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

16\$ 3,264,561
17FTEs 65.70

18 Notwithstanding the full-time equivalent position
19 limit established in this subsection, for the fiscal
20 year ending June 30, 2001, if federal funding is
21 received to pay the costs of an additional employee
22 for the historical division, authorization to hire not
23 more than 1.0 additional full-time equivalent employee
24 is provided, the full-time equivalent position limit
25 shall be exceeded, and the additional employee shall
26 be hired by the division.

27 3. HISTORIC SITES

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

31\$ 597,563
32FTEs 8.00

33 4. ADMINISTRATION

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

37\$ 241,853
38FTEs 4.30

39 The department of cultural affairs shall coordinate
40 activities with the tourism division of the department
41 of economic development to promote attendance at the
42 state historical building and at this state's historic
43 sites.

44 5. COMMUNITY CULTURAL GRANTS

45 For planning and programming for the community
46 cultural grants program established under section
47 303.3, and for not more than the following full-time
48 equivalent position:

49\$ 691,149
50FTEs 0.70

1 DEPARTMENT OF EDUCATION

2 Sec. 3. There is appropriated from the general
3 fund of the state to the department of education for

4 the fiscal year beginning July 1, 2000, and ending
5 June 30, 2001, the following amounts, or so much
6 thereof as may be necessary, to be used for the
7 purposes designated:

8 1. GENERAL ADMINISTRATION

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

12\$ 5,875,863
13FTEs 98.45

14 The director of the department of education shall
15 ensure that all school districts are aware of the
16 state education resources available on the state
17 website for listing teacher job openings and shall
18 make every reasonable effort to enable qualified
19 practitioners to post their resumes on the state
20 website. The department shall administer the posting
21 of job vacancies for school districts, accredited
22 nonpublic schools, and area education agencies on the
23 state website. The department may coordinate this
24 activity with the Iowa school board association or
25 other interested education associations in the state.

26 2. VOCATIONAL EDUCATION ADMINISTRATION

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

30\$ 566,741
31FTEs 15.60

32 3. BOARD OF EDUCATIONAL EXAMINERS

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

36\$ 200,454
37FTEs 6.00

38 4. VOCATIONAL REHABILITATION SERVICES DIVISION

39 a. For salaries, support, maintenance,
40 miscellaneous purposes, and for not more than the
41 following full-time equivalent positions:

42\$ 4,878,700
43FTEs 302.25

44 From the funds appropriated in this lettered
45 paragraph, up to \$2,000,000 shall be used to provide
46 services to persons without regard to a waiting list.
47 The division shall seek additional local matching
48 funds in an amount sufficient to avoid any loss of
49 federal funds.

50 The division of vocational rehabilitation services

1 shall seek a waiver from the federal government to
2 accept assessments of clients performed by area

3 education agencies or any other governmental
 4 subdivision. The division shall also seek additional
 5 federal waivers to improve and increase the
 6 availability of supported employment services to
 7 Iowans.

8 The division of vocational rehabilitation services
 9 shall seek funds other than federal funds, which may
 10 include but are not limited to local funds from local
 11 provider entities, community colleges, area education
 12 agencies, and local education agencies, for purposes
 13 of matching federal vocational rehabilitation funds.
 14 The funds collected by the division may exceed the
 15 amount needed to match available federal vocational
 16 rehabilitation funds in an effort to qualify for
 17 additional federal funds when such funds become
 18 available.

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

25 Notwithstanding the full-time equivalent position
 26 limit established in this lettered paragraph, for the
 27 fiscal year ending June 30, 2001, if federal funding
 28 is received to pay the costs of additional employees
 29 for the vocational rehabilitation services division
 30 who would have duties relating to vocational
 31 rehabilitation services paid for through federal
 32 funding, authorization to hire not more than 4.00
 33 additional full-time equivalent employees shall be
 34 provided, the full-time equivalent position limit
 35 shall be exceeded, and the additional employees shall
 36 be hired by the division.

37 b. For matching funds for programs to enable
 38 persons with severe physical or mental disabilities to
 39 function more independently, including salaries and
 40 support, and for not more than the following full-time
 41 equivalent position:

42	\$	76,401
43	FTEs	1.00

44 The highest priority use for the moneys
 45 appropriated under this lettered paragraph shall be
 46 for programs that emphasize employment and assist
 47 persons with severe physical or mental disabilities to
 48 find and maintain employment to enable them to
 49 function more independently.

50 5. STATE LIBRARY

1 a. For salaries, support, maintenance,

2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:
 4\$ 3,131,600
 5FTEs 20.00

6 Reimbursement of the institutions of higher
 7 learning under the state board of regents for
 8 participation in the access plus program during the
 9 fiscal year beginning July 1, 2000, and ending June
 10 30, 2001, shall not exceed the total amount of
 11 reimbursement paid to the regents institutions of
 12 higher learning for participation in the access plus
 13 program during the fiscal year beginning July 1, 1999,
 14 and ending June 30, 2000.

15 b. For the enrich Iowa program:
 16\$ 1,000,000

17 (1) Funds allocated for purposes of the enrich
 18 Iowa program as provided in this lettered paragraph
 19 shall be distributed by the division of libraries and
 20 information services to eligible public libraries that
 21 are in compliance with performance measures adopted by
 22 rule by the commission of libraries. The funds
 23 allocated as provided in this lettered paragraph shall
 24 not be used for the costs of administration by the
 25 division. The amount distributed to each eligible
 26 public library shall be based upon the following:

27 (a) The level of compliance by the eligible public
 28 library with the performance measures adopted by the
 29 commission as provided in this subparagraph.

30 (b) The number of people residing within an
 31 eligible library's geographic service area for whom
 32 the library provides services.

33 (c) The amount of other funding the eligible
 34 public library received in the previous fiscal year
 35 for providing services to rural residents and to
 36 contracting communities.

37 (2) Moneys received by a public library under this
 38 lettered paragraph shall supplement, not supplant, any
 39 other funding received by the library.

40 (3) For purposes of this section, "eligible public
 41 library" means a public library that meets all of the
 42 following requirements:

- 43 (a) Submits to the division all of the following:
 - 44 (i) The report provided for under section 256.51,
 - 45 subsection 1, paragraph "h".
 - 46 (ii) An application and accreditation report, in a
 - 47 format approved by the commission, that provides
 - 48 evidence of the library's compliance with at least one
 - 49 level of the standards established in accordance with
 - 50 section 256.51, subsection 1, paragraph "k".

Page 6

1 (iii) Any other application or report the division
2 deems necessary for the implementation of the enrich
3 Iowa program.

4 (b) Participates in the library resource and
5 information sharing programs established by the state
6 library.

7 (c) Is a public library established by city
8 ordinance or a county library as provided in chapter
9 336.

10 (4) Each eligible public library shall maintain a
11 separate listing within its budget for payments
12 received and expenditures made pursuant to this
13 lettered paragraph, and shall annually submit this
14 listing to the division.

15 (5) By January 15, 2001, the division shall submit
16 a program evaluation report to the general assembly
17 and the governor detailing the uses and the impacts of
18 funds allocated under this lettered paragraph. It is
19 the intent of the general assembly to address the
20 continuation of the enrich Iowa program during the
21 2001 legislative session.

22 (6) A public library that receives funds in
23 accordance with this lettered paragraph shall have an
24 internet use policy in place, which may or may not
25 include internet filtering. The library shall submit
26 a report describing the library's internet use efforts
27 to the division.

28 6. REGIONAL LIBRARY

29 For state aid:

30\$ 1,687,000

31 7. PUBLIC BROADCASTING DIVISION

32 For salaries, support, maintenance, capital
33 expenditures, miscellaneous purposes, and for not more
34 than the following full-time equivalent positions:

35\$ 8,048,155

36FTEs 106.40

37 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

38 For reimbursement for vocational education
39 expenditures made by secondary schools:

40\$ 3,308,850

41 Funds appropriated in this subsection shall be used
42 for expenditures made by school districts to meet the
43 standards set in sections 256.11, 258.4, and 260C.14
44 as a result of the enactment of 1989 Iowa Acts,
45 chapter 278. Funds shall be used as reimbursement for
46 vocational education expenditures made by secondary
47 schools in the manner provided by the department of
48 education for implementation of the standards set in
49 1989 Iowa Acts, chapter 278.

50 9. SCHOOL FOOD SERVICE

Page 7

1 For use as state matching funds for federal
 2 programs that shall be disbursed according to federal
 3 regulations, including salaries, support, maintenance,
 4 miscellaneous purposes, and for not more than the
 5 following full-time equivalent positions:
 6\$ 2,716,119
 7FTEs 14.00

8 10. IOWA EMPOWERMENT FUND

9 For deposit in the school ready children grants
 10 account of the Iowa empowerment fund created in
 11 section 28.9:
 12\$ 15,600,000

13 a. From the moneys deposited in the school ready
 14 children grants account for the fiscal year beginning
 15 July 1, 2000, and ending June 30, 2001, not more than
 16 \$200,000 is allocated for the community empowerment
 17 office and other technical assistance activities. It
 18 is the intent of the general assembly that regional
 19 technical assistance teams will be established and
 20 will include staff from various agencies, as
 21 appropriate, including the area education agencies,
 22 community colleges, and the Iowa state university of
 23 science and technology cooperative extension service
 24 in agriculture and home economics. The state
 25 empowerment board shall direct staff to work with the
 26 advisory council to inventory technical assistance
 27 needs. Funds allocated under this lettered paragraph
 28 may be used by the state empowerment board for the
 29 purpose of skills development and support for ongoing
 30 training of the regional technical assistance teams.
 31 However, funds shall not be used for additional staff
 32 or for the reimbursement of staff.

33 As a condition of receiving funding appropriated in
 34 this subsection, each local empowerment board shall
 35 report to the state empowerment board progress on each
 36 of the state indicators approved by the state board,
 37 as well as progress on local indicators.

38 School ready children grants account funds shall be
 39 distributed through a grant application process.
 40 Grant awards shall be contingent upon the availability
 41 of funds. The deadline for applications for school
 42 ready children grants in the fiscal year beginning
 43 July 1, 2000, shall be August 31, 2000, with grant
 44 awards to be made on or about October 2, 2000.

45 b. For the fiscal year beginning July 1, 2000, in
 46 awarding grants and establishing grant amounts for all
 47 designated community empowerment areas that have never
 48 been awarded a school ready children grant, the Iowa
 49 empowerment board shall give consideration to the
 50 future implementation of a funding formula for

Page 8

1 distribution of the grant moneys, anticipation of the
2 state moving over a period of years to full funding of
3 the grant program, and the reasonable expectations of
4 community empowerment areas for a process of equitable
5 distribution of funds.

6 c. The provisions of paragraph "b" are not
7 applicable to those designated community empowerment
8 areas that were awarded a school ready children grant
9 prior to the fiscal year beginning July 1, 2000, and
10 those areas shall be held harmless from the provisions
11 implemented by the Iowa empowerment board pursuant to
12 paragraph "b".

13 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

14 To provide funds for costs of providing textbooks
15 to each resident pupil who attends a nonpublic school
16 as authorized by section 301.1. The funding is
17 limited to \$20 per pupil and shall not exceed the
18 comparable services offered to resident public school
19 pupils:

20\$ 650,000

21 12. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

22 To assist a vocational agriculture youth
23 organization sponsored by the schools to support the
24 foundation established by that vocational agriculture
25 youth organization and for other youth activities:

26\$ 94,400

27 13. NATIONAL BOARD CERTIFICATION

28 For the issuance of national board certification
29 awards in accordance with section 256.44:

30\$ 1,380,000

31 Notwithstanding section 8.33, funds appropriated
32 for purposes of this subsection which remain
33 unencumbered or unobligated at the close of the fiscal
34 year, shall not revert but shall be available for
35 expenditure for purposes of issuing national board
36 certification awards during the succeeding fiscal
37 year.

38 14. BEGINNING TEACHER INDUCTION PROGRAM

39 For purposes of the beginning teacher induction
40 program as provided in section 256E.2:

41\$ 775,000

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

48 15. FAMILY RESOURCE CENTER DEMONSTRATION PROGRAM

49 For support of the family resource center
50 demonstration program established under chapter 256C:

Page 9

1\$ 90,000

2 16. EDUCATION INNOVATION PROJECT GRANTS

3 To support innovative research-based K-12 education
4 projects:

5\$ 425,000

6 a. From the funds appropriated in this subsection,
7 the sum of \$225,000 shall be used by the department of
8 education for a study of methods to improve teacher
9 compensation and to award education innovation project
10 grants. Eligible projects shall demonstrate research-
11 based innovative methods to improve the quality of
12 teaching or promote attraction and retention of
13 teachers in the teaching profession, identify
14 measurable performance indicators and annually report
15 results, and demonstrate how the project can be self-
16 supporting within a three-year to five-year period.
17 Notwithstanding section 8.33, unencumbered or
18 unobligated funds remaining on June 30 of the fiscal
19 year from funds allocated in this paragraph shall not
20 revert but shall be available for expenditure for the
21 following fiscal year for the purposes of this
22 paragraph.

23 b. The department shall establish pilot regional
24 academies in cooperation with school districts, area
25 education agencies, and postsecondary institutions.
26 From the funds appropriated in this subsection, not
27 more than \$200,000 shall be used to plan and implement
28 pilot regional academies to provide high school
29 students with advanced level courses and technical
30 courses not currently available within the curriculum
31 in their district of attendance.

32 c. The department shall submit a report on the
33 status of the projects receiving grants under this
34 subsection to the senate and house standing committees
35 on education and the joint appropriations subcommittee
36 on education by December 1, 2000.

37 17. LOCAL ARTS COMPREHENSIVE EDUCATIONAL
38 STRATEGIES PROGRAM (LACES)

39 For contracting with the Iowa alliance for arts
40 education to execute their local arts comprehensive
41 educational strategies:

42\$ 25,000

43 18. CONNECTING EDUCATION AND WORKFORCE DEVELOPMENT

44 For purposes of providing support to statewide
45 school-to-work implementation through professional
46 development opportunities, employability skill
47 revalidation, partnership capacity building,
48 connecting to the department of workforce
49 development's making connections system
50 implementation, and the integration of academic and

Page 10

1 vocational education, and for not more than the
 2 following full-time equivalent positions:
 3\$ 210,000
 4FTEs 2.00

5 19. EMPLOYABILITY SKILLS ASSESSMENTS REIMBURSEMENTS

6 For reimbursement of school district claims for the
 7 costs of acquiring and using employability skills
 8 assessment tools as provided in this subsection:
 9\$ 200,000

10 a. The department of education shall reimburse
 11 school district claims for the costs of acquiring,
 12 administering, and scoring assessment tools to assess
 13 the employability skills of students. The director of
 14 education shall identify available employability
 15 skills assessment tools that school districts may use
 16 to meet the claim reimbursement requirements of this
 17 subsection.

18 b. In order to be eligible for reimbursement under
 19 this subsection, a school district shall submit a
 20 claim on forms provided by the department by July 15,
 21 2001, and the claim shall state the actual costs
 22 incurred and shall be accompanied by an affidavit of
 23 an officer of the school district affirming the
 24 accuracy of the claim.

25 c. A school district that submits to the
 26 department a claim for reimbursement in accordance
 27 with this subsection shall develop and integrate
 28 specific employability skills goals and activities
 29 into the comprehensive school improvement plan
 30 required under section 256.7, subsection 21, paragraph
 31 "a".

32 d. The department of education shall certify to
 33 the department of revenue and finance the amounts of
 34 approved claims to be paid, and the department of
 35 revenue and finance shall draw warrants payable to
 36 school districts with approved claims, taking into
 37 consideration the relative budget and cash position of
 38 the state resources.

39 e. Moneys received under this subsection shall not
 40 be commingled with state aid payments made under
 41 section 257.16 to a school district and shall be
 42 accounted for by the school district separately from
 43 state aid payments. Payments made to a school
 44 district under this subsection are miscellaneous
 45 income for purposes of chapter 257.

46 f. If the funds appropriated in this subsection
 47 are insufficient to pay in full the claims submitted
 48 by school districts and approved by the department,
 49 the amounts of approved claims shall be prorated among
 50 all school districts with approved claims.

Page 11

1 20. JOBS FOR AMERICA'S GRADUATES
2 For school districts to provide direct services to
3 the most at-risk senior high school students enrolled
4 in school districts through direct intervention by a
5 "jobs for America's graduates" specialist:
6\$ 333,000

7 21. AMERICORPS AFTER-SCHOOL INITIATIVE
8 For purposes of the americorps after-school
9 initiative:
10\$ 121,000

11 22. AMBASSADOR TO EDUCATION
12 For purposes of the ambassador to education program
13 established in section 256.45:
14\$ 75,000

15 23. COMMUNITY COLLEGES
16 For general state financial aid, including general
17 financial aid to merged areas in lieu of personal
18 property tax replacement payments, to merged areas as
19 defined in section 260C.2, for vocational education
20 programs in accordance with chapters 258 and 260C:
21\$147,577,403

22 The funds appropriated in this subsection shall be
23 allocated as follows:

24 a. Merged Area I\$ 7,082,328
25 b. Merged Area II\$ 8,319,148
26 c. Merged Area III\$ 7,728,299
27 d. Merged Area IV\$ 3,777,429
28 e. Merged Area V\$ 7,902,847
29 f. Merged Area VI\$ 7,321,837
30 g. Merged Area VII\$ 10,564,438
31 h. Merged Area IX\$ 12,993,495
32 i. Merged Area X\$ 20,391,658
33 j. Merged Area XI\$ 21,642,884
34 k. Merged Area XII\$ 8,526,664
35 l. Merged Area XIII\$ 8,767,984
36 m. Merged Area XIV\$ 3,822,470
37 n. Merged Area XV\$ 12,027,969
38 o. Merged Area XVI\$ 6,707,953

39 Sec. 4. DISTRIBUTION OF FUNDS APPROPRIATED. For
40 the fiscal year beginning July 1, 2000, and ending
41 June 30, 2001, moneys appropriated by the general
42 assembly from the general fund of the state to the
43 department of education for community colleges for a
44 fiscal year shall be allocated to each community
45 college by the department of education in the
46 following manner:

47 1. BASE FUNDING. The base funding for a fiscal
48 year shall be equal to the amount each community
49 college received as an allocation from appropriations
50 made from the general fund of the state in the most

Page 12

1 recent fiscal year.

2 2. DISTRIBUTION FOR INFLATION. First priority
3 shall be to give each college an increase based upon
4 inflation. The inflation increase shall be not less
5 than 2 percent. However, the inflation increase shall
6 be equal to the national inflation rate, if it exceeds
7 2 percent, if the amount of state aid appropriated is
8 equal to or greater than the national inflation rate.

9 3. DISTRIBUTION BASED ON PROPORTIONAL SHARE OF
10 ENROLLMENT. The balance of the growth in state aid
11 appropriations, once the inflation increase has been
12 satisfied, shall be distributed based on each
13 college's proportional share of enrollment. However,
14 a minimum of one percent of the total growth shall be
15 distributed in this manner.

16 4. If the total appropriation made by the general
17 assembly is less than 2 percent growth, the entire
18 increase shall be distributed as inflation.

19 Sec. 5. PROVIDING LIMITED PHASE III MONEYS
20 DISTRIBUTION AUTHORITY TO THE DIRECTOR.
21 Notwithstanding the appropriations in section 294A.25,
22 subsections 6, 9, and 14 for the fiscal year beginning
23 July 1, 2000, the director of the department of
24 education is authorized to determine the amount of
25 phase III moneys which shall be distributed for the
26 purposes described in section 294A.25, subsections 6,
27 9, and 14 for the fiscal year beginning July 1, 2000.

28 Sec. 6. AREA EDUCATION AGENCY REORGANIZATION
29 STUDY. The department of education shall complete a
30 study and make recommendations for the alignment of
31 area education boundaries in the event of voluntary
32 area education agency merger or restructuring to best
33 ensure the equitable, effective, and efficient
34 delivery of core area education agency services to
35 students and schools. The study shall be conducted in
36 conjunction with representative administrators and
37 board members from area education agencies, and in
38 consultation with other K-12 representatives as
39 determined by the department. The study shall
40 consider population projections of the merged areas,
41 enrollment projections, number of school districts and
42 schools served, financial resources, efficient and
43 effective delivery of core services as required under
44 area education agency accreditation under chapter 273,
45 existing and possible regional collaborations, and
46 possible reorganization incentives. The department
47 shall forward recommendations and any possible
48 reorganization plans to the area education agency
49 boards no later than July 1, 2001. The department
50 shall forward any recommendations for statutory

Page 13

1 changes that may be required to accomplish area
2 education agency reorganization to the senate and
3 house standing committees on education and the joint
4 appropriations subcommittee on education not later
5 than December 15, 2000.

6 **Sec. 7. BOARD OF EDUCATIONAL EXAMINERS LICENSING**

7 **FEES.** Notwithstanding section 272.10, up to 85
8 percent of any funds received annually resulting from
9 an increase in fees approved and implemented for
10 licensing by the state board of educational examiners
11 after July 1, 1997, shall be available for the fiscal
12 year beginning July 1, 2000, to the state board for
13 purposes related to the state board's duties,
14 including, but not limited to, additional full-time
15 equivalent positions. The director of revenue and
16 finance shall draw warrants upon the treasurer of
17 state from the funds appropriated as provided in this
18 section and shall make the funds resulting from the
19 increase in fees available during the fiscal year to
20 the state board on a monthly basis.

21 **Sec. 8. PROFESSIONAL DEVELOPMENT STUDY.** The board
22 of educational examiners shall conduct a study of the
23 use of school days for the professional development of
24 teachers by school districts and area education
25 agencies. Each school district and area education
26 agency shall submit to the board by August 1, 2000, in
27 the manner required by the board, data relating to the
28 use of school days for the professional development of
29 teachers. The board shall develop and recommend
30 alternatives to reduce the number of school days used
31 for the professional development of teachers. The
32 board shall submit its recommendations by December 1,
33 2000, in a report to the senate and house standing
34 committees on education and the joint appropriations
35 subcommittee on education.

36 **Sec. 9. LOCAL PUBLIC LIBRARIES SUPPORT SERVICES**

37 **STUDY.** The commission of libraries shall coordinate a
38 study of the state library structure. The commission,
39 the area education agencies, and the regional
40 libraries jointly shall compile a list of the support
41 functions currently provided to local libraries by the
42 regional system, including but not limited to the
43 continuation of consultation and educational programs
44 for library staff and trustees concerning all facets
45 of library management and operation and intraregional
46 interlibrary loan and information services, and shall
47 develop a plan to provide those support functions and
48 services more effectively and efficiently. The plan
49 shall be submitted by December 1, 2000, to the senate
50 and house standing committees on education, the joint

Page 14

1 appropriations subcommittee on education, and the
2 legislative fiscal bureau.

3 Sec. 10. 1999 Iowa Acts, chapter 205, section 7,
4 subsections 13 and 15, are amended to read as follows:

5 13. NATIONAL BOARD CERTIFICATION

6 For the issuance of national board certification
7 awards in accordance with section 256.44, if 1999 Iowa
8 Acts, House File 766, is enacted:

9\$ 1,000,000

10 Notwithstanding section 8.33, funds appropriated
11 for purposes of this ~~section~~ subsection which remain
12 unencumbered or unobligated at the close of the fiscal
13 year, shall not revert but shall be available for
14 expenditure for purposes of issuing national board
15 certification awards during the succeeding fiscal
16 year.

17 15. BEGINNING TEACHER INDUCTION PROGRAM

18 For purposes of the beginning teacher induction
19 program as provided in section 256E.2:

20\$ 300,000

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

27 STATE BOARD OF REGENTS

28 Sec. 11. There is appropriated from the general
29 fund of the state to the state board of regents for
30 the fiscal year beginning July 1, 2000, and ending
31 June 30, 2001, the following amounts, or so much
32 thereof as may be necessary, to be used for the
33 purposes designated:

34 1. OFFICE OF STATE BOARD OF REGENTS

35 a. For salaries, support, maintenance,
36 miscellaneous purposes, and for not more than the
37 following full-time equivalent positions:

38\$ 1,281,134

39FTEs 15.63

40 The state board of regents, the department of
41 management, and the legislative fiscal bureau shall
42 cooperate to determine and agree upon, by November 15,
43 2000, the amount that needs to be appropriated for
44 tuition replacement for the fiscal year beginning July
45 1, 2001.

46 The state board of regents shall submit a monthly
47 financial report in a format agreed upon by the state
48 board of regents office and the legislative fiscal
49 bureau.

50 b. For allocation by the state board of regents to

Page 15

1 the state university of Iowa, the Iowa state
 2 university of science and technology, and the
 3 university of northern Iowa to reimburse the
 4 institutions for deficiencies in their operating funds
 5 resulting from the pledging of tuitions, student fees
 6 and charges, and institutional income to finance the
 7 cost of providing academic and administrative
 8 buildings and facilities and utility services at the
 9 institutions:

10\$ 28,174,854

11 c. For funds to be allocated to the southwest Iowa
 12 graduate studies center:

13\$ 114,324

14 d. For funds to be allocated to the siouxland
 15 interstate metropolitan planning council for the
 16 tristate graduate center under section 262.9,
 17 subsection 21:

18\$ 83,778

19 e. For funds to be allocated to the quad-cities
 20 graduate studies center:

21\$ 171,382

22 2. STATE UNIVERSITY OF IOWA

23 a. General university, including lakeside
 24 laboratory

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

28\$247,817,103

29FTEs 4,055.62

30 It is the intent of the general assembly that the
 31 university continue progress on the school of public
 32 health and the public health initiative for the
 33 purposes of establishing an accredited school of
 34 public health and for funding an initiative for the
 35 health and independence of elderly Iowans. From the
 36 funds appropriated in this lettered paragraph, the
 37 university may use up to \$2,100,000 for the school of
 38 public health and the public health initiative.

39 b. University hospitals

40 For salaries, support, maintenance, equipment, and
 41 miscellaneous purposes and for medical and surgical
 42 treatment of indigent patients as provided in chapter
 43 255, for medical education, and for not more than the
 44 following full-time equivalent positions:

45\$ 32,515,915

46FTEs 5,626.24

47 The university of Iowa hospitals and clinics shall,
 48 within the context of chapter 255 and when medically
 49 appropriate, make reasonable efforts to extend the
 50 university of Iowa hospitals and clinics' use of home

Page 16

1 telemedicine and other technologies to reduce the
2 frequency of visits to the hospital required by
3 indigent patients. The university of Iowa hospitals
4 and clinics shall submit a report to the general
5 assembly and the legislative fiscal bureau by January
6 15, 2001, describing its use of these technologies to
7 accomplish this purpose.

8 The university of Iowa hospitals and clinics shall
9 submit quarterly a report regarding the portion of the
10 appropriation in this lettered paragraph expended on
11 medical education. The report shall be submitted in a
12 format jointly developed by the university of Iowa
13 hospitals and clinics, the legislative fiscal bureau,
14 and the department of management, and shall delineate
15 the expenditures and purposes of the funds.

16 Funds appropriated in this lettered paragraph shall
17 not be used to perform abortions except medically
18 necessary abortions, and shall not be used to operate
19 the early termination of pregnancy clinic except for
20 the performance of medically necessary abortions. For
21 the purpose of this lettered paragraph, an abortion is
22 the purposeful interruption of pregnancy with the
23 intention other than to produce a live-born infant or
24 to remove a dead fetus, and a medically necessary
25 abortion is one performed under one of the following
26 conditions:

27 (1) The attending physician certifies that
28 continuing the pregnancy would endanger the life of
29 the pregnant woman.

30 (2) The attending physician certifies that the
31 fetus is physically deformed, mentally deficient, or
32 afflicted with a congenital illness.

33 (3) The pregnancy is the result of a rape which is
34 reported within 45 days of the incident to a law
35 enforcement agency or public or private health agency
36 which may include a family physician.

37 (4) The pregnancy is the result of incest which is
38 reported within 150 days of the incident to a law
39 enforcement agency or public or private health agency
40 which may include a family physician.

41 (5) The abortion is a spontaneous abortion,
42 commonly known as a miscarriage, wherein not all of
43 the products of conception are expelled.

44 The total quota allocated to the counties for
45 indigent patients for the fiscal year beginning July
46 1, 2000, shall not be lower than the total quota
47 allocated to the counties for the fiscal year
48 commencing July 1, 1998. The total quota shall be
49 allocated among the counties on the basis of the 1990
50 census pursuant to section 255.16.

Page 17

1 c. Psychiatric hospital
 2 For salaries, support, maintenance, equipment,
 3 miscellaneous purposes, for the care, treatment, and
 4 maintenance of committed and voluntary public
 5 patients, and for not more than the following full-
 6 time equivalent positions:
 7\$ 8,241,465
 8FTEs 279.85

9 d. Hospital-school
 10 For salaries, support, maintenance, miscellaneous
 11 purposes, and for not more than the following full-
 12 time equivalent positions:
 13\$ 7,305,037
 14FTEs 157.69

15 From the funds appropriated in this lettered
 16 paragraph, \$200,000 shall be allocated for purposes of
 17 the creative employment options program.

18 e. Oakdale campus
 19 For salaries, support, maintenance, miscellaneous
 20 purposes, and for not more than the following full-
 21 time equivalent positions:
 22\$ 3,169,417
 23FTEs 43.25

24 f. State hygienic laboratory
 25 For salaries, support, maintenance, miscellaneous
 26 purposes, and for not more than the following full-
 27 time equivalent positions:
 28\$ 4,074,514
 29FTEs 102.49

30 g. Family practice program
 31 For allocation by the dean of the college of
 32 medicine, with approval of the advisory board, to
 33 qualified participants, to carry out chapter 148D for
 34 the family practice program, including salaries and
 35 support, and for not more than the following full-time
 36 equivalent positions:
 37\$ 2,398,895
 38FTEs 192.40

39 h. Child health care services
 40 For specialized child health care services,
 41 including childhood cancer diagnostic and treatment
 42 network programs, rural comprehensive care for
 43 hemophilia patients, and the Iowa high-risk infant
 44 follow-up program, including salaries and support, and
 45 for not more than the following full-time equivalent
 46 positions:
 47\$ 655,199
 48FTEs 9.22

49 i. Agricultural health and safety programs
 50 For agricultural health and safety programs, and

Page 18

1 for not more than the following full-time equivalent
2 positions:

3	\$	279,690
4	FTEs	3.48

5 j. Statewide cancer registry
6 For the statewide cancer registry, and for not more
7 than the following full-time equivalent positions:

8	\$	214,020
9	FTEs	2.40

10 k. Substance abuse consortium
11 For funds to be allocated to the Iowa consortium
12 for substance abuse research and evaluation, and for
13 not more than the following full-time equivalent
14 positions:

15	\$	75,536
16	FTEs	1.50

17 l. Center for biocatalysis
18 For the center for biocatalysis, and for not more
19 than the following full-time equivalent positions:

20	\$	1,074,259
21	FTEs	5.20

22 m. Primary health care initiative
23 For the primary health care initiative in the
24 college of medicine and for not more than the
25 following full-time equivalent positions:

26	\$	901,405
27	FTEs	7.75

28 From the funds appropriated in this lettered
29 paragraph, \$330,000 shall be allocated to the
30 department of family practice at the state university
31 of Iowa college of medicine for family practice
32 faculty and support staff.

33 n. Birth defects registry
34 For the birth defects registry and for not more
35 than the following full-time equivalent position:

36	\$	51,984
37	FTEs	1.30

38 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
39 a. General university
40 For salaries, support, maintenance, equipment,
41 miscellaneous purposes, and for not more than the
42 following full-time equivalent positions:

43	\$	196,418,464
44	FTEs	3,607.44

45 It is the intent of the general assembly that the
46 university continue progress on the center for
47 excellence in fundamental plant sciences. From the
48 funds appropriated in this lettered paragraph, the
49 university may use up to \$4,670,000 for the center for
50 excellence in fundamental plant sciences.

Page 19

1 The general assembly declares that it is possible
 2 that a few large companies may be able to control all
 3 levels of the food chain, including production,
 4 because these companies own the genetics needed to
 5 participate in the food system of the future, and
 6 finds this possibility to be a major threat to the
 7 independence and profitability of Iowa's agricultural
 8 producers. To ensure public ownership of plant
 9 genetic material, all rights to the research products
 10 developed by the Iowa state university of science and
 11 technology's botany institute using state-appropriated
 12 funds will be made available to the extent practicable
 13 for commercialization, for the benefit of all Iowans,
 14 including Iowa's agricultural producers, through a
 15 public process which normally involves nonexclusive
 16 licensing of genes and germplasm.

17 b. Agricultural experiment station

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

21	\$ 36,184,371
22	FTEs 546.98

23 From the funds appropriated in this lettered
 24 paragraph, and notwithstanding chapter 124, at least
 25 \$20,000 shall be used by Iowa state university to
 26 conduct research regarding the feasibility of
 27 producing and marketing industrial hemp as a
 28 profitable crop for Iowa producers, including but not
 29 limited to production and harvesting practices. The
 30 university shall cooperate with universities or
 31 agencies in other states conducting similar research.
 32 The university shall collaborate with agencies of the
 33 United States government, including the drug
 34 enforcement administration of the United States
 35 department of justice, in order to produce and possess
 36 industrial hemp according to the terms and conditions
 37 required by the United States government.

38 c. Cooperative extension service in agriculture
39 and home economics

40 For salaries, support, maintenance, miscellaneous
 41 purposes, and for not more than the following full-
 42 time equivalent positions:

43	\$ 22,821,278
44	FTEs 430.91

45 From the funds appropriated in this lettered
 46 paragraph, \$150,000 shall be used for the food, fiber,
 47 and environmental science program, and \$1,066,000
 48 shall be used for the value-added agricultural
 49 projects as part of the extension 21 program.

50 The cooperative extension service in agriculture

Page 20

1 and home economics at Iowa state university of science
 2 and technology shall conduct a study, in consultation
 3 with the department of human services, that identifies
 4 all educational materials, seminars, and assistance
 5 offered by the extension service which are
 6 duplicative, either directly or in subject area, of
 7 educational materials, seminars, and assistance
 8 offered by the department of human services. The
 9 cooperative extension service shall submit its
 10 findings in a report to the general assembly and the
 11 legislative fiscal bureau by January 15, 2001.

12 d. Leopold center

13 For agricultural research grants at Iowa state
 14 university under section 266.39B, and for not more
 15 than the following full-time equivalent positions:

16	\$	576,969
17	FTEs	11.25

18 e. Livestock disease research

19 For deposit in and the use of the livestock disease
 20 research fund under section 267.8, and for not more
 21 than the following full-time equivalent positions:

22	\$	279,077
23	FTEs	3.17

24 4. UNIVERSITY OF NORTHERN IOWA

25 a. General university

26 For salaries, support, maintenance, equipment,
 27 miscellaneous purposes, and for not more than the
 28 following full-time equivalent positions:

29	\$	87,811,041
30	FTEs	1,416.86

31 It is the intent of the general assembly that the
 32 university continue progress on the implementation of
 33 a masters in social work program. From the funds
 34 appropriated in this lettered paragraph, the
 35 university may use up to \$450,000 for the
 36 implementation of the masters in social work program,
 37 up to \$100,000 for the roadside vegetation project,
 38 and up to \$200,000 for the Iowa office for staff
 39 development.

40 b. Recycling and reuse center

41 For purposes of the recycling and reuse center, and
 42 for not more than the following full-time equivalent
 43 positions:

44	\$	248,878
45	FTEs	1.50

46 5. STATE SCHOOL FOR THE DEAF

47 For salaries, support, maintenance, miscellaneous
 48 purposes, and for not more than the following full-
 49 time equivalent positions:

50	\$	7,964,367
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Page 21

1FTEs 126.60
2 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
3 For salaries, support, maintenance, miscellaneous
4 purposes, and for not more than the following full-
5 time equivalent positions:
6\$ 4,447,925
7FTEs 91.05
8 7. TUITION AND TRANSPORTATION COSTS
9 For payment to local school boards for the tuition
10 and transportation costs of students residing in the
11 Iowa braille and sight saving school and the state
12 school for the deaf pursuant to section 262.43 and for
13 payment of certain clothing and transportation costs
14 for students at these schools pursuant to section
15 270.5:
16\$ 16,941
17 Sec. 12. MEDICAL ASSISTANCE – SUPPLEMENTAL
18 AMOUNTS. For the fiscal year beginning July 1, 2000,
19 and ending June 30, 2001, the department of human
20 services shall continue the supplemental
21 disproportionate share and a supplemental indirect
22 medical education adjustment applicable to state-owned
23 acute care hospitals with more than 500 beds and shall
24 reimburse qualifying hospitals pursuant to that
25 adjustment with a supplemental amount for services
26 provided medical assistance recipients. The
27 adjustment shall generate supplemental payments
28 intended to equal the state appropriation made to a
29 qualifying hospital for treatment of indigent patients
30 as provided in chapter 255. To the extent of the
31 supplemental payments, a qualifying hospital shall,
32 after receipt of the funds, transfer to the department
33 of human services an amount equal to the actual
34 supplemental payments that were made in that month.
35 The aggregate amounts for the fiscal year shall not
36 exceed the state appropriation made to the qualifying
37 hospital for treatment of indigent patients as
38 provided in chapter 255. The department of human
39 services shall deposit these funds in the department's
40 medical assistance account. To the extent that state
41 funds appropriated to a qualifying hospital for the
42 treatment of indigent patients as provided in chapter
43 255 have been transferred to the department of human
44 services as a result of these supplemental payments
45 made to the qualifying hospital, the department shall
46 not, directly or indirectly, recoup the supplemental
47 payments made to a qualifying hospital for any reason,
48 unless an equivalent amount of the funds transferred
49 to the department of human services by a qualifying
50 hospital pursuant to this provision is transferred to

Page 22

1 the qualifying hospital by the department.
2 If the state supplemental amount allotted to the
3 state of Iowa for the federal fiscal year beginning
4 October 1, 2000, and ending September 30, 2001,
5 pursuant to section 1923(f)(3) of the federal Social
6 Security Act, as amended, or pursuant to federal
7 payments for indirect medical education is greater
8 than the amount necessary to fund the federal share of
9 the supplemental payments specified in the preceding
10 paragraph, the department of human services shall
11 increase the supplemental disproportionate share or
12 supplemental indirect medical education adjustment by
13 the lesser of the amount necessary to utilize fully
14 the state supplemental amount or the amount of state
15 funds appropriated to the state university of Iowa
16 general education fund and allocated to the university
17 for the college of medicine. The state university of
18 Iowa shall transfer from the allocation for the
19 college of medicine to the department of human
20 services, on a monthly basis, an amount equal to the
21 additional supplemental payments made during the
22 previous month pursuant to this paragraph. A
23 qualifying hospital receiving supplemental payments
24 pursuant to this paragraph that are greater than the
25 state appropriation made to the qualifying hospital
26 for treatment of indigent patients as provided in
27 chapter 255 shall be obligated as a condition of its
28 participation in the medical assistance program to
29 transfer to the state university of Iowa general
30 education fund on a monthly basis an amount equal to
31 the funds transferred by the state university of Iowa
32 to the department of human services. To the extent
33 that state funds appropriated to the state university
34 of Iowa and allocated to the college of medicine have
35 been transferred to the department of human services
36 as a result of these supplemental payments made to the
37 qualifying hospital, the department shall not,
38 directly or indirectly, recoup these supplemental
39 payments made to a qualifying hospital for any reason,
40 unless an equivalent amount of the funds transferred
41 to the department of human services by the state
42 university of Iowa pursuant to this paragraph is
43 transferred to the qualifying hospital by the
44 department.
45 Continuation of the supplemental disproportionate
46 share and supplemental indirect medical education
47 adjustment shall preserve the funds available to the
48 university hospital for medical and surgical treatment
49 of indigent patients as provided in chapter 255 and to
50 the state university of Iowa for educational purposes

Page 23

1 at the same level as provided by the state funds
2 initially appropriated for that purpose.
3 The department of human services shall, in any
4 compilation of data or other report distributed to the
5 public concerning payments to providers under the
6 medical assistance program, set forth reimbursements
7 to a qualifying hospital through the supplemental
8 disproportionate share and supplemental indirect
9 medical education adjustment as a separate item and
10 shall not include such payments in the amounts
11 otherwise reported as the reimbursement to a
12 qualifying hospital for services to medical assistance
13 recipients.

14 For purposes of this section, "supplemental
15 payment" means a supplemental payment amount paid for
16 medical assistance to a hospital qualifying for that
17 payment under this section.

18 Sec. 13. 2000 Iowa Acts, House File 2039, section
19 24, is amended to read as follows:

20 SEC. 24. MEDICAL ASSISTANCE CLAIMING BY STATE

21 BOARD OF REGENTS. The state shall enter into a
22 contract to enhance claiming of medical assistance
23 program reimbursement payable for services provided by
24 the state university of Iowa hospitals and clinics.
25 After payment of contract costs, the first \$4,000,000
26 \$12,000,000 received in additional reimbursement from
27 the enhanced claiming during the period beginning with
28 the effective date of this Act, and ending June 30,
29 2001, shall be credited to the general fund of the
30 state. The balance of the additional reimbursement
31 received during the period is appropriated to the
32 state board of regents for the state university of
33 Iowa hospitals and clinics for other expenses
34 associated with the enhanced claiming and for the
35 provision of services. The state board of regents
36 shall report quarterly during the period delineated in
37 this section to the department of management and the
38 legislative fiscal bureau concerning the enhanced
39 claiming and reimbursement that is received and
40 anticipated.

41 For purposes of this section, "enhanced claiming"
42 does not include any process already being utilized by
43 the state university of Iowa hospitals and clinics to
44 identify and seek reimbursement from appropriate
45 payors. Individual patient accounts shall not be
46 eligible for participation in enhanced claiming
47 activities until the state university of Iowa
48 hospitals and clinics certifies that its internal
49 processes to identify and seek reimbursement from
50 appropriate payors have been completed. Should

Page 24

1 additional reimbursement from the enhanced claiming
2 fail to equal the targeted amount to be credited to
3 the general fund, the state university of Iowa
4 hospitals and clinics shall not be held responsible
5 for making up the shortfall.

6 Sec. 14. STATE UNIVERSITY OF IOWA – DEPARTMENT OF
7 HUMAN SERVICES. The department of human services
8 shall transfer to the state university of Iowa for the
9 purposes of the creative employment options program
10 the same amount of moneys in the fiscal year beginning
11 July 1, 2000, and ending June 30, 2001, as was
12 transferred in the fiscal year beginning July 1, 1997,
13 and ending June 30, 1998.

14 Sec. 15. For the fiscal year beginning July 1,
15 2000, and ending June 30, 2001, the state board of
16 regents may use notes, bonds, or other evidences of
17 indebtedness issued under section 262.48 to finance
18 projects that will result in energy cost savings in an
19 amount that will cause the state board to recover the
20 cost of the projects within an average of six years.

21 Sec. 16. Notwithstanding section 270.7, the
22 department of revenue and finance shall pay the state
23 school for the deaf and the Iowa braille and sight
24 saving school the moneys collected from the counties
25 during the fiscal year beginning July 1, 2000, for
26 expenses relating to prescription drug costs for
27 students attending the state school for the deaf and
28 the Iowa braille and sight saving school.

29 Sec. 17. Section 28.3, subsection 2, Code
30 Supplement 1999, is amended to read as follows:

31 2. The Iowa board shall consist of ~~fifteen~~
32 ~~seventeen~~ voting members with ~~twelve~~ ~~thirteen~~ citizen
33 members and three ~~four~~ state agency members. The
34 ~~three~~ ~~four~~ state agency members shall be the directors
35 of the following departments: education, human
36 rights, human services, and public health. The ~~twelve~~
37 ~~thirteen~~ citizen members shall be appointed by the
38 governor, subject to confirmation by the senate. The
39 governor's appointments of citizen members shall be
40 made in a manner so that each of the state's
41 congressional districts is represented by two citizen
42 members and so that all the appointments as a whole
43 reflect the ethnic, cultural, social, and economic
44 diversity of the state. The governor's appointees
45 shall be selected from individuals nominated by
46 community empowerment area boards. The nominations
47 shall reflect the range of interests represented on
48 the community boards so that the governor is able to
49 appoint one or more members each for education,
50 health, human services, business, faith, and public

Page 25

1 interests. At least one of the citizen members shall
2 be a service consumer or the parent of a service
3 consumer. Terms of office of all citizen members are
4 three years. A vacancy on the board shall be filled
5 in the same manner as the original appointment for the
6 balance of the unexpired term.

7 Sec. 18. Section 135.11, subsection 18, Code
8 Supplement 1999, is amended to read as follows:

9 18. Consult with the office of statewide clinical
10 education programs at the university of Iowa college
11 of medicine and annually submit a report to the
12 general assembly by January 15 verifying the number of
13 physicians in active practice in Iowa by county who
14 are engaged in providing obstetrical care. To the
15 extent data are readily available, the report shall
16 include information concerning the number of
17 deliveries per year by specialty and county, the age
18 of physicians performing deliveries, and the number of
19 current year graduates of the university of Iowa
20 college of medicine and the Des Moines university of
21 ~~osteopathic medicine and health sciences~~ medical
22 center entering into residency programs in obstetrics,
23 gynecology, and family practice. The report may
24 include additional data relating to access to
25 obstetrical services that may be available.

26 Sec. 19. NEW SECTION. 135.26 OBSTETRICAL
27 BRACHIAL PLEXUS PALSY CONSULTATION.

28 The university of Iowa hospitals and clinics shall
29 develop and maintain a comprehensive database of
30 information regarding obstetrical brachial plexus
31 palsy treatment options and success rates. In every
32 case where a diagnosis of obstetrical brachial plexus
33 palsy is made, the parents or legal guardians of an
34 infant so diagnosed shall be given the opportunity to
35 consult with an obstetrical brachial plexus palsy
36 specialist regarding treatment options and reported
37 success rates currently documented in medical
38 literature for obstetrical brachial plexus palsy. The
39 objective of the consultation shall be to place a
40 parent or legal guardian in the position of
41 subsequently making an educated and informed decision
42 regarding the pursuit of obstetrical brachial plexus
43 palsy treatment.

44 Sec. 20. Section 135.107, subsection 3, paragraph
45 d, subparagraph (1), Code 1999, is amended to read as
46 follows:

47 (1) The Iowa department of public health, in
48 cooperation with a primary care collaborative effort
49 including the university of Iowa college of medicine,
50 the Des Moines university of ~~osteopathic medicine~~

Page 26

1 ~~and health sciences~~ medical center, and other primary
2 care professional educational institutions in Iowa,
3 shall develop and establish area health education
4 centers. The effort shall involve making application
5 for a federal grant under 42 U.S.C. § 293j, as
6 prescribed by that section.

7 Sec. 21. Section 135.107, subsection 4, Code 1999,
8 is amended to read as follows:

9 4. The director of public health shall establish a
10 primary care collaborative work group to coordinate
11 all statewide recruitment and retention activities
12 established pursuant to this section and to make
13 recommendations to the department and the center for
14 rural health and primary care relating to the
15 implementation of subsection 3. Membership of the
16 work group shall consist, at a minimum, of
17 representatives from the university of Iowa college of
18 medicine, Des Moines university of ~~—~~ osteopathic
19 ~~medicine and health sciences~~ medical center,
20 university of Iowa physician assistant school,
21 university of Iowa nurse practitioner school, Des
22 Moines university of ~~—~~ osteopathic ~~medicine and~~
23 ~~health sciences~~ medical center physician assistant
24 program, Iowa-Nebraska primary care association, Iowa
25 medical society, Iowa osteopathic medical association,
26 Iowa chapter of American college of osteopathic family
27 physicians, Iowa academy of family physicians, nurse
28 practitioner association, Iowa nurses association,
29 association of Iowa hospitals and health systems, and
30 Iowa physicians assistants association.

31 Sec. 22. Section 235C.3, subsection 2, paragraph
32 b, Code Supplement 1999, is amended to read as
33 follows:

34 b. A health professional training campaign,
35 including recommendations concerning the curriculum
36 offered at the college of medicine at the state
37 university of Iowa and the Des Moines university of ~~—~~
38 osteopathic ~~medicine and health sciences~~ medical
39 center, providing assistance in the identification of
40 women at risk of substance abuse during pregnancy and
41 strategies to be employed in assisting those women to
42 maintain healthy lifestyles during pregnancy. This
43 education campaign shall offer information to health
44 professionals on assessment, laboratory testing, and
45 referrals.

46 Sec. 23. Section 256.42, subsection 4, Code 1999,
47 is amended by striking the subsection.

48 Sec. 24. Section 256B.15, subsection 7, paragraph
49 a, Code 1999, is amended to read as follows:

50 a. The treasurer of the state shall credit

Page 27

1 receipts received under this section to the department
2 of human services to pay contractual fees incurred by
3 the department to maximize federal funding for special
4 education services. All remaining receipts in excess
5 of the amount necessary to pay contractual fees shall
6 be credited to the ~~general fund of the state~~
7 department of human services medical assistance
8 account.

9 Sec. 25. Section 256C.2, unnumbered paragraph 2,
10 Code 1999, is amended to read as follows:

11 A district applying for a grant under this section
12 shall agree, for each dollar of grant funds, to
13 provide twenty cents in matching cash or in-kind
14 resources. Grants may be awarded for four years,
15 beginning July 1, 1994, and ending June 30, 1998. ~~Up~~
16 ~~to ten percent of the moneys appropriated for the~~
17 ~~grant program may be used by the council for staffing,~~
18 ~~technical assistance, and external evaluation~~
19 ~~development.~~ Notwithstanding section 8.33,
20 unencumbered or unobligated funds remaining on June 30
21 of the fiscal year for which the funds were
22 appropriated shall not revert but shall be available
23 for expenditure for the following fiscal year for the
24 purposes of this section.

25 Sec. 26. Section 261.12, subsection 1, paragraph
26 b, Code Supplement 1999, is amended to read as
27 follows:

28 b. For the fiscal year beginning July 1, 1999
29 2000, and for each following fiscal year, three four
30 thousand ~~nine hundred~~ dollars.

31 Sec. 27. Section 261.19, subsections 1 through 4,
32 Code 1999, are amended to read as follows:

33 1. A physician recruitment program is established,
34 to be administered by the college student aid
35 commission, for the Des Moines university of ~~_~~
36 ~~osteopathic medicine and health sciences of Des~~
37 ~~Moines, Iowa~~ medical center. The program shall
38 consist of a forgivable loan program and a tuition
39 scholarship program for students and a loan repayment
40 program for physicians. The commission shall
41 regularly adjust the physician service requirement
42 under each aspect of the program to provide, to the
43 extent possible, an equal financial benefit for each
44 period of service required. From funds appropriated
45 for purposes of the program by the general assembly,
46 the commission shall pay a fee to the Des Moines
47 ~~university of _ osteopathic medicine and health~~
48 ~~sciences~~ medical center for the administration of the
49 program. a portion of the fee shall be paid by the
50 commission to the university based upon the number of

Page 28

1 physicians recruited under subsection 4.
2 2. A forgivable loan may be awarded to a resident
3 of Iowa who is enrolled at the Des Moines university
4 of ~~osteopathic medicine and health sciences~~ medical
5 center if the student agrees to practice in this state
6 for a period of time to be determined by the
7 commission at the time the loan is awarded.
8 Forgivable loans to eligible students shall not become
9 due and interest on the loan shall not accrue until
10 after the student completes a residency program. If
11 the student completes the period of practice
12 established by the commission and agreed to by the
13 student, the loan amount shall be forgiven. The loan
14 amount shall not be forgiven if the osteopathic
15 physician fails to complete the required time period
16 of practice in this state or fails to satisfactorily
17 continue in the university's program of medical
18 education.
19 3. A student enrolled at the Des Moines university
20 of ~~osteopathic medicine and health sciences~~ medical
21 center shall be eligible for a tuition scholarship for
22 the student's study at the university. The
23 scholarship shall be for an amount not to exceed the
24 annual tuition at the university. A student who
25 receives a tuition scholarship shall not be eligible
26 for the loan repayment program provided for by this
27 section. A student who receives a tuition scholarship
28 shall agree to practice in an eligible rural community
29 in this state for a period of time to be determined by
30 the commission at the time the scholarship is awarded.
31 The student shall repay the scholarship to the
32 commission if the student fails to practice in a
33 medically underserved rural community in this state
34 for the required period of time.
35 4. A physician shall be eligible for the physician
36 loan repayment program if the physician agrees to
37 practice in an eligible rural community in this state.
38 The Des Moines university of ~~osteopathic medicine~~
39 ~~and health sciences~~ medical center shall recruit and
40 place physicians in rural communities which have
41 agreed to provide additional funds for the physician's
42 loan repayment. The contract for the loan repayment
43 shall stipulate the time period the physician shall
44 practice in an eligible rural community in this state.
45 In addition, the contract shall stipulate that the
46 physician repay any funds paid on the physician's loan
47 by the commission if the physician fails to practice
48 in an eligible rural community in this state for the
49 required period of time. For purposes of this
50 subsection, "eligible rural community" means a

Page 29

1 medically underserved rural community which agrees to
2 match state funds provided on at least a dollar-for-
3 dollar basis for the loan repayment of a physician who
4 practices in the community.

5 Sec. 28. Section 261.25, subsection 1, Code
6 Supplement 1999, is amended to read as follows:

7 1. There is appropriated from the general fund of
8 the state to the commission for each fiscal year the
9 sum of ~~forty-seven~~ forty-eight million six eight
10 ~~hundred sixty-four~~ thirty thousand ~~seven hundred fifty~~
11 seventy-five dollars for tuition grants.

12 Sec. 29. Section 261.85, unnumbered paragraph 1,
13 Code 1999, is amended to read as follows:

14 There is appropriated from the general fund of the
15 state to the commission for each fiscal year the sum
16 of two million ~~nine~~ seven hundred fifty thousand
17 dollars for the work-study program.

18 Sec. 30. **NEW SECTION.** 262.76 ASSIGNMENT OF
19 STUDENT TEACHERS – ACCREDITED NONPUBLIC SCHOOLS.

20 The state board of regents shall adopt rules
21 authorizing approved practitioner preparation program
22 faculty to assign a student enrolled in the program to
23 an accredited nonpublic school for student teaching
24 experience if the coursework and the curriculum the
25 student is assigned to teach are nonsectarian,
26 nonreligious, and would reasonably be expected to be
27 taught in any public school district in the state.

28 Sec. 31. Section 266.39C, subsection 3, unnumbered
29 paragraph 1, Code 1999, is amended to read as follows:

30 Iowa state university of science and technology
31 shall employ a director for the center, who shall be
32 appointed by the president of Iowa state university of
33 science and technology. The director of the center
34 shall employ necessary research and support staff.
35 The director and staff shall be employees of Iowa
36 state university of science and technology. No more
37 than ~~five~~ seven hundred thousand dollars of the funds
38 made available by appropriation from state revenues in
39 any one year shall be expended by the center for the
40 salaries and benefits of the employees of the center,
41 including the salary and benefits of the director.
42 The remainder of the funds appropriated from state
43 funds shall be used to sponsor research grants and
44 projects submitted on a competitive basis by Iowa
45 colleges and universities and private nonprofit
46 agencies and foundations. The center may also solicit
47 additional grants and funding from public and private
48 nonprofit agencies and foundations.

49 Sec. 32. Section 272.12, Code 1999, as amended by
50 2000 Iowa Acts, House File 2146, section 5, if

Page 30

1 enacted, is amended to read as follows:

2 272.12 PARA-EDUCATOR CERTIFICATES.

3 The board of educational examiners shall adopt
4 rules pursuant to chapter 17A relating to a voluntary
5 certification system for para-educators. The rules
6 shall specify rights, responsibilities, levels, and
7 qualifications for the certificate. Applicants shall
8 be disqualified for any reason specified in section
9 272.6 or in administrative rule. Notwithstanding
10 section 272.6, subsection 1, paragraph "a", the board
11 may issue a para-educator certificate to a person who
12 is at least eighteen years of age. A person holding a
13 para-educator certificate shall not perform the duties
14 of a licensed practitioner. A certificate issued
15 pursuant to this chapter shall not be considered a
16 teacher or administrator license for any purpose
17 specified by law, including the purposes specified
18 under this chapter or chapter 279.

19 Sec. 33. Section 283A.2, subsection 2, paragraph
20 b, unnumbered paragraph 1, and paragraph c, as enacted
21 by 1999 Iowa Acts, chapter 147, section 1, are amended
22 to read as follows:

23 The board of directors of a school district that
24 wishes to provide safe, reasonable student access to a
25 school breakfast program, rather than operate or
26 provide for the operation of a school breakfast
27 program at a specific attendance center within the
28 school district shall develop an alternative site plan
29 to operate the school breakfast program at another
30 attendance center or other site within the school
31 district and shall annually certify to the department
32 that the plan meets the following criteria:

33 c. The board of directors of a school district
34 that wishes to provide access to a school breakfast
35 program in accordance with paragraph "b", shall notify
36 the parent, guardian, or legal or actual custodian of
37 a child enrolled in the school district of the school
38 district's intention to develop and implement a plan
39 to provide school breakfast programs ~~only in certain~~
40 ~~attendance centers~~ at an alternative site. At any
41 time in which the school district proposes to make
42 substantive changes to a plan certified with the
43 department of education, the notification requirements
44 of this paragraph shall apply.

45 Sec. 34. Section 294A.25, subsections 6, 10, and
46 14, Code Supplement 1999, are amended to read as
47 follows:

48 6. For the fiscal year beginning July 1, 1999
49 2000, and ending June 30, ~~2000~~ 2001, from phase III
50 moneys the amount of fifty thousand dollars to the

Page 31

1 department of education for the geography alliance.
 2 10. For the fiscal year beginning July 1, 1998
 3 2000, and for each succeeding fiscal year, the amount
 4 of one hundred seventy thousand dollars to the state
 5 board of regents for equal distribution in the amount
 6 of sixty-eight thousand dollars to the Iowa braille
 7 and sight saving school and in the amount of one
 8 hundred two thousand dollars to the Iowa state school
 9 for the deaf from phase III moneys.
 10 14. For the fiscal year beginning July 1, 1999
 11 2000, and ending June 30, 2000 2001, to the department
 12 of education from phase III moneys the amount of fifty
 13 thousand dollars for the Iowa mathematics and science
 14 coalition.
 15 Sec. 35. Section 294A.25, subsection 7, Code
 16 Supplement 1999, is amended by striking the
 17 subsection.
 18 Sec. 36. RETROACTIVE APPLICABILITY. Section
 19 256C.2, unnumbered paragraph 2, as amended in this
 20 Act, is retroactively applicable to July 1, 1999. Any
 21 moneys retained by the child development coordinating
 22 council for the fiscal year beginning July 1, 1999,
 23 for staffing, technical assistance, and external
 24 evaluation development shall be awarded in
 25 demonstration program grants as provided in chapter
 26 256C.
 27 Sec. 37. EFFECTIVE DATE. Section 10 of this Act,
 28 relating to 1999 Iowa Acts, chapter 205; section 25,
 29 amending section 256C.2; and section 36, relating to
 30 retroactive applicability, being deemed of immediate
 31 importance, take effect upon enactment."

Fallon of Polk asked and received unanimous consent that amendment H-9110, to the Senate amendment H-9105, be deferred.

Hansen of Pottawattamie offered amendment H-9111, to the Senate amendment H-9105, filed by him from the floor and requested division as follows:

H-9111

1 Amend the Senate amendment, H-9105, to House File
 2 2549, as amended, passed, and reprinted by the House,
 3 as follows:

H-9111A

4 1. Page 14, by striking line 38 and inserting the

5 following:

6 ".....\$ 1,284,586"

7 2. Page 19, by striking lines 23 through 37.

8 3. Page 29, by striking lines 18 through 27.

H-9111B

9 4. Page 31, by inserting after line 17 the
10 following:

11 "Sec. ____ Section 296.1, Code 1999, is amended to
12 read as follows:

13 296.1 INDEBTEDNESS AUTHORIZED.

14 Subject to the approval of the voters thereof,
15 school districts are hereby authorized to contract
16 indebtedness and to issue general obligation bonds to
17 provide funds to defray the cost of purchasing,
18 building, furnishing, reconstructing, repairing,
19 improving, or remodeling a schoolhouse or schoolhouses
20 and additions thereto, gymnasium, stadium, field
21 house, school bus garage, teachers' or
22 superintendent's home or homes, and procuring a site
23 or sites therefor, or purchasing land to add to a site
24 already owned, or procuring and improving a site for
25 an athletic field, or improving a site already owned
26 for an athletic field, and for any one or more of such
27 purposes. Taxes for the payment of said bonds shall
28 be levied in accordance with chapter 76, and said such
29 bonds shall mature within a period not exceeding
30 twenty years from date of issue, shall bear interest
31 at a rate or rates not exceeding that permitted by
32 chapter 74A, and shall be of such form as the board of
33 directors of such school district shall by resolution
34 provide, but the aggregate indebtedness of any school
35 district shall not exceed five percent of the actual
36 value of the taxable property within said the school
37 district, as ascertained by the last preceding state
38 and county tax lists. The bonds may be sold at public
39 or private sale at a price as may be determined by the
40 board of directors. Such bonds may be sold at not
41 less than ninety-eight percent of par or may be
42 exchanged for other bonds at not less than ninety-
43 eight percent of par.

44 Sec. ____ Section 298.22, unnumbered paragraph 1,
45 Code 1999, is amended to read as follows:

46 All of said bonds shall be substantially in the
47 form provided for county bonds, but subject to changes
48 that will conform them to the action of the board
49 providing therefor; shall run not more than twenty
50 years, and may be sooner paid if so nominated in the

Page 2

1 bond; bear a rate of interest not exceeding that
2 permitted by chapter 74A, payable semiannually; be
3 signed by the president and countersigned by the
4 secretary of the board of directors; and ~~shall not be~~
5 ~~disposed of for less than par value, nor issued for~~
6 ~~other purposes than this chapter provides~~ be sold at
7 public or private sale at a price as may be determined
8 by the board of directors. Such bonds may be sold at
9 not less than ninety-eight percent of par or may be
10 exchanged for other bonds at not less than ninety-
11 eight percent of par.

12 Sec. __. Section 422E.4, unnumbered paragraph 1,
13 Code Supplement 1999, is amended to read as follows:

14 The board of directors of a school district shall
15 be authorized to issue negotiable, interest-bearing
16 school bonds, without election, and utilize tax
17 receipts derived from the sales and services tax for
18 school infrastructure purposes for principal and
19 interest repayment. Proceeds of the bonds issued
20 pursuant to this section shall be utilized solely for
21 school infrastructure needs as school infrastructure
22 is defined in section 422E.1, subsection 3. Issuance
23 of bonds pursuant to this section shall be permitted
24 only in a district which has imposed a local sales and
25 services tax for school infrastructure purposes
26 pursuant to section 422E.2. The provisions of
27 sections 298.22 through 298.24 shall apply regarding
28 the form, rate of interest, registration, redemption,
29 and recording of bond issues pursuant to this section,
30 with the exception that the maximum period during
31 which principal on the bonds is payable shall not
32 exceed a ten-year period, or the date of repeal stated
33 on the ballot proposition. Bonds issued pursuant to
34 this section may be sold at public or private sale at
35 a price as may be determined by the board of directors
36 of the school district. Such bonds may be sold at not
37 less than ninety-eight percent of par or may be
38 exchanged for other bonds at not less than ninety-
39 eight percent of par."

40 5. By renumbering, redesignating, and correcting
41 internal references as necessary.

On motion by Hansen of Pottawattamie amendment H-9111A was adopted, placing amendment H-9112 filed by Huser of Polk from the floor, out of order.

Mascher of Johnson offered amendment H-9107, to the Senate amendment H-9105, filed by her from the floor as follows:

H-9107

- 1 Amend the Senate amendment, H-9105, to House File
- 2 2549, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 15, by striking line 28 and inserting the
- 5 following:
- 6 ".....\$248,427,892"

Rants of Woodbury asked and received unanimous consent that House File 2549 be deferred. (Amendment H-9107, to the Senate amendment H-9105, pending)

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2373** and **Senate File 2433**.

The House resumed consideration of House File 2549, previously deferred and amendment H-9107, pending.

On motion by Mascher of Johnson amendment H-9107, to the Senate amendment H-9105, lost.

Witt of Black Hawk offered amendment H-9110, previously deferred, to the Senate amendment H-9105, filed by him, Mascher of Johnson, Parmenter of Story, and Greimann of Story from the floor and requested division as follows:

H-9110

- 1 Amend the Senate amendment, H-9105, to House File
- 2 2549, as amended, passed, and reprinted by the House,
- 3 as follows:

H-9110A

- 4 1. Page 14, by striking line 38 and inserting the
- 5 following:
- 6 ".....\$ 1,287,593"

H-9110B

- 7 2. Page 15, by striking line 28 and inserting the
- 8 following:
- 9 ".....\$249,380,737"

10	3. Page 18, by striking line 43 and inserting the	
11	following:	
12	"....."	\$197,739,031"
13	4. Page 20, by striking line 29 and inserting the	
14	following:	
15	"....."	\$ 88,257,392"
16	5. Page 20, by striking line 50 and inserting the	
17	following:	
18	"....."	\$ 8,004,998"
19	6. Page 21, by striking line 6 and inserting the	
20	following:	
21	"....."	\$ 4,470,283"

Witt of Black Hawk asked and received unanimous consent to withdraw amendment H-9110A, to amendment H-9105.

On motion by Witt of Black Hawk amendment H-9110B lost.

Hansen of Pottawattamie asked and received unanimous consent to withdraw amendment H-9111B, to amendment H-9105.

On motion by Hansen of Pottawattamie the House concurred in the Senate amendment H-9105, as amended.

Hansen of Pottawattamie moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2549)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kuhn	Larkin	Larson	Lord

Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Nelson-Forbes
Osterhaus	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shey	Shoultz	Stevens	Sukup
Sunderbruch	Taylor, D.	Taylor, T.	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, 6:

Greimann	Kreiman	Mascher	Myers
O'Brien	Parmenter		

Absent or not voting, 2:

Frevert	Van Fossen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 2549** be immediately messaged to the Senate.

Raecker of Polk called up for consideration **Senate File 2245**, a bill for an act relating to penalties for city and county ordinances and to scheduled violations, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-9113 to the House amendment:

H-9113

- 1 Amend the House amendment, S-5658, to Senate File
- 2 2245, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 2, by striking lines 23 through 32.
- 5 2. By striking page 2, line 42, through page 3,
- 6 line 49.
- 7 3. Page 4, by striking lines 18 through 44.
- 8 4. By striking page 5, line 19, through page 6,
- 9 line 1.
- 10 5. Page 6, line 30, by striking the words "
- 11 local ordinances, and franchises" and inserting the
- 12 following: "and local ordinances".

13 6. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9113, to the House amendment.

Raecker of Polk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2245)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunckhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson-Forbes
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shay	Shoultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 1:

Jager

Absent or not voting, 5:

Drees	Frevert	Grundberg	Larson
Welter			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF SENATE CONCURRENT RESOLUTION 108

Greiner of Washington called up for consideration Senate Concurrent Resolution 108, a concurrent resolution recognizing the accomplishments of John Fletcher Lacey and commemorating the one-hundredth-year anniversary of the Lacey Act, and moved its adoption.

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 122 WITHDRAWN

Greiner of Washington asked and received unanimous consent to withdraw House Concurrent Resolution 122 from further consideration by the House.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate File 2245** and **Senate Concurrent Resolution 108**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2000, amended and passed the following bill in which the concurrence of the House is asked:

House File 2579, a bill for an act creating a tobacco settlement authority Act, authorizing the issuance of bonds, and providing an effective date.

Also: That the Senate has on April 26, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2433, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

Also: That the Senate has on April 26, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2453, a bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

REMARKS BY MINORITY LEADER SCHRADER

Minority Leader Schrader offered the following remarks:

Thank you Mr. Speaker and thank you to the Majority Leader for such a compliment, even before I begin to call my speech a productive use of time. That's very nice of you Representative Rants.

I want to begin by saying thank you. You probably notice my going away speech will be a little different than times past. I don't write speeches anymore. I make outlines, but my problem is I can't read them unless I put my glasses on, and then I can't see you unless I take my glasses off. Representative Blodgett and I had a conversation a couple weeks ago where I asked him to yield and we were both looking over our glasses at one another as we tried to do our work.

I do want to say thank you to many friends in this chamber. First and most of all to the Democratic caucus that I lead and all of you people that have worked so hard. This deal of being a minority party member isn't a fun one a lot of the time. The objectives that you have in front of you often are hard to get your hands around. It makes it hard some times to focus on the task but you've done it. I'm proud of you and you've made me look good as a leader because you've been such a great team. I thank you all for that. And I appreciate and respect you all for that. And as a team I can't have any higher regards than my leadership team. My friend Dick Myers who sits right beside me, the Democratic Whip; and Assistant Leaders John Connors, Pam Jochum, Steve Warnstadt and Keith Weigel. You've worked harder than anybody on our team to help us have success. My wife, Bobbi, doesn't sit beside me. She sits beside Steve Warnstadt. But she helps me every day. My staff in my office, Mark Brandsgard, Carolyn Gaukel, people that do great work and put up with me somehow at the same time. The Democratic caucus staff, Paulee Lipsman, Dave Epley, Dean Fiihr, Jennifer Parsons, Tom Patterson, Anna Hyatt-Crozier, Mary Braun, Ed Conlow, and Joe Romano. They work so hard for me and for every other one of the members of our caucus, that it's hard to know how to thank these folks. Year in and year out during the session and during the interim they are there for us.

And my Republican friends and your great staff. Representative Rants, you've done a great job of sharing with the minority and with me information about our schedules, our agenda. And how this place is run. You've not yet entrusted me with that pocket rocket deal you carry around but you've shared with me what's on it and I sure appreciate that.

Mr. Speaker, you've been a good leader of this chamber. You've kept us in line when we needed kept in line. You run this place in an appropriate manner at all times, and I respect you for the work that you've done and the leadership you've provided for your caucus. I do lust after your gavel. I wouldn't mind having your CD collection, either. Thank you for the work that you've given to us. And everyone else in the chamber. I've really noticed this year that the clerks, the Doormen, the Chief Clerk and all of your staff, the Pages, the people at the telephone desk, everybody in this building. I've had a lot of guests visit this year, and I think that all of the staff that work for us have gone overboard to make people that visit here feel comfortable when they come here. And that's really important to me that people leave here when they've visited, feeling good about the experience and all the people that work in this chamber; the clerks on the floor and everyone else, I think has contributed to making Iowans feel good about this place.

My views about the General Assembly are different than the views of a lot of people. A lot of you might disagree with me but I think this chamber is a place for civilized combat. We really resolve differences that in other parts of the world people fight violently about. Yet we have a system that allows us to come to resolution here. As we're going about that process we get as angry with one another as seems possible yet we don't hit one another. I've often told my members that you don't have to make friends here. You've got friends at home. You've got a task to do here. But the miraculous part about serving here is that in spite of all that civilized combat we do become friends. We become good friends and they are friendships most of us will never forget. So I've mentioned some of the names. You know we're going to be losing people that we've served with a long time that are going to go do a lot of things that are a lot more fun next January than we'll be doing, those of us that come back. Gary Blodgett, Minnette Doderer, Jim Drees - Jim isn't even here is he? Where is Jim? Well that rascal. I wasn't here when he gave his going away speech either so we're even. He didn't share with you that I didn't have a heater in that old truck either when I went out to visit him that first day. Sandy Greiner and Danny Holmes. Jack Holveck, David Lord, Mona Martin, Norm Mundie, Roger Thomas, Rosemary Thomson, Jerry Welter and Keith Weigel. The best to all of you. And I know that come January you'll kind of wish you were here, but probably that you're where you are instead of being here.

Finally, I've got to share with you, and I've asked if it was all right, and it is all right to share with you. In 1966, I don't know where you were but I was in junior high at Monroe High School. It doesn't exist anymore. It's a PCM now. And the junior high was on the second floor, the high school was on the third floor. My homeroom teacher that year was a lady, I was in eighth grade, it was a lady named Agnes Tepley. And in eighth grade then, I expect many of you had a similar experience, there was a mandated course you had to take called Iowa Government. I recall a little red pamphlet-type book. It was an undersized book about the quarter of the size of most other books. I don't have a clue what was in that Iowa Government book, but I remember the book, and I remember one other thing from that class. It's that my junior high teacher named Agnes Tepley in 1966 had a hero in the Iowa Legislature. You guessed it - Minnette Doderer. Minnette, Agnes said to watch this woman, she told

these kids that. Well, I didn't. Little did I know that our paths would cross and I'd get to call you my friend. The high point of this year for me has been getting to serve with Minnette Doderer as she ends such a great career in the legislature.

Mr. Speaker and Mr. Majority Leader, we have a great honor to serve as leaders here and lead these fine people that are our colleagues through this process. And even though Representative Rants and I sometimes disagree, for instance, I know that Representative Rants tends to read Ann Rand and Atlas Shrugged, and I tend to be a little more partial to John Steinbeck and Cannery Row. I know that because we had a discussion, we both admitted that Speaker Siegrist's last purchase of music was the Dixie Chicks while mine was the Moody Blues. I believe that we have a whole lot more in common and that we agree on much more than we disagree on.

And so as we go out this summer to enjoy the summer and engage in another life, but also engage in the competitive part of this business that gets very competitive, I'll try to remember that we do have much more that we agree upon than that we disagree upon.

I'm shuffling notes now because I've got one more thank you to a special person. She left me for one week, and Amy, I'm not sure if Amy's here, one of the Pages, helped me for one week, but Julie Borchers was my Page this year. She's done a great job for me. I'll bet many of you saw her picture in the Sunday paper two weeks ago when she represented Iowa at the national FFA conference. I was glad to give her up to let her pursue that.

So finally Mr. Speaker, I am going to close. You and I have kind of a tradition that we've kept up with mentioning some lyric in each of our remarks. Tonight I'm just going to refer back to my latest purchase of the Moody Blues. In their words, I think it's time for us to go now.

REMARKS BY MAJORITY LEADER RANTS

Majority Leader Rants offered the following remarks:

One hundred and eight days ago I stood before you and said that we would hit the ground running and challenged Representative Millage to pass a deappropriations bill in response to the lower than anticipated revenue the state was receiving due to a sagging ag economy, and have it on the Governor's desk by the end of the week.

Little did I know about the pot hole waiting in the road right around the bend – the Governor's budget. But Representative Millage you met the challenge head on. You steered clear of the gimmicks and tricks that sunk Iowa deep into debt in the late eighties. As the last budget bill leaves the chamber, I want to congratulate you all for sticking to the 99% expenditure limitation law. The legislature didn't give in to temptation. It's always easy to comply with it when revenues are high – this year we proved its need when revenue were low. We also protect the economic emergency fund – another piece of our budget reform law that met the test.

Representative Hansen, my friend, your tenacity and commitment to the issue of children-at-risk and alternative schools paid off. You kept your word on this issue, and my constituents as well as those of your colleague's thank you. Our focus on at-risk

students goes well with our commitment last year to improve Iowa's talented and gifted programs. We must take care of all of our students regardless of where they fall on the spectrum.

Representative Van Fossen, I'm glad your in the chamber this time. I challenged you to ease the tax burden on Iowa's seniors. I believe that last year the Governor made a mistake in vetoing a tax cut on retiree's pensions. Thank you for your persistence and giving him a chance to correct that mistake. I hope he will sign it this time.

For the sixth year in a row we have cut taxes. That is a record of which we should be proud.

Representative Teig, no one has worked harder or longer on one single bill this year than you. Vision Iowa - I don't need to say any more. The next generation will say it all.

Representative Gipp, Chuck, on opening day I suggested that we rename your committee the Quality of Life Committee - I was right. Your work on the Environment First fund to provide for clean water initiatives, ag-land filter strips, lake dredging and other improvements to our natural resources will make for a better outdoors we can all enjoy. I look forward to seeing some of that clean water on the Upper Iowa River with you this summer.

Representative Heaton - you commitment to children and improving access to health care with your work on the three tobacco issues this year - the settlement, cessation, and securitization will long pay dividends to the people of Iowa.

To the Republican retirees - I want to thank you for your service. I arrived in 1993 with several of you, and it's hard to believe you are leaving. Jerry - your leaving with work left undone - remember is still 65. Gary - thank you for all your support and advice on our leadership team. David - on time funding would never have been addressed had the people of Perry not sent you here. Rosemary - what will we do about the sins of alcohol and tobacco without you. We'll try to struggle on. Mona - if I believed in reincarnation I think in the next life you would come back as an actuary. Danny - your work on electrical restructuring was much appreciated - it didn't bear fruit, but we fought a good fight. Sandy - what can I say - good luck in the Q-tip factory across the rotunda.

Representative Schrader - my hats off to you. You do your job well. You and your caucus challenge us. Make us justify our positions. And when you agree with us you help out. You said earlier this year that you'd never go door to door with us - I hope that was said in the passion of the moment because our process works and it works well. We have our difference - but I know that your caucus and mine are working toward the same goal - a better Iowa.

We'll meet on a different track this summer and fall and I hope to keep you squarely in my rear view mirror.

To the Republican leadership team - thank you for all your help. Steve, Libby, Danny, Donna, Barry and Gary. You let me lean on you. Your advice and counsel were invaluable. Your contributions made my first year as majority leader an easier one.

To the rest of my caucus – I want to thank you for all of your support, cooperation and most of all, trust. I'm sure some of you have wondered where I was going at times, but we all got to the end together. You took a chance on me this time last year, I hope I've earned it after this year.

You know, I've heard Brent stand on this spot on seven other occasions and thank his staff and say how it was really Susan who ran this place. I used to think it was a joke. Now I understand. Boy, do I understand. Jackie – thank you for keeping me, and all of us moving along. Jeff, thank you for sticking with me another year, your advice and counsel was needed. Katie, my page who kept me fed and hooked up to the caffeine drip – thank you as well. Without you three, this year would not have run as smoothly as it did.

To the Republican caucus staff. Thank you for the countless hours you have spent. In this new role I've gotten to work with each of you on issue I'd never have worried about before – and because of that I have a new appreciation for each of you. You are probably the most unrecognized and undervalued cogs in the wheels of state government. We take your work for granted and we shouldn't. Again, thanks.

We get so caught up with what we legislators are doing on the floor that we forget about what really makes this place work. Liz, you and your staff are the only ones who know what is really going on. You're here before most of us arrive, and leave after we've left. Thank you.

Wilbur, the same can be said of you and your crew and the pages. I don't know what we'd do without you. Actually, I do know, and it wouldn't be a pretty picture.

Mr. Speaker. A year ago you referred to me as your "young jedi knight". Now I know that some of you are thinking I'm like Anikin Skywalker who will grow up to be Darth Vader. To others I'm more like Luke who battled the Death Star. However I am seen, Mr. Speaker, there is no doubt who you are – and that would have to be Yoda perched up there in the Speaker's chair. I've come to appreciate your laid back lifestyle this year. I don't share it, but at times I wish I did. When the maelstrom is swirling about you, you are always the calm in the middle. You've been a good teacher – I hope I was an apt pupil.

A week ago Saturday I got up early in the morning to go to my office and catch up on some "real world" work. As I was slipping out the door my five year old daughter stopped me to ask where I was going. I said "to work" and she promptly burst into tears. She thought I was headed back to Des Moines after being home for only a few hours. Representative Gipp has said many times that no one but our families understand the sacrifices we make to honor our commitment to the people of Iowa. To each of you, I thank you, and I thank your families for your services. It is a job well done. You've each earned a rest, and your families deserve your attention.

Mr. Speaker, I look forward to speaking to you next January from this desk as we gavel in the next legislature. It's been fun.

REMARKS BY SPEAKER SIEGRIST

Speaker Siegrist offered the following remarks:

Well, we finally made it. We are going home today. A little late, but just in time. I can certainly say that this session is the most stressful one in which I have been involved. I even lost 10 pounds during this session. At the same time, this has been my most enjoyable year. Serving as the Speaker of this incredible group of people is indeed the highest professional privilege I have been given in my life. Thank you for giving me that opportunity.

Today we start on our way back home. The question people have, be it the media or constituents, is "how did we do?" I would say we did very well. The legislation passed this session will clearly have an impact on the lives of average Iowans immediately and into the future.

Look at the list of accomplishments that we can all feel good about. At the top of the list is a balanced budget that doesn't violate the 99% Spending Limitation Law nor does it dip into our cash reserves. That is what the people of Iowa demanded, and while it was difficult to forge compromises with the Governor, we got it done.

Within that budget, we also met the priorities of Iowa. As is the case every year, education got the lion's share of the money available. All areas of education received increases. However, let's not forget some money we invested in education as part of an ongoing commitment. Another \$5.2 million for empowerment zones and our at-risk children from birth to 5 years old. Next year, our total amount will be \$15.6 million. Another \$10 million, a total of \$20 million next year, for reading programs and class size reduction. And we should be proud that we have added another \$30 million for school technology next year.

We took huge strides to assist our large senior citizen population with action on our long-term Senior Care Program. This legislation ensures that our senior citizens can stay in their homes as long as possible.

Our economic competitiveness was enhanced with targeted tax reductions such as the Research and Development Tax Credit and our workforce development plans which include the ACE Program. And some people may call it a gimmick, but I can tell you that when I buy clothes for my son Evan's first day of kindergarten, I'll be shopping during the tax freedom weekend.

We should all take a bow for the fact that we were the first state to dedicate all of our tobacco settlement money to health care. Improving health care access for our poorest citizens and helping providers provide better care are moves that will make the lives of Iowans better. We all hope that we will see tremendous results from our smoking prevention efforts among our youth.

Nothing is more important to me than improving the quality of life in Iowa. We did that. The \$35 million we invested in the Environment First Fund is landmark legislation. We will now take at least \$35 million a year to put toward the environment and recreation opportunities in our great state. The steps we took this year to improve water quality will be returning benefits for years to come.

The Vision Iowa Project, school infrastructure, and the extension of the Community Attraction and Tourism Fund will affect many communities and many thousands of Iowans in the future. We truly have made Iowa a better place to live, grow, and raise a family.

Some people have said that this legislature was only tinkering around the edges of the problems facing Iowa. Some called it incrementalism. I disagree. As usual, Jimmy Buffett had a song title that summed it up. He has a song called "Quietly Making Noise". I think that is an apt description of the legislation we passed this year that I just spoke of. We didn't do a lot of flashy things that caught everyone's attention, but what we did will have a long-term positive effect on the future.

As always, there are many people to recognize. I want to thank our caucus staff for all the hard work they put in to make this place run. You do a great job and have a real impact on the quality of work we do in the House.

To Liz, Alyce, and Gayle. The bottom line is this place couldn't run without you and all of the great staff you have. Thanks very much.

Representative Schrader and the Democratic Caucus. Thank you for another productive session. David, we worked together to get some important things done. At other times you were a worthy adversary. I respect the way you stand up for what you believe in. In the Jimmy Buffet song "The Night I Painted the Sky", the line says "the people everywhere put away their differences for awhile." David, we both know this is an election year. We'll rest up for a week or so, and then we'll hit the campaign trail. I look forward to a spirited discussion of the issues.

To the members of the Republican Caucus, my deepest thanks and appreciation for all of your hard work. Each and every one of you have made a difference.

To our retiring members, thanks for your willingness to serve the people of Iowa. The sacrifices you have made to serve in this body have not gone unnoticed. Best wishes in your new endeavors.

To our leadership team – Steve, Libby, Danny, Gary, Donna and Barry – thanks for helping move this place and legislation forward. Your friendship and counsel is very important to me.

To my staff – Becky, Susan and Dan, as well as our page, Ryan – my deepest thanks. How you make sense of my random-abstract organizational skills is beyond me. Thanks for saving me from myself time and time again.

Mr. Majority Leader – you have referred to yourself as the rookie. Well, Christopher, nobody inside this chamber or outside in the rotunda knows how very hard you worked this session to get legislation put together and passed. But I know how hard you worked. If you're a rookie, I'll give you the Rookie-of-the-Year Award. I look forward to working with you in the future.

To all the other people in this place, pages, doormen, lobbyists, press and clerks, thank you for all you do.

It's been a long four months since I banged this gavel for the first time this year, and we've accomplished many things. We've changed Iowa for the better. My life has had some changes, too. Moving day was yesterday. Valerie, Evan, and Harriet are waiting anxiously for me to come to our new home. She's stopped sending me flowers. I'm not sure what I should read into that. As much as you people mean to me, my

heart is there with them and I can't wait to get home. I'm sure each of you knows just how that feels.

We run around here at a pretty high pace during the last couple of weeks of a session. My son, Evan, and daughter, Harriet, want their Dad home. Evan called me this morning at 6:45 a.m. – more revenge from my wife I think – to ask me when I was coming home. I know I'm tired of the running. John Mellencamp's song, "I'm Not Running Anymore" has a line that was my answer to Evan. Mellencamp sings "Hey you kids – I'm not running anymore, but I'm on my way"... home.

Ladies and gentlemen, let's adjourn to Wellman's on Ingersoll to review the Session.

Let's go home to our family and friends. Best Wishes and God Bless.

Heaton of Henry called up for consideration **House File 2579**, a bill for an act creating a tobacco settlement authority Act, authorizing the issuance of bonds, and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-9114:

H-9114

- 1 Amend House File 2579, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 4, through page 2,
- 4 line 13.
- 5 2. Page 6, by striking lines 29 through 31, and
- 6 inserting the following:
- 7 "1. Subject to the program plan as authorized by a
- 8 constitutional majority of each house of the general
- 9 assembly and approved by the governor, the governor
- 10 shall sell".
- 11 3. Page 8, by striking lines 3 through 18, and
- 12 inserting the following: "and the executive council.
- 13 A program plan shall not be implemented unless
- 14 implementation of the program plan is authorized by a
- 15 constitutional majority of each house of the general
- 16 assembly and approved by the governor."
- 17 4. Page 9, by striking lines 9 through 15, and
- 18 inserting the following: "to authorization of the
- 19 program plan by a constitutional majority of each
- 20 house of the general assembly and approval by the
- 21 governor."
- 22 5. By striking page 19, line 4, through page 20,
- 23 line 2.
- 24 6. Page 20, by striking lines 19 through 22.
- 25 7. Page 20, by inserting before line 23, the
- 26 following:
- 27 "Sec. ____ Chapter 12E is repealed March 1, 2001."

- 28 8. Title page, line 2, by inserting after the
 29 word "bonds," the following: "providing for a
 30 repeal."
 31 9. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-9114.

Heaton of Henry moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2579)

The ayes were, 97:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Garman	Gipp
Greimann	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson-Forbes	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shey	Shultz	Stevens
Sukup	Sunderbruch	Taylor, D.	Taylor, T.
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Whitead	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Alons	Frevert	Welter
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House stood at ease at 7:43 p.m., until the fall of the gavel.

The House resumed session at 10:15 p.m., Speaker Siegrist in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 2549, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates.

Also: That the Senate has on April 26, 2000, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 2552, a bill for an act relating to and making appropriations to the justice system, making related statutory changes, and providing an effective date.

Also: That the Senate has on April 26, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2452, a bill for an act relating to public expenditure and regulatory matters, making appropriations, and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 26, 2000, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 121, a concurrent resolution to provide for adjournment sine die.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2452, by committee on appropriations, a bill for an act relating to public expenditure and regulatory matters, making

appropriations, and including effective date and retroactive applicability provisions.

Read first time and **passed on file**.

RULES SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2452.

Appropriations Calendar

Senate File 2452, a bill for an act relating to public expenditure and regulatory matters, making appropriations, and including effective date and retroactive applicability provisions, was taken up for consideration.

Murphy of Dubuque offered the following amendment H-9116 filed by him from the floor and moved its adoption:

H-9116

- 1 Amend Senate File 2452, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 15, by striking the figure
- 4 "26,492,712" and inserting the following:
- 5 "28,852,267".
- 6 2. Page 1, line 26, by striking the figure
- 7 "10,492,712" and inserting the following:
- 8 "12,852,267".

Amendment H-9116 lost.

Mascher of Johnson offered the following amendment H-9117 filed by her from the floor and moved its adoption:

H-9117

- 1 Amend Senate File 2452, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking lines 24 through 32 and
- 4 inserting the following:
- 5 "Sec. __. Notwithstanding the amount of the
- 6 standing appropriation from the general fund of the
- 7 state in section 294A.25, subsection 1, there is
- 8 appropriated from the general fund of the state to the

- 9 department of education in lieu of the appropriation
- 10 made in section 294A.25, subsection 1, for the fiscal
- 11 year beginning July 1, 2000, and ending June 30, 2001,
- 12 the following amount:
- 13 \$ 80,891,336"

Amendment H-9117 lost.

Millage of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2452)

The ayes were, 90:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Eddie	Falck	Foege	Ford
Gipp	Greimann	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kuhn	Larkin	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson-Forbes	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shey	Shultz
Stevens	Sukup	Sunderbruch	Taylor, D.
Taylor, T.	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Whitead	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 6:

Fallon	Garman	Jager	Kreiman
Larson	O'Brien		

Absent or not voting, 4:

Alons	Drees	Frevert	Welter
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2000, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

House File 2548, a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, sales and use, hotel and motel, real estate transfer, environmental protection charge on petroleum diminution, property, motor fuel, special fuel, cigarette and tobacco products, and inheritance taxes, treatment of motor fuel under the local option taxes, and authorizing tax agreements with Indian tribes, and including effective and retroactive applicability date provisions.

Also: That the Senate has on February 28, 2000, passed the following bill in which the concurrence of the House is asked:

Senate File 2258, a bill for an act relating to the regulation of controlled substances and precursors to controlled substances.

Also: That the Senate has on April 17, 2000, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2428, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, and making related statutory changes.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 121

Rants of Woodbury asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 121, a concurrent resolution to provide for adjournment sine die, and moved its adoption:

- 1 SENATE CONCURRENT RESOLUTION 121
- 2 By Committee on Rules and Administration
- 3 A Senate Concurrent Resolution to provide for
- 4 adjournment sine die.
- 5 *Be It Resolved by the Senate, The House Concurring,*

- 6 That when adjournment is had on Wednesday, April 26,
- 7 2000, it be the final adjournment of the 2000 Regular
- 8 Session of the Seventy-eighth General Assembly.

The motion prevailed and the resolution was adopted.

FINAL DISPOSITION OF MOTIONS TO RECONSIDER

Pursuant to House Rule 73.g, the following motions to reconsider which remained on the House Calendar upon adjournment of the 2000 Regular Session of the Seventy-eighth General Assembly will be considered to have failed:

By Chiodo of Polk and Witt of Black Hawk to House File 620, a bill for an act relating to persons with disabilities by providing for the use of wheelchair parking cones, providing for persons with disabilities registration plates for trailers, and providing for penalties, filed on March 27, 2000. (Amendment H-8673 filed by Witt of Black Hawk is out of order.)

By Van Fossen of Scott and Millage of Scott to House File 2205, a bill for an act relating to electronic commerce by establishing requirements for electronic transactions and electronic records, relating to sales and use tax exemption for access to electronic commerce, and providing penalties, filed on April 20, 2000. (Amendment H-9043 filed by Van Fossen of Scott and the motions to reconsider the Senate amendment H-9015 by Van Fossen of Scott and Millage of Scott are out of order.)

By Drake of Pottawattamie and Weigel of Chickasaw to Senate Joint Resolution 2005, a joint resolution nullifying amendments to administrative rules of the department of revenue and finance concerning the classification of condominiums for property tax purposes and providing an effective date, filed on April 5, 2000.

By Grundberg of Polk to Senate File 2331, a bill for an act relating to the interest a member of the board of directors of a school corporation may have in a contract with the director's school corporation, filed on April 6, 2000.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 19 through April 25, 2000. Had I been present, I would have voted "aye" on House Files 2205, 2540, 2557, 2560, 2578, 2579, 2581, 2584 and Senate Files 419, 466, 2010, 2243, 2246, 2327, 2438, 2447, 2453, 2455, 2459 and amendments H-8800 and H-9033 to House File 2560, H-9050 to Senate File 2010, H-8954 and H-8976 to Senate File 2447, H-9065 to Senate File 2453 and "nay" on House File 2562, Senate File 2427 and amendment H-9054 to House File 2562.

I was also necessarily absent from the House chamber on Wednesday, April 26, 2000. Had I been present, I would have voted "aye" on House Files 2549, 2579 and Senate Files 2245 and 2452.

FREVERT of Palo Alto

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills and resolution have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of April, 2000: House Joint Resolution 2014 and House Files 620, 723, 2008, 2090, 2145, 2197, 2205, 2206, 2351, 2373, 2433, 2437, 2474, 2477, 2491, 2496, 2519, 2528, 2540, 2541, 2545, 2548, 2549, 2550, 2552, 2554, 2555, 2557, 2560, 2561, 2562, 2563, 2565, 2569, 2579, 2581.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 25, 2000, he approved and transmitted to the Secretary of State the following bill:

Senate File 2395, an act relating to the creation of an information technology department and making related changes and providing an effective date.

Also: That on April 26, 2000, he approved and transmitted to the Secretary of State the following bills:

House File 2317, an act relating to entities and subject matter under the regulatory authority of the insurance division, including motor vehicle service contracts, securities, business opportunities, residential service contracts, retirement care contracts, transfer on death probate provisions, viatical settlement contracts; and establishing penalties and making penalties applicable.

House File 2429, an act relating to the publication and recordkeeping duties of county officers by providing for the maintenance of permanent records by electronic means and the determination of publication rates.

House File 2513, an act providing for secured transactions under the uniform commercial code, by Adopting new Article 9, eliminating conflicting provisions, and providing an effective date.

House File 2518, an act relating to probate and trust law, including certain notification provisions, certain distributions to minors, the effect of dissolution of marriage on will provisions, powers of attorney, and making certain amendments to the Iowa trust code.

Senate File 421, an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

Senate File 2424, an act updating the Iowa Code references to the Internal Revenue Code, amending the earned income credit, amending requirements for nonresident taxpayers, providing tax benefits to military personnel in hazardous duty areas, and providing effective and retroactive applicability dates.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five fifth grade students from Whittier Elementary School, Oskaloosa, accompanied by Donna DeGroot. By Van Engelenhoven of Mahaska.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF CULTURAL AFFAIRS

The Fiscal Year 1999 Annual Report, pursuant to Chapter 303, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

A report on the water quality in Iowa during 1996-1997: Assessment Results for Rivers, Streams, Lakes and Wetlands, pursuant to Chapter 305B, Code of Iowa.

DEPARTMENT OF PERSONNEL

The 100 Day Report, pursuant to Chapter 19A.8(7), Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

The 1998 Uniform Crime Rate Comparisons Report, pursuant to Chapter 692.15, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The 2000 Airport Sufficiency Summary Report, pursuant to Chapter 328.12(11), Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 2000\929 Ruth and Howard Quillin, New Sharon – For celebrating their 70th wedding anniversary.
- 2000\930 Doris and Wendell Garrison, Indianola – For celebrating their 50th wedding anniversary.
- 2000\931 Anna Marie Ruble, Indianola – For celebrating her 80th birthday.
- 2000\932 Ira Alden Moffett, Mt. Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2000\933 Nellie and Bernard Kooistra, Lynnville – For celebrating their 68th wedding anniversary.
- 2000\934 Jessica Kinser, Walnut – For being named the Iowa FCCLA State President.
- 2000\935 Mary Scott, Harlan – For being named Iowa's Mother of the Year.

RESOLUTIONS FILED

HR 126, by Heaton and Martin, a resolution relating to fully funding the senior-living program.

Laid over under **Rule 25**.

SCR 119, by Iverson and Gronstal, a concurrent resolution relating to a study of the issues involving railroad rights-of-way crossings by utilities.

Laid over under **Rule 25**.

SCR 120, by Tinsman, a concurrent resolution requesting the legislative council to establish one or more interim committees to study human services issues.

Laid over under **Rule 25**.

AMENDMENT FILED

H—9109 H.R. 125 Weigel of Chickasaw

The House stood at ease at 10:31 p.m., until the fall of the gavel.

The House resumed session at 11:07 a.m., Speaker Siegrist in the chair.

VETOED BILLS RETURNED TO THE SECRETARY OF STATE

The following bills were vetoed by Governor Vilsack during the legislative session and were returned to the Secretary of State: House Files 2113, 2229, 2502 and Senate Files 2203, 2220 and 2274.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE TO NOTIFY THE GOVERNOR

Rants of Woodbury moved that a committee of two be appointed to notify the Governor that the House was ready to adjourn in accordance with Senate Concurrent Resolution 121, duly adopted.

The motion prevailed and the Speaker appointed as such committee Rants of Woodbury and Schrader of Marion.

COMMITTEE TO NOTIFY THE SENATE

Brauns of Muscatine moved that a committee of two be appointed to notify the Senate that the House was ready to adjourn in accordance with Senate Concurrent Resolution 121, duly adopted.

The motion prevailed and the Speaker appointed as such committee Brauns of Muscatine and Connors of Polk.

COMMITTEE FROM THE SENATE

The committee from the Senate appeared and notified the House that the Senate was ready to adjourn.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

The committee appointed to notify the Senaté that the House was ready to adjourn returned and reported it had performed its duty.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

The committee appointed to notify the Governor that the House was ready to adjourn returned and reported it had performed its duty and that the Governor had sent the following message:

COMMUNICATION FROM THE GOVERNOR

June 6, 2000

Representative Brent Siegrist
Speaker of the House
State Capitol
Des Moines, IA 50319

Speaker Siegrist,

Lieutenant Governor Sally Pederson and I are pleased that many of the Leadership Agenda items that we proposed for this session were approved by the Legislature. We took progressive steps toward reaching our goal of realizing Iowa's promise by ensuring that we have more Iowans, younger Iowans, and better-paid Iowans.

When the Legislature worked with us in a bipartisan way, we accomplished great things for the people of Iowa. The Legislature passed many of our proposals that will help Iowa grow, retain, and recruit a skilled workforce, including the New Economic Opportunities Fund and Jobs for America's Graduates.

One of the quality of life items that we proposed that was passed by the Legislature was the Millennium Fund. This program will help Iowa by providing financial support for developing major commercial attractions. At our insistence, this program will also provide state funds to help many of Iowa's smaller school districts repair and replace aging or unsafe schools buildings.

Over the past month, we signed into law a fiscally responsible and balanced state budget. This new budget, like the one we proposed, will have the lowest percentage increase in state spending in recent memory. The Vilsack/Pederson Administration has worked hard and creatively to leverage federal dollars to provide more long-term care options for Iowa's senior citizens; improve water quality; and provide a health care system that ensures access to comprehensive care, especially preventive medical and dental care for Iowa children.

However, we are disappointed that the Legislature neglected many other critical needs of Iowans. Several good, common sense, pro-Iowa issues as increasing ethanol use, lowering the standard for drunk driving to .08, simplifying Iowa's tax code, creating local control of hog lot siting, and requiring child safety locks for hand-guns failed to pass the Legislature. These are issues that Iowans expect to be addressed as we make our state a better place to live, work, and raise a family.

We are pleased that many of our initiatives that passes this session will improve the quality of life for Iowa's working families. We hope to build on these successes in the years ahead.

Sincerely,
Thomas J. Vilsack
Governor

The communication was received and the committee discharged.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 121, duly adopted, the day of April 26, 2000 having arrived, the Speaker of the House of Representatives declared the 2000 Regular Session of the Seventy-eighth General Assembly adjourned sine die.

AMENDMENTS FILED

Amendments filed during the Seventy-eighth General Assembly, 2000 Session, not otherwise printed in the House Journal:

H-8002

- 1 Amend House File 2039 as follows:
- 2 1. Page 2, by inserting after line 30 the
- 3 following:
- 4 "Sec. ____ WORKERS' COMPENSATION – SUPPLEMENTARY
- 5 PREMIUMS.
- 6 For the period beginning on the effective date of
- 7 this section and ending June 30, 2000, the department
- 8 of personnel shall apply a formula to assess and
- 9 collect from state departments supplementary premiums
- 10 which are an aggregate amount equal to this Act's
- 11 reduction of \$1,800,000 in the appropriation made in
- 12 1999 Iowa Acts, chapter 199, section 23. The formula
- 13 shall be based upon the rating formula established by
- 14 the department of personnel in accordance with the
- 15 requirements of the 1999 Iowa Acts, chapter 199,
- 16 section 23, and Code section 19A.32. Upon the request
- 17 of the department of management or the legislative
- 18 fiscal bureau, the department of personnel shall make
- 19 available information regarding the supplementary
- 20 premium assessment and collection."
- 21 2. By renumbering as necessary.

BRUNKHORST of Bremer

H-8005

- 1 Amend House File 392 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 147A.8, subsection 2, Code
- 5 Supplement 1999, is amended to read as follows:
- 6 2. Function in any hospital or any other entity in
- 7 which health care is ordinarily provided only when
- 8 under the direct supervision, as defined by rules
- 9 adopted pursuant to chapter 17A, of a physician, when:
- 10 a. Enrolled as a student or participating as a
- 11 preceptor in a training program approved by the
- 12 department; or
- 13 b. Fulfilling continuing education requirements as
- 14 defined by rule; or
- 15 c. Employed by or assigned to a hospital or other
- 16 entity in which health care is ordinarily provided
- 17 only when under the direct supervision of a physician,
- 18 as a member of an authorized ambulance, rescue, or

19 first response service, or in an individual capacity,
 20 by rendering lifesaving services in the facility in
 21 which employed or assigned pursuant to the emergency
 22 medical care provider's certification and under the
 23 direct supervision of a physician, physician
 24 assistant, or registered nurse. An emergency medical
 25 care provider shall not routinely function without the
 26 direct supervision of a physician, physician
 27 assistant, or registered nurse. However, when the
 28 physician, physician assistant, or registered nurse
 29 cannot directly assume emergency care of the patient,
 30 the emergency medical care provider may perform
 31 without direct supervision emergency medical care
 32 procedures for which that individual is certified if
 33 the life of the patient is in immediate danger and
 34 such care is required to preserve the patient's life;
 35 or

36 d. Employed by or assigned to a hospital or other
 37 entity in which health care is ordinarily provided
 38 only when under the direct supervision of a physician,
 39 as a member of an authorized ambulance, rescue, or
 40 first response service, or in an individual capacity,
 41 to perform nonlifesaving procedures for which those
 42 individuals have been trained and are designated in a
 43 written job description. Such procedures may be
 44 performed after the patient is observed by and when
 45 the emergency medical care provider is under the
 46 supervision of the physician, physician assistant, or
 47 registered nurse and where the procedure may be
 48 immediately abandoned without risk to the patient."

THOMAS of Clayton
 SUNDERBRUCH of Scott

H-8006

1 Amend House File 421 as follows:
 2 1. Page 1, line 5, by striking the figure "2000"
 3 and inserting the following: "2001".
 4 2. Page 1, line 16, by striking the words "ensure
 5 that an employer offers" and inserting the following:
 6 "encourage an employer to offer".

Committee on Labor and Industrial Relations

H-8008

1 Amend House File 2137 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 "Sec. ____ SUPPLEMENTAL AID. If the state percent
 5 of growth established for the budget year beginning

6 July 1, 2001, results in an amount of state foundation
 7 aid which is lower than the amount projected to be
 8 received for the budget year beginning July 1, 2001,
 9 based on estimates in existence on the effective date
 10 of this Act, there is appropriated from the general
 11 fund of the state to the department of education for
 12 the school budget year beginning July 1, 2001, an
 13 amount sufficient to provide supplemental aid payments
 14 equal to the difference between the two. The
 15 additional funding received is miscellaneous income to
 16 the district and shall be paid in proportion to the
 17 enrollment of each district."
 18 2. By renumbering as necessary.

WISE of Lee

H-8009

1 Amend Senate File 2082, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 14 the
 4 following:
 5 "Sec. __. SUPPLEMENTAL AID. If the state percent
 6 of growth established for the budget year beginning
 7 July 1, 2001, results in an amount of state foundation
 8 aid which is lower than the amount projected to be
 9 received for the budget year beginning July 1, 2001,
 10 based on estimates in existence on the effective date
 11 of this Act, there is appropriated from the general
 12 fund of the state to the department of education for
 13 the school budget year beginning July 1, 2001, an
 14 amount sufficient to provide supplemental aid payments
 15 equal to the difference between the two. The
 16 additional funding received is miscellaneous income to
 17 the district and shall be paid in proportion to the
 18 enrollment of each district."
 19 2. By renumbering as necessary.

WISE of Lee

H-8012

1 Amend House File 2084 as follows:
 2 1. Page 1, by inserting after line 23, the
 3 following:
 4 "__. Establish minimum safety and sanitation
 5 criteria for the operation of an establishment that
 6 provides body piercing."
 7 2. By renumbering as necessary.

MASCHER of Johnson

H-8013

- 1 Amend House File 2147 as follows:
- 2 1. Page 1, by striking line 7 and inserting the
- 3 following: "United".

BRUNKHORST of Bremer

H-8014

- 1 Amend House File 2146 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 235A.15, subsection 2,
- 5 paragraph e, Code Supplement 1999, is amended by
- 6 adding the following new subparagraph:
- 7 NEW SUBPARAGRAPH. (16) To a public school
- 8 district or nonpublic school for purposes of a record
- 9 check authorized pursuant to section 280.27.
- 10 Sec. __. Section 235B.6, subsection 2, paragraph
- 11 e, Code Supplement 1999, is amended by adding the
- 12 following new subparagraph:
- 13 NEW SUBPARAGRAPH. (8) To a public school district
- 14 or nonpublic school for purposes of a record check
- 15 authorized pursuant to section 280.27."
- 16 2. Page 2, by inserting after line 29 the
- 17 following:
- 18 "Sec. __. NEW SECTION. 280.27 CRIMINAL AND
- 19 ABUSE RECORD CHECKS.
- 20 1. The board of directors of a public school
- 21 district and the authorities in charge of a nonpublic
- 22 school shall adopt and implement a policy providing
- 23 for the performance of criminal and child and
- 24 dependent adult abuse record checks of a person
- 25 filling a position as an unlicensed, noncertified
- 26 educational assistant.
- 27 2. Criminal and child and dependent adult abuse
- 28 record checks shall be performed on persons filling
- 29 positions that are subject to the adopted policy. If
- 30 the person has been convicted of a crime under a law
- 31 of any state or has a record of founded child or
- 32 dependent adult abuse, an evaluation shall be
- 33 performed to determine whether the crime or founded
- 34 child or dependent adult abuse warrants prohibition of
- 35 the person filling the position with the school
- 36 district or nonpublic school. The evaluation shall be
- 37 performed by the district or the nonpublic school in
- 38 accordance with procedures adopted for this purpose by
- 39 the department of education."
- 40 3. Title page, by striking lines 1 through 3 and

41 inserting the following: "An Act relating to para-
42 educators and educational assistants."

KREIMAN of Davis

H-8016

1 Amend House File 2080 as follows:
2 1. Page 1, by striking lines 3 through 22 and
3 inserting the following:
4 "1. Notwithstanding the uniformity of treatment
5 requirements of section 514C.6, a group policy or
6 contract providing for third-party payment or
7 prepayment of health or medical expenses shall provide
8 mental health and substance abuse treatment coverage
9 benefits and shall not impose limitations on financial
10 terms for coverage of services for serious mental
11 illnesses or substance abuse if similar limitations
12 are not imposed on the coverage benefits for services
13 for medical or surgical conditions."
14 2. Page 1, by inserting after line 35 the
15 following:
16 "h. Panic disorder.
17 i. Paranoia and other psychotic disorders.
18 j. Eating disorders, including but not limited to
19 bulimia nervosa and anorexia nervosa.
20 3A. For purposes of this section, "substance
21 abuse" means a pattern of pathological use of alcohol
22 or a drug that causes impairment in social or
23 occupational functioning, or that produces
24 physiological dependency evidenced by physical
25 tolerance or by physical symptoms when the alcohol or
26 drug is withdrawn."
27 3. Page 3, by inserting after line 11 the
28 following:
29 "7A. A group policy is exempt from this section
30 upon submitting to the commissioner evidence
31 demonstrating a premium increase for the policy term
32 in excess of three percent as a result of the
33 requirements of this section."
34 4. Page 3, by inserting after line 15 the
35 following:
36 "9. This section is repealed effective July 1,
37 2003."
38 5. Title page, line 2, by inserting after the
39 word "illness" the following: "and substance abuse".

OSTERHAUS of Jackson

H-8017

1 Amend House File 2145 as follows:

- 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 257.31, subsection 5, Code
 5 1999, is amended by adding the following new
 6 paragraph:
 7 NEW PARAGRAPH. m. An unusually high percentage of
 8 gifted and talented students as described in section
 9 257.44, requiring additional resources for gifted and
 10 talented programs. For the purposes of this
 11 paragraph, the committee may grant supplemental aid or
 12 establish a modified allowable growth for a school
 13 district for more than one consecutive school budget
 14 year."
 15 2. Title page, line 1, by inserting after the
 16 word "enrollment" the following: ", and providing for
 17 additional resources,".
 18 3. By renumbering as necessary.

GREIMANN of Story

H-8019

- 1 Amend House File 2080 as follows:
 2 1. Page 1, by inserting after line 35 the
 3 following:
 4 "h. Substance abuse disorders."
 5 2. Page 2, line 32, by striking the word "thirty"
 6 and inserting the following: "fifteen".
 7 3. Page 2, line 33, by striking the word "fifty-
 8 two" and inserting the following: "thirty".

JAGER of Black Hawk

H-8020

- 1 Amend Senate File 52, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 26, by inserting after the word
 4 "duty." the following: "If a police service dog or
 5 horse is not owned by the employing agency of the
 6 peace officer or correctional officer and the service
 7 dog or horse is not on duty, this section shall not
 8 apply unless the violation is related to the duties of
 9 the police service dog or horse."

Committee on Judiciary

H-8026

- 1 Amend House File 2147 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 "games." the following: "However, the board shall not

- 4 enter into an agreement or compact with the nations of
- 5 Cuba, Peoples' Republic of China, Iraq, Iran, North
- 6 Korea, Sudan, or Libya."

JAGER of Black Hawk	BRUNKHORST of Bremer
HAHN of Muscatine	CORMACK of Webster
GARMAN of Story	

H-8027

- 1 Amend House File 2147 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "games." the following: "However, the board shall not
- 4 enter into an agreement or compact with a foreign
- 5 nation, United States territory, or political
- 6 subdivision of a United States territory if the per
- 7 capita income of the foreign nation, United States
- 8 territory, or political subdivision of the United
- 9 States territory is less than the per capita income of
- 10 the state of Iowa."

JAGER of Black Hawk	BRUNKHORST of Bremer
HAHN of Muscatine	CORMACK of Webster
GARMAN of Story	

H-8028

- 1 Amend House File 2147 as follows:
- 2 1. Page 1, by inserting after line 12 the
- 3 following:
- 4 "Of the proceeds from any lottery revenue received
- 5 from an agreement or compact entered into on or after
- 6 July 1, 2000, with a territory of the United States or
- 7 political subdivision of a territory of the United
- 8 States or a foreign nation after deductions have been
- 9 made pursuant to section 99E.10, the first one hundred
- 10 seventy thousand dollars shall be used for the
- 11 employment of additional law enforcement officers for
- 12 enforcing gambling laws and, notwithstanding section
- 13 99E.10, any additional lottery revenue exceeding one
- 14 hundred seventy thousand dollars, shall be credited to
- 15 the gambling treatment fund."

JAGER of Black Hawk	BRUNKHORST of Bremer
HAHN of Muscatine	CORMACK of Webster
GARMAN of Story	

H-8029

- 1 Amend House File 2121 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:

4 "Section 1. Section 321.341, unnumbered paragraph
 5 2, Code 1999, is amended to read as follows:
 6 The driver of a vehicle shall stop and remain
 7 standing and not traverse such a grade crossing when a
 8 crossing gate is lowered or when a human flagman gives
 9 or continues to give a signal of the approach or
 10 passage of a train. This prohibition on traversing a
 11 grade cross does not apply if a lowered crossing gate
 12 is malfunctioning and a train is not approaching the
 13 grade crossing.
 14 Sec. ____ Section 321.344, unnumbered paragraph 4,
 15 Code 1999, is amended to read as follows:
 16 ~~No such~~ Such a crossing shall not be made when
 17 warning is given by automatic signal or crossing gates
 18 or a flagman or otherwise of the immediate approach of
 19 a railroad train or car. This prohibition on
 20 traversing a grade crossing does not apply if an
 21 automatic signal or crossing gate is malfunctioning
 22 and a train is not approaching the grade crossing."
 23 2. By renumbering as necessary.

Committee on Transportation

H-8032

1 Amend Senate File 477, as passed by the Senate, as
 2 follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. Section 422.121, Code Supplement 1999,
 6 is amended to read as follows:
 7 422.121 APPROPRIATION - LIMITATION.
 8 ~~Beginning with~~ For the fiscal year years begin ning
 9 July 1, 1997, July 1, 1998, and July 1, 1999, there is
 10 appropriated annually from the general fund of the
 11 state two million dollars to refund the credits
 12 allowed under this division. For the fiscal year
 13 beginning July 1, 2000, and each subsequent fiscal
 14 year, there is appropriated annually from the general
 15 fund of the state four million dollars to refund the
 16 credits allowed under this division. Notwithstanding
 17 section 422.120, for tax years beginning on or after
 18 January 1, 1997, the livestock production tax credit
 19 shall only be allowed for cow-calf operations. In
 20 calculating the tax credit for cow-calf operations for
 21 tax years beginning in the 1997 calendar year, mature
 22 beef cows bred or for breeding, bred yearling heifers,
 23 and breeding bulls in the operations' inventory on
 24 December 31 of the tax year which were also in the
 25 operations on July 1 of the tax year and stockers and
 26 feeders sold during the tax year may be counted. In
 27 calculating the tax credit for cow-calf operations for

28 tax years beginning on or after January 1, 1998, only
29 those bred cows, bred heifers, and breeding bulls in
30 the operations' inventory on December 31 of the tax
31 year which were also in the operations on July 1 of
32 the tax year may be counted."

Committee on Ways and Means

H-8034

1 Amend House File 2080 as follows:
2 1. Page 1, line 1, by striking the words
3 "BIOLOGICALLY BASED" and inserting the following:
4 "SERIOUS".
5 2. Page 1, by striking lines 8 through 10 and
6 inserting the following:
7 "1993 Iowa Acts, chapter 158, shall provide mental
8 health and substance abuse treatment coverage benefits
9 and shall not impose limitations on financial terms
10 for coverage of services for serious mental illnesses
11 or substance abuse if similar limitations are not
12 imposed on the coverage benefits for services for
13 medical or surgical conditions, and if either of the
14 following is satisfied:"
15 3. Page 1, line 26, by striking the words
16 "biologically based" and inserting the following:
17 "serious".
18 4. Page 1, line 27, by striking the words
19 "biologically based" and inserting the following:
20 "serious".
21 5. Page 1, by inserting after line 35 the
22 following:
23 "3A. For purposes of this section, "substance
24 abuse" means a pattern of pathological use of alcohol
25 or a drug that causes impairment in social or
26 occupational functioning, or that produces
27 physiological dependency evidenced by physical
28 tolerance or by physical symptoms when the alcohol or
29 drug is withdrawn."
30 6. Page 2, line 2, by striking the words
31 "biologically based" and inserting the following:
32 "serious".
33 7. Page 3, by inserting after line 11 the
34 following:
35 "7A. A group policy is exempt from this section
36 upon submission to the commissioner of evidence
37 demonstrating a premium increase for the policy term
38 in excess of three percent as a result of the
39 requirements of this section."
40 8. Page 3, by inserting after line 15 the
41 following:
42 "9. This section is repealed effective July 1,

43 2003."

44 9. Title page, by striking line 2 and inserting
45 the following: "costs for serious mental illness and
46 substance abuse treatment".

OSTERHAUS of Jackson	WITT of Black Hawk
FALCK of Fayette	MYERS of Johnson
BUKTA of Clinton	FOEGE of Linn

H-8037

1 Amend House File 2080 as follows:
2 1. Page 3, by inserting after line 11 the
3 following:
4 "7A. A group policy is exempt from this section
5 upon submission to the commissioner of evidence
6 demonstrating a premium increase for the policy term
7 in excess of three percent as a result of the
8 requirements of this section."
9 2. By renumbering as necessary.

KREIMAN of Davis

H-8040

1 Amend the amendment, H-8021, to Senate File 324, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 3 through 10 and
5 inserting the following:
6 "___ Page 2, by inserting after line 12 the
7 following:
8 "(4) "Franchise" also does not include a contract
9 under which a"."
10 2. By renumbering as necessary.

BODDICKER of Cedar

H-8043

1 Amend House File 2147 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 99D.9, subsection 6, Code
5 1999, is amended to read as follows:
6 6. A licensee ~~may~~ shall not loan to any person
7 money or any other thing of value or permit a
8 financial institution, vendor, or other person to loan
9 money on the licensed premises on the basis of a
10 credit card or similar instrument in person or through
11 an electronic or mechanical device including but not
12 limited to a satellite terminal as defined in section

13 527.2 for the purpose of permitting that person to
 14 wager on any race. The use of a check or a debit card
 15 with overdraft protection is not prohibited by this
 16 subsection."

17 2. Page 1, by inserting after line 12 the
 18 following:

19 "Sec. __. Section 99F.7, subsection 9, Code 1999,
 20 is amended to read as follows:

21 9. A licensee shall not loan to any person money
 22 or any other thing of value or permit a financial
 23 institution, vendor, or other person to loan money on
 24 the licensed premises on the basis of a credit card or
 25 similar instrument in person or through an electronic
 26 or mechanical device including but not limited to a
 27 satellite terminal as defined in section 527.2 for the
 28 purpose of permitting that person to wager on any game
 29 of chance. The use of a check or a debit card with
 30 overdraft protection is not prohibited by this
 31 subsection."

32 3. Title page, by striking line 1, and inserting
 33 the following: "An Act relating to gambling by
 34 prohibiting the loan of money for gambling purposes
 35 through a credit card or an electronic or mechanical
 36 device at a gambling facility and to contracts and
 37 agreements entered into by the".

38 4. By renumbering as necessary.

SUKUP of Franklin
 JOHNSON of Osceola
 FALLON of Polk
 KLEMME of Plymouth
 DOLECHECK of Ringgold

RAECKER of Polk
 GARMAN of Story
 THOMSON of Linn
 CARROLL of Poweshiek
 JAGER of Black Hawk

H-8044

1 Amend House File 2293 as follows:

2 1. Page 1, by striking line 10 and inserting the
 3 following: "budget year, the basic enrollment for
 4 the base year, and the basic enrollment for the year
 5 preceding the base year."

STEVENS of Dickinson
 WEIGEL of Chickasaw
 GREIMANN of Story
 DOTZLER of Black Hawk
 OSTERHAUS of Jackson
 D. TAYLOR of Linn
 PARMENTER of Story

WITT of Black Hawk
 FALCK of Fayette
 FREVERT of Palo Alto
 THOMAS of Clayton
 MERTZ of Kossuth
 MUNDIE of Webster
 FOEGE of Linn

H-8047

1 Amend House Joint Resolution 2006 as follows:

- 2 1. Page 1, line 6, by inserting after the word
 3 "raises" the following: "or lowers".
 4 2. Page 1, line 9, by inserting after the word
 5 "raises" the following: "or lowers".
 6 3. Page 1, line 14, by inserting after the word
 7 "raises" the following: "or lowers".
 8 4. Page 1, line 17, by inserting after the word
 9 "raises" the following: "or lowers".

DODERER of Johnson
 MYERS of Johnson
 MURPHY of Dubuque

H-8050

- 1 Amend House File 2362 as follows:
 2 1. Page 3, by inserting after line 1 the
 3 following:
 4 "o. A representative or designee of a father's
 5 rights or noncustodial parents organization."
 6 2. By renumbering as necessary.

BODDICKER of Cedar

H-8054

- 1 Amend House File 2291 as follows:
 2 1. Page 1, by striking lines 17 through 20 and
 3 inserting the following: "immediate importance, takes
 4 effect upon enactment."
 5 2. Title page, lines 2 and 3, by striking the
 6 words "effective and applicability date provisions"
 7 and inserting the following: "an effective date".

MASCHER of Johnson

H-8057

- 1 Amend House File 2392 as follows:
 2 1. Page 1, by inserting after line 32 the
 3 following:
 4 "6. The commission shall review applications for
 5 community attraction and tourism development fund
 6 assistance and make recommendations to the department
 7 regarding applications."
 8 2. By striking page 1, line 33, through page 2,
 9 line 21.
 10 3. Page 2, line 26 by striking the word
 11 "department" and inserting the following: "department
 12 and the".
 13 4. Page 3, by striking lines 6 through 8.
 14 5. Title page, by striking lines 2 and 3 and

- 15 inserting the following: "commission."
 16 6. By renumbering as necessary.

DOLECHECK of Ringgold

H-8058

- 1 Amend House File 2360 as follows:
 2 1. Page 2, by inserting after line 3 the
 3 following:
 4 "Sec. ____ Section 73.16, subsection 2, Code 1999,
 5 is amended by adding the following new unnumbered
 6 paragraph after unnumbered paragraph 1:
 7 NEW UNNUMBERED PARAGRAPH. The director of each
 8 agency or department of state government having
 9 purchasing authority shall issue electronic bid
 10 notices for distribution to the targeted small
 11 business web page located at the department of
 12 economic development if the director releases a
 13 solicitation for bids for procurement of equipment,
 14 supplies, or services. The notices shall be provided
 15 to the targeted small business marketing manager
 16 forty-eight hours prior to the issuance of all bid
 17 notices. The notices shall contain a description of
 18 the subject of the bid, a point of contact for the
 19 bid, and any subcontract goals included in the bid."
 20 2. By renumbering as necessary.

FORD of Polk

H-8059

- 1 Amend House File 2147 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 "games." the following: "However, the board and the
 4 commissioner shall not enter into an agreement to
 5 operate, market, and promote a powerball game with a
 6 territory of the United States or one of its political
 7 subdivisions or with a foreign nation unless the
 8 political subdivision, territory, or foreign nation
 9 agrees to use at least three-tenths of one percent of
 10 its powerball game revenue after the payment of prizes
 11 for gamblers assistance."

FORD of Polk

H-8064

- 1 Amend House File 2163 as follows:
 2 1. Page 1, line 10, by inserting before the word
 3 "game" the following: "fur-bearing".
 4 2. Page 1, line 11, by inserting before the word

- 5 "game" the following: "fur-bearing".
 6 3. Page 1, line 16, by inserting before the word
 7 "game" the following: "fur-bearing".
 8 4. Page 1, line 21, by inserting before the word
 9 "game" the following: "fur-bearing".

Committee on Natural Resources

H-8065

- 1 Amend House File 2377 as follows:
 2 1. Page 2, by striking lines 3 through 8 and
 3 inserting the following:
 4 "b. The chairperson or ranking member of the
 5 standing committee on human resources of the senate or
 6 of the house of representatives or an employee of the
 7 general assembly designated by such a chairperson or
 8 ranking member.
 9 c. A cochairperson or ranking member of the
 10 general assembly's joint appropriations subcommittee
 11 on human services or an employee of the general
 12 assembly designated by such a cochairperson or ranking
 13 member."

BRUNKHORST of Bremer

H-8068

- 1 Amend House File 2377 as follows:
 2 1. Page 1, line 31, by inserting after the word
 3 "information." the following: "The course completion
 4 requirement is not applicable to an individual who has
 5 comparable training or experience as a mandatory
 6 reporter of child abuse, officer of the juvenile
 7 court, or other professional position."

KREIMAN of Davis

H-8069

- 1 Amend House File 2437 as follows:
 2 1. Page 1, line 16, by inserting after word
 3 "records." the following: "However, a postsecondary
 4 education institution shall not provide information
 5 regarding a violation of a federal, state, or local
 6 law, or institutional rule or policy governing the use
 7 or possession of alcohol or a controlled substance to
 8 the parent or guardian of a student who is eighteen
 9 years of age or older unless the institution receives
 10 written authorization, on forms provided to the
 11 parent, guardian, or student by the institution upon

12 request, signed by the parent or guardian and the
 13 student."

KREIMAN of Davis

H-8070

1 Amend House File 2437 as follows:
 2 1. Page 1, line 16, by inserting after word
 3 "records." the following: "However, a postsecondary
 4 education institution that adopts a policy of
 5 providing information regarding a violation of a
 6 federal, state, or local law, or institutional rule or
 7 policy governing the use or possession of alcohol or a
 8 controlled substance to the parent or guardian of a
 9 student who is eighteen years of age or older shall
 10 notify the student of the policy at the time of the
 11 student's registration and shall allow a reasonable
 12 period of time after notice has been given for a
 13 student to inform the institution that any or all of
 14 the information designated shall not be released
 15 without the student's consent."

KREIMAN of Davis

H-8072

1 Amend House File 2249 as follows:
 2 1. Page 4, by inserting after line 6 the
 3 following:
 4 "DIVISION V
 5 MENTAL HEALTH PATIENT ADVOCATES
 6 Sec. ____ Section 229.19, unnumbered paragraph 1,
 7 Code Supplement 1999, is amended to read as follows:
 8 The district court in each county ~~with a population~~
 9 ~~of under three hundred thousand inhabitants and the~~
 10 ~~board of supervisors in each county with a population~~
 11 ~~of three hundred thousand or more inhabitants shall~~
 12 appoint an individual who has demonstrated by prior
 13 activities an informed concern for the welfare and
 14 rehabilitation of persons with mental illness, and who
 15 is not an officer or employee of the department of
 16 human services nor of any agency or facility providing
 17 care or treatment to persons with mental illness, to
 18 act as advocate representing the interests of patients
 19 involuntarily hospitalized by the court, in any matter
 20 relating to the patients' hospitalization or treatment
 21 under section 229.14 or 229.15. The court ~~or, if the~~
 22 ~~advocate is appointed by the county board of~~
 23 ~~supervisors, the board shall assign the advocate~~
 24 appointed from a patient's county of legal settlement
 25 to represent the interests of the patient. If a

26 patient has no county of legal settlement, the court
 27 ~~or, if the advocate is appointed by the county board~~
 28 ~~of supervisors, the board shall assign the advocate~~
 29 appointed from the county where the hospital or
 30 facility is located to represent the interests of the
 31 patient. The advocate's responsibility with respect
 32 to any patient shall begin at whatever time the
 33 attorney employed or appointed to represent that
 34 patient as respondent in hospitalization proceedings,
 35 conducted under sections 229.6 to 229.13, reports to
 36 the court that the attorney's services are no longer
 37 required and requests the court's approval to withdraw
 38 as counsel for that patient. However, if the patient
 39 is found to be seriously mentally impaired at the
 40 hospitalization hearing, the attorney representing the
 41 patient shall automatically be relieved of
 42 responsibility in the case and an advocate shall be
 43 assigned to the patient at the conclusion of the
 44 hearing unless the attorney indicates an intent to
 45 continue the attorney's services and the court so
 46 directs. If the court directs the attorney to remain
 47 on the case the attorney shall assume all the duties
 48 of an advocate. The clerk shall furnish the advocate
 49 with a copy of the court's order approving the
 50 withdrawal and shall inform the patient of the name of

Page 2

1 the patient's advocate. With regard to each patient
 2 whose interests the advocate is required to represent
 3 pursuant to this section, the advocate's duties shall
 4 include all of the following:
 5 Sec. ____ Section 229.19, unnumbered paragraph 3,
 6 Code Supplement 1999, is amended to read as follows:
 7 The supreme court or, if the advocate is appointed
 8 by the county board of supervisors, the board shall
 9 prescribe reasonable compensation for the services of
 10 the advocate. The compensation shall be based upon
 11 the reports filed by the advocate with the court. The
 12 advocate's compensation and any employer obligation
 13 for contributions under chapter 97B shall be paid by
 14 the county in which the court is located, either on
 15 order of the court or, if the advocate is appointed by
 16 the county board of supervisors, on the direction of
 17 the board the judicial branch. If the advocate is
 18 appointed by the court, the The advocate is an
 19 employee of the state for purposes of chapter 669. If
 20 the advocate is appointed by the county board of
 21 supervisors, the advocate is an employee of the county
 22 for purposes of chapter 670.
 23 PARAGRAPH DIVIDED. If the patient or the person
 24 who is legally liable for the patient's support is not

25 indigent, the ~~board court~~ shall recover the costs of
 26 compensating the advocate from that person. If that
 27 person has an income level as determined pursuant to
 28 section 815.9 greater than one hundred percent but not
 29 more than one hundred fifty percent of the poverty
 30 guidelines, at least one hundred dollars of the
 31 advocate's compensation shall be recovered in the
 32 manner prescribed by the ~~county board of supervisors~~
 33 supreme court. If that person has an income level as
 34 ~~determined pursuant to section 815.9~~ greater than one
 35 hundred fifty percent of the poverty guidelines, at
 36 least two hundred dollars of the advocate's
 37 compensation shall be recovered ~~in substantially the~~
 38 ~~same manner as~~ prescribed by the ~~county board of~~
 39 ~~supervisors as provided in section 815.7~~ supreme
 40 court. For the purposes of this paragraph, "poverty
 41 guidelines" means the most recently revised poverty
 42 income guidelines published by the United States
 43 department of health and human services."
 44 2. By renumbering as necessary.

CARROLL of Poweshiek

H-8073

1 Amend House File 2409 as follows:
 2 1. Page 6, line 2, by inserting after the word
 3 "office," the following: "Candidates who utilize this
 4 provision shall annually notify all individual
 5 contributors of such expenditures by the candidate
 6 during the calendar year in which the expense was
 7 incurred. One notice per calendar year of all
 8 expenditures pursuant to this provision satisfies the
 9 notification requirement."

CORMACK of Webster

H-8074

1 Amend House File 2460 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 217.30, subsection 4,
 5 paragraph b, Code 1999, is amended to read as follows:
 6 b. Confidential information described in
 7 subsection 1, paragraphs "a," "b", and "c", shall be
 8 disclosed to public officials, for use in connection
 9 with their official duties relating to law
 10 enforcement, audits and other purposes directly
 11 connected with the administration of such programs,
 12 upon written application to and with approval of the
 13 director or the director's designee. Confidential

- 14 information described in subsection 1 paragraphs "a",
 15 "b", and "c", shall also be disclosed to public
 16 officials, for use in connection with their official
 17 duties relating to the support and protection of
 18 children and families, upon written application to and
 19 with the approval of the director or the director's
 20 designee."
 21 2. Title page, by striking line 2 and inserting
 22 the following: ", child abuse records, or other
 23 information."
 24 3. By renumbering as necessary.

BODDICKER of Cedar

H-8075

- 1 Amend House File 2459 as follows:
 2 1. Page 1, line 27, by striking the word
 3 "visible" and inserting the following: "disclosed or
 4 otherwise becomes evident".

WITT of Black Hawk

H-8076

- 1 Amend House File 2084 as follows:
 2 1. Page 1, line 27, by striking the words
 3 "serious misdemeanor" and inserting the following:
 4 "simple misdemeanor punishable by a fine of two
 5 hundred fifty dollars".

PARMENTER of Story

H-8078

- 1 Amend House File 2459 as follows:
 2 1. Page 1, by striking lines 26 and 27 and
 3 inserting the following: "inspection or unless a
 4 violation, in addition to any alleged violation
 5 included in the complaint, is detected by the".

BLODGETT of Cerro Gordo

H-8080

- 1 Amend House File 2377 as follows:
 2 1. By striking page 1, line 17, through page 2,
 3 line 8 and inserting the following:
 4 "Sec. __. Section 235A.15, Code Supplement 1999,
 5 is amended by adding the following new subsections:
 6 NEW SUBSECTION. 7. Upon the request of the
 7 governor, the department shall disclose child abuse

8 information to the governor relating to a specific
9 case of child abuse reported to the department.
10 NEW SUBSECTION. 8. If the department receives a
11 request for child abuse information relating to a case
12 of a fatality or near fatality to a child, within five
13 business days of receiving the request the director of
14 human services or the director's designee shall
15 consult with the county attorney responsible for
16 prosecution of any alleged perpetrator of the fatality
17 or near fatality and shall disclose child abuse
18 information relating to the case and the child in
19 accordance with this subsection. The director or the
20 director's designee shall release all child abuse
21 information associated with the case and the child,
22 except for the following:
23 a. The substance or content of any mental health
24 or psychological information that is confidential
25 under chapter 228.
26 b. Information pertaining to the child or the
27 child's family that is not directly related to the
28 cause of the fatality or near fatality.
29 c. Information that would reveal the identity of
30 any individual who provided information relating to a
31 report of child abuse or an assessment of such a
32 report involving the child.
33 d. Information that the director or the director's
34 designee reasonably believes is likely to cause mental
35 or physical harm to a sibling of the child or to
36 another child residing in the child's household.
37 e. Information that the director or the director's
38 designee reasonably believes is likely to jeopardize
39 the prosecution of any alleged perpetrator of the
40 fatality or near fatality.
41 f. Information that the director or the director's
42 designee reasonably believes is likely to jeopardize
43 the rights of any alleged perpetrator of the fatality
44 or near fatality to a fair trial.
45 g. Information that the director or the director's
46 designee reasonably believes is likely to undermine an
47 ongoing or future criminal investigation.
48 h. Information that is not authorized to be
49 released under federal law or regulation."
50 2. By renumbering as necessary.

MURPHY of Dubuque

H-8082

1 Amend House File 2323 as follows:
2 1. Page 6, by striking lines 3 through 5 and
3 inserting the following: "be resolved through binding
4 arbitration that is subject to review by the district

5 court in the county where the suit is filed."

KREIMAN of Davis

H-8083

1 Amend House File 2470 as follows:

2 1. Page 4, by inserting after line 10 the
3 following:

4 "Sec. ____ Section 815.9, subsection 9, Code
5 Supplement 1999, is amended to read as follows:

6 9. If any costs and fees are not paid at the times
7 specified under subsections 4 and 5, a judgment shall
8 be entered under section 910.2 against the person for
9 any unpaid amounts."

10 2. By renumbering as necessary.

KREIMAN of Davis

H-8085

1 Amend House File 2476 as follows:

2 1. Page 2, by striking line 12, and inserting the
3 following: "a mother may, with discretion,"

BLODGETT of Cerro Gordo

H-8088

1 Amend House File 2041 as follows:

2 1. Page 2, line 9, by inserting after the word
3 "identity," the following: "However, this paragraph
4 does not prohibit the use of equipment by the caller
5 which tends to more accurately identify the person on
6 whose behalf the call is being made."

RAECKER of Polk

H-8089

1 Amend House File 2377 as follows:

2 1. Page 1, line 31, by inserting after the word
3 "information," the following: "The course completion
4 requirement is not applicable to an individual who has
5 comparable training or experience as a mandatory
6 reporter of child abuse or officer of the juvenile
7 court."

KREIMAN of Davis

H-8090

- 1 Amend House File 2377 as follows:
- 2 1. Page 1, line 26, by inserting after the word
- 3 "system." the following: "The disclosure shall only
- 4 include identifying information that is necessary to
- 5 fulfill the purpose of the disclosure."

KREIMAN of Davis

H-8091

- 1 Amend House File 2436 as follows:
- 2 1. Page 1, by striking lines 2 through 4 and
- 3 inserting the following: "repealed effective July 1,
- 4 2000."
- 5 2. Title page, line 1, by striking the words
- 6 "delaying the" and inserting the following:
- 7 "eliminating the future".

WEIGEL of Chickasaw

H-8092

- 1 Amend House File 2249 as follows:
- 2 1. Page 2, line 4, by inserting after the word
- 3 "PLANS" the following: "AND OTHER CHILD WELFARE
- 4 REQUIREMENTS".
- 5 2. Page 2, by striking line 9 and inserting the
- 6 following: "622(b)(10), 671(a)(16), 627(a)(2)(B), and
- 7 675(1), (5), which is designed to".
- 8 3. Page 2, line 10, by inserting after the words
- 9 "family-like" the following: ", and most
- 10 appropriate".
- 11 4. Page 2, by inserting after line 18 the
- 12 following:
- 13 "Sec. ____ Section 232.2, subsection 4, Code
- 14 Supplement 1999, is amended by adding the following
- 15 new paragraphs:
- 16 NEW PARAGRAPH. i. A provision that a designee of
- 17 the department or other person responsible for
- 18 placement of a child out of state shall visit the
- 19 child at least once every twelve months.
- 20 NEW PARAGRAPH. j. If it has been determined that
- 21 the child cannot return to the child's home,
- 22 documentation of the steps taken to make and finalize
- 23 an adoption or other permanent placement.
- 24 Sec. ____ Section 232.78, subsection 3, Code
- 25 Supplement 1999, is amended to read as follows:
- 26 3. ~~The order shall specify the facility to which~~
- 27 ~~the child is to be brought.~~ Except for good cause
- 28 shown or unless the child is sooner returned to the

29 place where the child was residing or permitted to
30 return to the child care facility, a petition shall be
31 filed under this chapter within three days of the
32 issuance of the order.

33 Sec. ____ Section 232.78, subsection 6, Code
34 Supplement 1999, is amended to read as follows:
35 6. Any person who may file a petition under this
36 chapter may apply for, or the court on its own motion
37 may issue, an order for temporary removal under this
38 section. An appropriate person designated by the
39 court shall confer with a person seeking the removal
40 order, shall make every reasonable effort to inform
41 the parent or other person legally responsible for the
42 child's care of the application, and shall make such
43 inquiries as will aid the court in disposing of such
44 application. The person designated by the court shall
45 file with the court a complete written report
46 providing all details of the designee's conference
47 with the person seeking the removal order, the
48 designee's efforts to inform the parents or other
49 person legally responsible for the child's care of the
50 application, any inquiries made by the designee to aid

Page 2

1 the court in disposing of the application, and all
2 information the designee communicated to the court.
3 The report shall be filed within five days of the date
4 of the removal order. If the court does not designate
5 an appropriate person who performs the required
6 duties, notwithstanding section 234.39 or any other
7 provision of law, the child's parent shall not be
8 responsible for paying the cost of care and services
9 for the duration of the removal order.

10 7. Any order entered under this section
11 authorizing temporary removal of a child shall include
12 a both of the following:

13 a. A statement that the temporary removal is the
14 result of a determination that the child remaining in
15 the child's home would be contrary to the welfare of
16 the child, and that reasonable efforts have been made
17 to prevent or eliminate the need for removal of the
18 child from the child's home.

19 b. A statement informing the child's parent that
20 the consequences of a permanent removal may include
21 termination of the parent's rights with respect to the
22 child.

23 Sec. ____ Section 232.95, subsection 1, Code 1999,
24 is amended to read as follows:

25 1. At any time after the petition is filed any
26 person who may file a petition under section 232.87
27 may apply for, or the court on its own motion may

28 order, a hearing to determine whether the child should
29 be temporarily removed from home. ~~Where~~ If the child
30 is in the custody of a person other than the child's
31 parent, guardian, or custodian as the result of action
32 taken pursuant to section 232.78 or 232.79, the court
33 shall hold a hearing within ten days of the date of
34 temporary removal to determine whether the temporary
35 removal should be continued.

36 Sec. ____ Section 232.96, subsection 10, Code
37 1999, is amended to read as follows:

38 10. If the court enters an order adjudicating the
39 child to be a child in need of assistance, the court,
40 if it has not previously done so, may issue an order
41 authorizing temporary removal of the child from the
42 child's home as set forth in section 232.95,
43 subsection 2, paragraph "a", pending a final order of
44 disposition. The order shall include a both of the
45 following:

46 a. A statement that the temporary removal is the
47 result of a determination that the child remaining in
48 the child's home would be contrary to the welfare of
49 the child, and that reasonable efforts have been made
50 to prevent or eliminate the need for removal of the

Page 3

1 child from the child's home.

2 b. A statement informing the child's parent that
3 the consequences of a permanent removal may include
4 termination of the parent's rights with respect to the
5 child.

6 Sec. ____ Section 232.102, subsection 10,
7 paragraph a, unnumbered paragraph 1, Code 1999, is
8 amended to read as follows:

9 As used in this section, "reasonable efforts" means
10 the efforts made to preserve and unify a family prior
11 to the out-of-home placement of a child in foster care
12 or to eliminate the need for removal of the child or
13 make it possible for the child to safely return to the
14 family's home. If returning the child to the family's
15 home is not appropriate or not possible, reasonable
16 efforts shall include the efforts made in a timely
17 manner to finalize a permanency plan for the child. A
18 child's health and safety shall be the paramount
19 concern in making reasonable efforts. Reasonable
20 efforts may include intensive family preservation
21 services or family-centered services, if the child's
22 safety in the home can be maintained during the time
23 the services are provided. In determining whether
24 reasonable efforts have been made, the court shall
25 consider both of the following:

26 Sec. ____ Section 232.104, subsection 1, paragraph

27 a, subparagraph (2), Code 1999, is amended to read as
28 follows:

29 (2) For an order entered under section 232.102,
30 for which the court has waived reasonable efforts
31 requirements under section 232.102, subsection ~~11~~ 12,
32 the permanency hearing shall be held within thirty
33 days of the date the requirements were waived.
34 Sec. . Section 232.104, subsection 1, paragraph
35 c, Code 1999, is amended to read as follows:
36 c. Reasonable notice of a permanency hearing in a
37 case of juvenile delinquency shall be provided
38 pursuant to section 232.37. A permanency hearing
39 shall be conducted in substantial conformance with the
40 provisions of section 232.99. During the hearing the
41 court shall consider the child's need for a secure and
42 permanent placement in light of any permanency plan or
43 evidence submitted to the court. Upon completion of
44 the hearing the court shall enter written findings and
45 make a determination based upon the permanency plan
46 ~~which will best serve the child's individual interests~~
47 at that time identifying a primary permanency goal for
48 the child. If a permanency plan is in effect at the
49 time of the hearing, the court shall also make a
50 determination as to whether reasonable progress is

Page 4

- 1 being made in achieving the permanency goal and other
- 2 provisions of that permanency plan."

CARROLL of Poweshiek

H-8093

- 1 Amend House File 2409 as follows:
- 2 1. By striking page 5, line 26, through page 6,
- 3 line 2.
- 4 2. By renumbering as necessary.

GIPP of Winneshiek

H-8094

- 1 Amend House File 2433 as follows:
- 2 1. Page 1, line 29, by striking the word
- 3 "annually".
- 4 2. Page 1, line 30, by inserting after the word
- 5 "plan", the following: "at least once every five
- 6 years".

STEVENS of Dickinson

H-8095

- 1 Amend House File 2440 as follows:
- 2 1. Page 1, by striking line 6 and inserting the
3 following: "section 321.415, subject to exceptions
4 with respect to parked vehicles under this chapter. A
5 motor vehicle operated upon a highway within this
6 state shall display certain other lamps and devices,
7 as provided in this chapter, at any time from sunset
8 to sunrise, at any".
- 9 2. Page 1, line 27, by striking the word "at" and
10 inserting the following: "as".
- 11 3. Page 1, by striking lines 28 and 29 and
12 inserting the following: "provided in section".
- 13 4. By renumbering as necessary.

SCHERRMAN of Dubuque
OSTERHAUS of Jackson

H-8097

- 1 Amend House File 2041 as follows:
- 2 1. Page 2, line 7, by striking the words "caller
3 ID" and inserting the following: "caller
4 identification".
- 5 2. Page 2, by inserting after line 9 the
6 following:
7 "d. Notwithstanding paragraph "b", a person who
8 uses or employs ADAD equipment as provided in this
9 section shall identify the person within the first
10 fifteen seconds of a call and provide the recipient of
11 the call with the name and telephone number of a
12 person whom the recipient may call to request that no
13 further calls be made to the recipient."

HOLVECK of Polk
RAECKER of Polk

H-8100

- 1 Amend House File 2331 as follows:
- 2 1. Page 21, line 32, by striking the word
3 "driving" and inserting the following: "operating".

PARMENTER of Story

H-8101

- 1 Amend House File 2331 as follows:
- 2 1. Page 2, by striking lines 32 and 33 and
3 inserting the following: "propulsion."
4 2. Page 3, line 26, by inserting after the word

- 5 "other" the following: "certified".
- 6 3. Page 3, line 26, by inserting after the word
7 "officer" the following: "as defined in section
8 80B.3."
- 9 4. Page 4, by inserting after line 11 the
10 following:
11 "30A. "Sailboat" means any watercraft operated
12 with a sail."
- 13 5. Page 7, by striking lines 20 and 21 and
14 inserting the following: "904.513. The court".
- 15 6. Page 8, by striking lines 3 and 4 and
16 inserting the following: "904.513. The court".
- 17 7. Page 10, line 4, by striking the words "is
18 convicted under" and inserting the following:
19 "violates".
- 20 8. Page 12, by striking lines 24 and 25 and
21 inserting the following: "this section shall be
22 completed at the defendant's expense."
- 23 9. Page 14, line 32, by inserting after the words
24 "presence of" the following: "controlled substances
25 or other".
- 26 10. Page 16, line 1, by inserting after the words
27 "influence of a" the following: "controlled
28 substance, a".
- 29 11. Page 18, line 1, by inserting before the word
30 "drugs" the following: "a controlled substance or
31 other".
- 32 12. Page 19, line 2, by inserting before the word
33 "drug" the following: "controlled substance or
34 other".
- 35 13. Page 19, by striking lines 33 and 34 and
36 inserting the following:
37 "4. The court shall not defer judgment or
38 sentencing, or".
- 39 14. Page 21, line 32, by striking the word
40 "driving" and inserting the following: "operation of
41 a motorboat or sailboat".
- 42 15. Page 23, by striking lines 20 through 23 and
43 inserting the following: "warrant issued under
44 section 462A.14D constitutes contempt punishable as
45 provided in that section and further constitutes a
46 refusal to submit. Also, if the withdrawal of a".
- 47 16. Page 23, line 32, by striking the figure "1"
48 and inserting the following: "3".
- 49 17. Page 25, line 17, by striking the word and
50 figure "or 462A.14B".

Page 2

- 1 18. Page 25, line 23, by striking the word and
2 figure "or 462A.14B".
- 3 19. Page 25, line 29, by striking the word and

- 4 figure "or 462A.14B".
- 5 20. By renumbering as necessary.

RAECKER of Polk
KREIMAN of Davis

H-8103

- 1 Amend House File 2474 as follows:
- 2 1. Page 1, by striking line 4 and inserting the
- 3 following: "2001, incorporating health services,
- 4 media specialist, and guidance counselor components in
- 5 the general".
- 6 2. Title page, by striking line 2 and inserting
- 7 the following: "incorporating health services, media
- 8 specialist, and guidance counselor components in the
- 9 general".

MASCHER of Johnson
MERTZ of Kossuth
FALCK of Fayette
GREIMANN of Story
STEVENS of Dickinson
WARNSTADT of Woodbury
HOLVECK of Polk

REYNOLDS of Van Buren
FREVERT of Palo Alto
RICHARDSON of Warren
MURPHY of Dubuque
THOMAS of Clayton
BUKTA of Clinton

H-8104

- 1 Amend House File 2476 as follows:
- 2 1. Page 2, by striking line 12 and inserting the
- 3 following: "a mother may".

REYNOLDS of Van Buren
GREIMANN of Story

H-8106

- 1 Amend House File 2377 as follows:
- 2 1. Page 1, line 31, by inserting after the word
- 3 "information." the following: "The course completion
- 4 requirement is not applicable to an individual who has
- 5 comparable training or experience as a mandatory
- 6 reporter of child abuse or officer of the juvenile
- 7 court."
- 8 2. Page 2, line 22, by inserting after the word
- 9 "department." the following: "The course completion
- 10 requirement is not applicable to an individual who has
- 11 comparable training or experience as a mandatory
- 12 reporter of child abuse or officer of the juvenile
- 13 court."

KREIMAN of Davis

H-8108

- 1 Amend House File 2460 as follows:
- 2 1. Page 1, line 9, by inserting after the figure
- 3 "280.25." the following: "The disclosure be limited
- 4 to information that is necessary to plan and
- 5 coordinate services to the child and the family of the
- 6 child."

KREIMAN of Davis

H-8111

- 1 Amend House File 2426 as follows:
- 2 1. Page 1, by inserting after line 14 the
- 3 following:
- 4 "3. This section shall not apply to persons who
- 5 are under the age of nineteen or who are nineteen
- 6 years of age or older and are enrolled in a secondary
- 7 school."
- 8 2. By renumbering as necessary.

FORD of Polk

H-8112

- 1 Amend House File 2377 as follows:
- 2 1. Page 1, by striking lines 27 through 31 and
- 3 inserting the following: "authorized requestor
- 4 designated by a legislative leader or the governor
- 5 must be a mandatory reporter of child abuse listed in
- 6 section 232.69, subsection 1. After completing a".
- 7 2. Page 2, by striking lines 18 through 22 and
- 8 inserting the following: "In order to receive
- 9 information under this section, a person other than
- 10 the governor must be a mandatory reporter of child
- 11 abuse listed in section 232.69, subsection 1. The
- 12 secretary of the senate and chief clerk of the house
- 13 shall maintain a listing of members and employees of
- 14 the general assembly who are mandatory reporters. A".

FORD of Polk

H-8113

- 1 Amend House File 2041 as follows:
- 2 1. Page 2, by inserting after line 9 the
- 3 following:
- 4 "d. (1) Notwithstanding paragraph "b", a
- 5 telemarketer shall not use ADAD equipment or any
- 6 similar equipment to make telephonic sales calls where
- 7 the number of live telemarketers is less than the

8 number of telephonic sales calls dialed by such
9 equipment, and where the number of telemarketers would
10 be insufficient to engage in the telephonic sales
11 calls if all calls made by such equipment result in a
12 completed call to the numbers dialed.

13 (2) A person who violates subsection 2 is subject
14 to a civil penalty in the same manner as provided in
15 section 476.51 with regard to a public utility.

16 (3) For purposes of this paragraph, unless the
17 context otherwise requires:

18 (a) "Telemarketer" means a person who makes
19 telephonic sales calls.

20 (b) "Telephonic sales call" means a call made by a
21 telemarketer to a consumer for any of the following
22 purposes:

23 (i) To solicit a sale of a consumer good or
24 service.

25 (ii) To solicit an extension of credit for a
26 consumer good or service.

27 (iii) To obtain information that will or may be
28 used for the direct solicitation of a sale of a
29 consumer good or service or an extension of credit for
30 such purpose."

SCHRADER of Marion

H-8114

1 Amend House File 2377 as follows:

2 1. Page 1, by striking lines 17 and 18, and
3 inserting the following:

4 "Sec. ____ Section 235A.15, Code Supplement 1999,
5 is amended by adding the following new subsections:"

6 2. Page 2, by inserting after line 8 the
7 following:

8 "NEW SUBSECTION. 8. If the department receives a
9 request for child abuse information relating to a case
10 of a fatality or near fatality to a child, within five
11 business days of receiving the request the director of
12 human services or the director's designee shall
13 consult with the county attorney responsible for
14 prosecution of any alleged perpetrator of the fatality
15 or near fatality and shall disclose child abuse
16 information relating to the case and the child in
17 accordance with this subsection. The director or the
18 director's designee shall release all child abuse
19 information associated with the case and the child,
20 except for the following:

21 a. The substance or content of any mental health
22 or psychological information that is confidential
23 under chapter 228.

24 b. Information pertaining to the child or the

- 25 child's family that is not directly related to the
 26 cause of the fatality or near fatality.
- 27 c. Information that would reveal the identity of
 28 any individual who provided information relating to a
 29 report of child abuse or an assessment of such a
 30 report involving the child.
- 31 d. Information that the director or the director's
 32 designee reasonably believes is likely to cause mental
 33 or physical harm to a sibling of the child or to
 34 another child residing in the child's household.
- 35 e. Information that the director or the director's
 36 designee reasonably believes is likely to jeopardize
 37 the prosecution of any alleged perpetrator of the
 38 fatality or near fatality.
- 39 f. Information that the director or the director's
 40 designee reasonably believes is likely to jeopardize
 41 the rights of any alleged perpetrator of the fatality
 42 or near fatality to a fair trial.
- 43 g. Information that the director or the director's
 44 designee reasonably believes is likely to undermine an
 45 ongoing or future criminal investigation.
- 46 h. Information that is not authorized to be
 47 released under federal law or regulation."
- 48 3. By renumbering as necessary.

STEVENS of Dickinson

H-8118

- 1 Amend House File 2377 as follows:
- 2 1. Page 1, by inserting before line 1 the
 3 following:
- 4 "Section 1. Section 135.43, subsection 3,
 5 paragraph e, Code 1999, is amended by striking the
 6 paragraph.
- 7 Sec. . Section 135.43, Code 1999, is amended by
 8 adding the following new subsection:
- 9 NEW SUBSECTION. 3A. The review team shall develop
 10 protocols for a committee to be appointed by the
 11 director on an ad hoc basis to immediately review the
 12 child abuse assessments which involve the death of a
 13 child under age eighteen. The director shall appoint
 14 a medical examiner, a pediatrician, and a person
 15 involved with law enforcement to the committee.
- 16 a. The purpose of the review shall be to determine
 17 whether the department of human services and others
 18 involved with the case of child abuse responded
 19 appropriately. The protocols shall provide for the
 20 committee to consult with any multidisciplinary team,
 21 as defined in section 235A.13, that is operating in
 22 the area in which the death occurred.
- 23 b. The committee shall have access to patient

24 records and other pertinent confidential information
25 and subject to the restrictions in this subsection may
26 disseminate the confidential information in the
27 committee's report.

28 c. Upon completion of the review, the committee
29 shall issue a report which shall include findings
30 concerning the case and recommendations for changes to
31 prevent child deaths when similar circumstances exist.

32 The report shall include but is not limited to the
33 following information, subject to the restrictions
34 listed in paragraph "d":

35 (1) The dates, outcomes, and results of any
36 actions taken by the department of human services and
37 others in regard to the report of child abuse.

38 (2) The results of any review of the case
39 performed by a multidisciplinary team, or by any other
40 public entity that reviewed the case.

41 (3) Confirmation of the department of human
42 services' receipt of any report of child abuse
43 involving the child, including confirmation as to
44 whether or not any assessment involving the child was
45 performed in accordance with section 232.71B, the
46 results of any assessment, a description of the most
47 recent assessment and the services offered to the
48 family, the services rendered to the family, and the
49 basis for the department's decisions concerning the
50 case.

Page 2

1 d. Prior to issuing the report, the committee
2 shall consult with the county attorney responsible for
3 prosecution of the alleged perpetrator of the child
4 death. The committee's report shall include child
5 abuse information associated with the case and the
6 child, except for the following:

7 (1) The substance or content of any mental health
8 or psychological information that is confidential
9 under chapter 228.

10 (2) Information pertaining to the child or the
11 child's family that is not directly related to the
12 cause of the fatality or near fatality.

13 (3) Information that would reveal the identity of
14 any individual who provided information relating to a
15 report of child abuse or an assessment of such a
16 report involving the child.

17 (4) Information that the committee reasonably
18 believes is likely to cause mental or physical harm to
19 a sibling of the child or to another child residing in
20 the child's household.

21 (5) Information that the committee reasonably
22 believes is likely to jeopardize the prosecution of

23 any alleged perpetrator of the fatality or near
24 fatality.

25 (6) Information that the committee reasonably
26 believes is likely to jeopardize the rights of any
27 alleged perpetrator of the fatality or near fatality
28 to a fair trial.

29 (7) Information that the committee reasonably
30 believes is likely to undermine an ongoing or future
31 criminal investigation.

32 (8) Information that is not authorized to be
33 released under federal law or regulation.

34 e. Following the completion of the trial of any
35 alleged perpetrator of the child death, the committee
36 shall issue a supplemental report containing the
37 information that was withheld, in accordance with
38 paragraph "d", so as not to jeopardize the prosecution
39 or the rights of the alleged perpetrator to a fair
40 trial.

41 f. The report shall be submitted to the governor
42 and general assembly.

43 Sec. ___. Section 135.43, subsection 6, paragraph
44 b, Code 1999, is amended to read as follows:

45 b. A person in possession or control of medical,
46 investigative, assessment, or other information
47 pertaining to a child death and child abuse review
48 shall allow the inspection and reproduction of the
49 information by the department upon the request of the
50 department, to be used only in the administration and

Page 3

1 for the duties of the Iowa child death review team.
2 ~~Information Except as provided for a report on a child~~
3 ~~death by a committee of the team under subsection 3A~~
4 and records which are confidential under section 22.7
5 and chapter 235A, and information or records received
6 from the confidential records, remain confidential
7 under this section. A person does not incur legal
8 liability by reason of releasing information to the
9 department as required under and in compliance with
10 this section."

11 2. Page 1, by striking lines 17 and 18 and
12 inserting the following:

13 "Sec. ___. Section 235A.15, Code Supplement 1999,
14 is amended by adding the following new subsections:"

15 3. Page 2, by striking lines 1 through 8 and
16 inserting the following: "information under this
17 section relating to a specific case of child abuse
18 involving a fatality or near fatality to a child:

19 a. The governor or the governor's designee.

20 b. The member of the senate or employee of the
21 general assembly designated by the majority leader or

22 minority leader of the senate.
 23 c. The member of the house of representatives or
 24 employee of the general assembly designated by the
 25 speaker or minority leader of the house of
 26 representatives.

27 NEW SUBSECTION. 8. Upon the request of the
 28 governor, the department shall disclose child abuse
 29 information to the governor relating to a specific
 30 case of child abuse reported to the department."

31 4. Page 2, by inserting after line 27 the
 32 following:

33 "Sec. ____ Section 235A.18, subsection 2, Code
 34 Supplement 1999, is amended to read as follows:

35 2. The juvenile or district court and county
 36 attorney shall expunge child abuse information upon
 37 notice from the registry. The supreme court shall
 38 prescribe rules establishing the period of time child
 39 abuse information is retained by the juvenile and
 40 district courts. A county attorney shall not retain
 41 child abuse information in excess of the time period
 42 the information would be retained under the rules
 43 prescribed by the supreme court. Child abuse
 44 information relating to a particular case of child
 45 abuse placed in the central registry that a juvenile
 46 or district court determines is unfounded in a written
 47 finding based upon a preponderance of evidence shall
 48 be expunged from the central registry."

49 5. By renumbering as necessary.

BODDICKER of Cedar
 FOEGE of Linn

H-8120

1 Amend House File 2388 as follows:

2 1. Page 1, by inserting after line 13 the
 3 following:

4 "Sec. ____ NEW SECTION. 232.6 JURISDICTION -
 5 ADOPTIONS AND TERMINATIONS OF PARENTAL RIGHTS.

6 The court may exercise jurisdiction over adoption
 7 and termination of parental rights proceedings under
 8 chapters 600 and 600A."

9 2. Page 1, by inserting after line 26 the
 10 following:

11 "Sec. ____ Section 600.1, Code 1999, is amended to
 12 read as follows:

13 600.1 CONSTRUCTION.

14 This chapter shall be construed liberally. The
 15 best interest of the person to be adopted shall be the
 16 paramount consideration in interpreting this chapter.
 17 However, the interests of the adopting parents shall
 18 be given due consideration in this interpretation.

19 However, in determining the best interest of the
20 person to be adopted and the interests of the adopting
21 parents, any evidence of interests relating to a
22 period of time during which the person to be adopted
23 is placed with prospective adoptive parents and during
24 which the placement is not in compliance with the law,
25 adoption procedures, or any action by the juvenile
26 court or court, shall not be considered in the
27 determination.

28 Sec. ____ Section 600.3, Code 1999, is amended to
29 read as follows:

30 600.3 COMMENCEMENT OF ADOPTION ACTION –
31 JURISDICTION – FORUM NON CONVENIENS.

32 1. An action for the adoption of any natural
33 person shall be commenced by the filing of an adoption
34 petition, as prescribed in section 600.5, in the
35 juvenile court or court of the county in which an
36 adult person to be adopted is domiciled or resides, or
37 in the juvenile court or court of the county in which
38 the guardian of a minor person to be adopted or the
39 petitioner is domiciled or resides.

40 2. An adoption petition shall not be filed until a
41 termination of parental rights has been accomplished
42 except in the following cases:

43 a. No termination of parental rights is required
44 if the person to be adopted is an adult.

45 b. If the stepparent of the child to be adopted is
46 the adoption petitioner, the parent-child relationship
47 between the child and the parent who is not the spouse
48 of the petitioner may be terminated as part of the
49 adoption proceeding by the filing of that parent's
50 consent to the adoption.

Page 2

1 For the purposes of this subsection, a consent to
2 adopt recognized by the juvenile courts or courts of
3 another jurisdiction in the United States and obtained
4 from a resident of that jurisdiction shall be accepted
5 in this state in lieu of a termination of parental
6 rights proceeding.

7 Any adoption proceeding pending on or completed
8 prior to July 1, 1978, is hereby legalized and
9 validated to the extent that it is consistent with
10 this subsection.

11 3. If upon filing of the adoption petition or at
12 any later time in the adoption action the juvenile
13 court or court finds that in the interest of
14 substantial justice the adoption action should be
15 conducted in another juvenile court or court, it may
16 transfer, stay, or dismiss the adoption action on any
17 conditions that are just.

18 Sec. __. Section 600.4, subsection 3, paragraph
19 c, Code 1999, is amended to read as follows:

20 c. Is unable to petition with the other spouse
21 because of the prolonged and unexplained absence,
22 unavailability, or incapacity of the other spouse, or
23 because of an unreasonable withholding of joinder by
24 the other spouse, as determined by the juvenile court
25 or court under section 600.5, subsection 7.

26 Sec. __. Section 600.5, unnumbered paragraph 1,
27 Code 1999, is amended to read as follows:

28 An adoption petition shall be signed and verified
29 by the petitioner, shall be filed with the juvenile
30 court or court designated in section 600.3, and shall
31 state:

32 Sec. __. Section 600.5, subsection 7, Code 1999,
33 is amended to read as follows:

34 7. A designation of the particular provision in
35 section 600.4 under which the petitioner is qualified
36 to adopt and, if under section 600.4, subsection 3,
37 paragraph "c", a request that the juvenile court or
38 court approve the petitioner's qualification to adopt.

39 Sec. __. Section 600.7, subsection 1, unnumbered
40 paragraph 1, Code 1999, is amended to read as follows:

41 An adoption petition shall not be granted unless
42 the following persons consent to the adoption or
43 unless the juvenile court or court makes a
44 determination under subsection 4:

45 Sec. __. Section 600.7, subsection 2, paragraphs
46 a and b, Code 1999, are amended to read as follows:

47 a. If by any minor person to be adopted who is
48 fourteen years of age or older, in the presence of the
49 juvenile court or court in which the adoption petition
50 is filed.

Page 3

1 b. If by any other person, either in the presence
2 of the juvenile court or court in which the adoption
3 petition is filed or before a notary public.

4 Sec. __. Section 600.7, subsections 3 and 4, Code
5 1999, are amended to read as follows:

6 3. A consent to the adoption may be withdrawn
7 prior to the issuance of an adoption decree under
8 section 600.13 by the filing of an affidavit of
9 consent withdrawal with the juvenile court or court.
10 Such affidavit shall be treated in the same manner as
11 an attached verified statement is treated under
12 subsection 4.

13 4. If any person required to consent under this
14 section refuses to or cannot be located to give
15 consent, the petitioner may attach to the petition a
16 verified statement of such refusal or lack of

17 location. The juvenile court or court shall then
18 determine, at the adoption hearing prescribed in
19 section 600.12, whether, in the best interests of the
20 person to be adopted and the petitioner, any
21 particular consent shall be unnecessary to the
22 granting of an adoption petition.

23 Sec. ____ Section 600.8, subsection 2, paragraph
24 a, Code 1999, is amended to read as follows:

25 a. A preplacement investigation and report of the
26 investigation shall be completed and the prospective
27 adoption petitioner approved for a placement by the
28 person making the investigation prior to any agency or
29 independent placement of a minor person in the
30 petitioner's home in anticipation of an ensuing
31 adoption. A report of a preplacement investigation
32 that has approved a prospective adoption petitioner
33 for a placement shall not authorize placement of a
34 minor person with that petitioner after one year from
35 the date of the report's issuance. However, if the
36 prospective adoption petitioner is a relative within
37 the fourth degree of consanguinity who has assumed
38 custody of a minor person to be adopted, a
39 preplacement investigation of this petitioner and a
40 report of the investigation may be completed at a time
41 established by the juvenile court or court or may be
42 waived as provided in subsection 12.

43 Sec. ____ Section 600.8, subsections 4, 7, 8, 9,
44 and 12, Code Supplement 1999, are amended to read as
45 follows:

46 4. A postplacement investigation and the report of
47 the investigation shall be completed and filed with
48 the court prior to the holding of the adoption hearing
49 prescribed in section 600.12. Upon the filing of an
50 adoption petition pursuant to section 600.5, the

Page 4

1 juvenile court or court shall immediately appoint the
2 department, an agency, or an investigator to conduct
3 and complete the postplacement report. Any person,
4 including a juvenile court, who has gained relevant
5 background information concerning a minor person
6 subject to an adoption petition shall, upon request,
7 fully cooperate with the conducting of the
8 postplacement investigation by disclosing any relevant
9 information requested, whether contained in sealed
10 records or not.

11 7. Any investigation or report required under this
12 section shall not apply when the person to be adopted
13 is an adult or when the prospective adoption
14 petitioner or adoption petitioner is a stepparent of
15 the person to be adopted. However, in the case of a

16 stepparent adoption, the juvenile court or court, upon
17 the request of an interested person or on its own
18 motion stating the reasons thereof of record, may
19 order an investigation or report pursuant to this
20 section.

21 8. Any person designated to make an investigation
22 and report under this section may request an agency or
23 state agency, within or outside this state, to conduct
24 a portion of the investigation or the report, as may
25 be appropriate, and to file a supplemental report of
26 such investigation or report with the juvenile court
27 or court. In the case of the adoption of a minor
28 person by a person domiciled or residing in any other
29 jurisdiction of the United States, any investigation
30 or report required under this section which has been
31 conducted pursuant to the standards of that other
32 jurisdiction shall be recognized in this state.

33 9. The department may investigate, on its own
34 initiative or on order of the juvenile court or court,
35 any placement made or adoption petition filed under
36 this chapter or chapter 600A and may report its
37 resulting recommendation to the juvenile court or
38 court.

39 12. Any investigation and report required under
40 subsection 1 of this section may be waived by the
41 juvenile court or court if the adoption petitioner is
42 related within the fourth degree of consanguinity to
43 the person to be adopted.

44 Sec. ____ Section 600.9, subsection 2, unnumbered
45 paragraph 1, Code Supplement 1999, is amended to read
46 as follows:

47 An adoption petitioner of a minor person shall file
48 with the juvenile court or court, prior to the
49 adoption hearing, a full accounting of all
50 disbursements of any thing of value paid or agreed to

Page 5

1 be paid by or on behalf of the petitioner in
2 connection with the petitioned adoption. This
3 accounting shall be made by a report prescribed by the
4 juvenile court or court and shall be signed and
5 verified by the petitioner. Only expenses incurred in
6 connection with the following and any other expenses
7 approved by the juvenile court or court are allowable:

8 Sec. ____ Section 600.10, Code Supplement 1999, is
9 amended to read as follows:

10 600.10 MINIMUM RESIDENCE OF A MINOR CHILD.

11 The adoption of a minor person shall not be decreed
12 until that person has lived with the adoption
13 petitioner for a minimum residence period of one
14 hundred eighty days. However, the juvenile court or

15 court may waive this period if the adoption petitioner
16 is a stepparent or related to the minor person within
17 the fourth degree of consanguinity or may shorten this
18 period upon good cause shown when the juvenile court
19 or court is satisfied that the adoption petitioner and
20 the person to be adopted are suited to each other.
21 Sec. ____ Section 600.11, subsections 1 and 3,
22 Code 1999, are amended to read as follows:
23 1. The juvenile court or court shall set the time
24 and place of the adoption hearing prescribed in
25 section 600.12 upon application of the petitioner.
26 The juvenile court or court may continue the adoption
27 hearing if the notice prescribed in subsections 2 and
28 3 is given, except that such notice shall only be
29 given at least ten days prior to the date which has
30 been set for the continuation of the adoption hearing.
31 3. A notice of the adoption hearing shall state
32 the time, place, and purpose of the hearing and shall
33 be served in accordance with rule of civil procedure
34 56.1. Proof of the giving of notice shall be filed
35 with the juvenile court or court prior to the adoption
36 hearing. Acceptance of service by the party being
37 given notice shall satisfy the requirements of this
38 subsection.
39 Sec. ____ Section 600.12, subsections 2 and 3,
40 Code 1999, are amended to read as follows:
41 2. Only those persons notified under section
42 600.11 and their witnesses and legal counsel or
43 persons requested by the juvenile court or court to be
44 present shall be admitted to the court chambers while
45 an adoption hearing is being conducted. The adoption
46 petitioner and the person to be adopted shall be
47 present at the hearing, unless the presence of either
48 is excused by the juvenile court or court.
49 3. Any person admitted to the hearing shall be
50 heard and allowed to present evidence upon request and

Page 6

1 according to the manner in which the juvenile court or
2 court conducts the hearing.
3 Sec. ____ Section 600.12A, subsections 1 and 2,
4 Code 1999, are amended to read as follows:
5 1. If the person to be adopted dies following the
6 filing of an adoption petition pursuant to section
7 600.3, but prior to issuance of a final adoption
8 decree pursuant to section 600.13, the juvenile court
9 or court may waive any investigations and reports
10 required pursuant to section 600.8 that remain
11 uncompleted, waive the minimum residence requirements
12 pursuant to section 600.10, proceed to the adoption
13 hearing, and issue a final adoption decree, unless any

14 person to whom notice is to be provided pursuant to
15 section 600.11 objects to the adoption.

16 2. If the person to be adopted dies following
17 termination of the parental rights of the person's
18 biological parents but prior to the filing of an
19 adoption petition, the person who was the guardian or
20 custodian of the person to be adopted prior to the
21 person's death or the person who was in a parent-child
22 relationship with the person to be adopted prior to
23 the person's death may file an adoption petition and
24 the juvenile court or court in the interest of justice
25 may waive any other procedures or requirements related
26 to the adoption, proceed to the adoption hearing, and
27 issue a final adoption decree, unless any person to
28 whom notice is to be provided pursuant to section
29 600.11 objects to the adoption.

30 Sec. ____ Section 600.13, subsections 1, 2, 3, and
31 5, Code Supplement 1999, are amended to read as
32 follows:

33 1. At the conclusion of the adoption hearing, the
34 juvenile court or court shall do one of the following:

35 a. Issue a final adoption decree;

36 b. Issue an interlocutory adoption decree; ~~or,~~

37 c. Dismiss the adoption petition if the

38 requirements of this Act have not been met or if

39 dismissal of the adoption petition is in the best

40 interest of the person whose adoption has been

41 petitioned. Upon dismissal, the juvenile court or

42 court shall determine who is to be guardian or

43 custodian of a minor child, including the adoption

44 petitioner if it is in the best interest of the minor

45 person whose adoption has been petitioned.

46 2. An interlocutory adoption decree automatically

47 becomes a final adoption decree at a date specified by

48 the juvenile court or court in the interlocutory

49 adoption decree, which date shall not be less than one

50 hundred eighty days nor more than three hundred sixty

Page 7

1 days from the date the interlocutory decree is issued.

2 However, an interlocutory adoption decree may be

3 vacated prior to the date specified for it to become

4 final. Also, the juvenile court or court may provide

5 in the interlocutory adoption decree for further

6 observation, investigation, and report of the

7 conditions of and the relationships between the

8 adoption petitioner and the person petitioned to be

9 adopted.

10 3. If an interlocutory adoption decree is vacated

11 under subsection 2, it shall be void from the date of

12 issuance and the rights, duties, and liabilities of

13 all persons affected by it shall, unless they have
14 become vested, be governed accordingly. Upon vacation
15 of an interlocutory adoption decree, the juvenile
16 court or court shall proceed under the provisions of
17 subsection 1, paragraph "c".

18 5. An interlocutory or a final adoption decree
19 shall be entered with the clerk of the court. Such
20 decree shall set forth any facts of the adoption
21 petition which have been proven to the satisfaction of
22 the juvenile court or court and any other facts
23 considered to be relevant by the juvenile court or
24 court and shall grant the adoption petition. If so
25 designated in the adoption decree, the name of the
26 adopted person shall be changed by issuance of that
27 decree. The clerk of the court shall, within thirty
28 days of issuance, deliver one certified copy of any
29 adoption decree to the petitioner, one copy of any
30 adoption decree to the department and any agency or
31 person making an independent placement who placed a
32 minor person for adoption, and one certification of
33 adoption as prescribed in section 144.19 to the state
34 registrar of vital statistics. Upon receipt of the
35 certification, the state registrar shall prepare a new
36 birth certificate pursuant to section 144.23 and
37 deliver to the parents named in the decree and any
38 adult person adopted by the decree a copy of the new
39 birth certificate. The parents shall pay the fee
40 prescribed in section 144.46. If the person adopted
41 was born outside the state, the state registrar shall
42 forward the certification of adoption to the
43 appropriate agency in the state or foreign nation of
44 birth. A copy of any interlocutory adoption decree
45 vacation shall be delivered and another birth
46 certificate shall be prepared in the same manner as a
47 certification of adoption is delivered and the birth
48 certificate was originally prepared.

49 Sec. __. Section 600.15, subsection 1, paragraphs
50 a and b, Code Supplement 1999, are amended to read as

Page 8

1 follows:

2 a. A decree establishing a parent-child
3 relationship by adoption which is issued pursuant to
4 due process of law by a juvenile court or court of any
5 other jurisdiction in the United States shall be
6 recognized in this state.

7 b. A decree terminating a parent-child
8 relationship which is issued pursuant to due process
9 of law by a juvenile court or court of any other
10 jurisdiction in the United States shall be recognized
11 in this state.

12 Sec. ____ Section 600.16A, subsection 2,
13 paragraphs b and c, Code 1999, are amended to read as
14 follows:

15 b. The juvenile court or court, for good cause,
16 shall order the opening of the permanent adoption
17 record of the juvenile court or court for the adopted
18 person who is an adult and reveal the names of either
19 or both of the biological parents following
20 consideration of both of the following:

21 (1) A biological parent may file an affidavit
22 requesting that the juvenile court or court reveal or
23 not reveal the parent's identity. The juvenile court
24 or court shall consider any such affidavit in
25 determining whether there is good cause to order
26 opening of the records. To facilitate the biological
27 parents in filing an affidavit, the department shall,
28 upon request of a biological parent, provide the
29 biological parent with an adoption information packet
30 containing an affidavit for completion and filing with
31 the juvenile court or court.

32 (2) If the adopted person who applies for
33 revelation of the biological parents' identity has a
34 sibling who is a minor and who has been adopted by the
35 same parents, the juvenile court or court may deny the
36 application on the grounds that revelation to the
37 applicant may also indirectly and harmfully permit the
38 same revelation to the applicant's minor sibling.

39 c. A biological sibling of an adopted person may
40 file or may request that the department file an
41 affidavit in the juvenile court or court in which the
42 adopted person's adoption records have been sealed
43 requesting that the juvenile court or court reveal or
44 not reveal the sibling's name to the adopted person.
45 The juvenile court or court shall consider any such
46 affidavit in determining whether there is good cause
47 to order opening of the records upon application for
48 revelation by the adopted person. However, the name
49 of the biological sibling shall not be revealed until
50 the biological sibling has attained majority.

Page 9

1 Sec. ____ Section 600.16A, subsection 3, paragraph
2 b, unnumbered paragraph 3, Code 1999, is amended to
3 read as follows:

4 Notwithstanding the provisions of this subsection,
5 if the adult adopted person has a sibling who is a
6 minor and who has also been adopted by the same
7 parents, the department, the clerk of court, or the
8 agency which made the placement may deny the request
9 of either the adult adopted person or the biological
10 parent to open the adoption records and to reveal the

11 identities of the parties pending determination by the
 12 juvenile court or court that there is good cause to
 13 open the records pursuant to subsection 2.

14 Sec. __. Section 600.16A, subsection 4, Code
 15 1999, is amended to read as follows:

16 4. An adopted person whose adoption became final
 17 prior to July 4, 1941, and whose adoption record was
 18 not required to be sealed at the time when the
 19 adoption record was completed, shall not be required
 20 to show good cause for an order opening the adoption
 21 record under this subsection, provided that the
 22 juvenile court or court shall consider any affidavit
 23 filed under this subsection.

24 Sec. __. Section 600.18, unnumbered paragraph 1,
 25 Code 1999, is amended to read as follows:

26 Any prospective adoptive parent desiring financial
 27 assistance shall state this fact in the petition for
 28 adoption. The department of human services shall
 29 investigate the person petitioning for adoption and
 30 the child and shall file with the juvenile court or
 31 court a statement of whether the department will
 32 provide assistance as provided in sections 600.17 to
 33 600.22, the estimated amount, extent, and duration of
 34 assistance, and any other information the juvenile
 35 court or court may order.

36 Sec. __. Section 602.8102, subsections 42 and 43,
 37 Code Supplement 1999, are amended to read as follows:

38 42. Serve as clerk of the juvenile court and carry
 39 out duties as provided in chapter 232 and article 7 of
 40 this chapter.

41 43. Submit to the director of the division of
 42 child and family services of the department of human
 43 services a duplicate of the findings of the ~~district~~
 44 court related to adoptions as provided in section
 45 235.3, subsection 7."

46 3. Title page, line 1, by striking the word
 47 "concurrent".

48 4. Title page, line 3, by inserting after the
 49 word "orders" the following: "and relating to
 50 adoption and termination of parental rights

Page 10

1 proceedings".

SHOULTZ of Black Hawk

H-8122

1 Amend House File 2410 as follows:

2 1. By striking page 4, line 29 through page 5,
 3 line 11 and inserting the following:

4 ~~"2. The amount of educational~~ Educational
 5 ~~assistance received by a national guard member paid~~
 6 ~~pursuant to this section shall be determined by the~~
 7 ~~adjutant general and shall not exceed the resident~~
 8 ~~tuition rate established for institutions of higher~~
 9 ~~learning under the control of the state board of~~
 10 ~~regents. If the amount appropriated in a fiscal year~~
 11 ~~for purposes of this section is insufficient to~~
 12 ~~provide educational assistance to all national guard~~
 13 ~~members who apply for the program and who are~~
 14 ~~determined by the adjutant general to be eligible for~~
 15 ~~the program, the adjutant general shall, in~~
 16 ~~coordination with the commission, determine the amount~~
 17 ~~distribution of educational assistance each eligible~~
 18 ~~guard member shall receive. However, educational~~
 19 ~~assistance paid to an eligible national guard member~~
 20 ~~pursuant to this section shall not be less than an~~
 21 ~~amount equal to fifty percent of the resident tuition~~
 22 ~~rate established for institutions of higher learning~~
 23 ~~under the control of the state board of regents or~~
 24 ~~fifty percent of the tuition rate at the institution~~
 25 ~~attended by the national guard member, whichever is~~
 26 ~~lower. The adjutant general shall not determine~~
 27 Neither eligibility nor educational assistance amounts
 28 determinations shall be based upon a".

DOLECHECK of Ringgold

H-8123

- 1 Amend House File 2392 as follows:
 2 1. Page 1, by inserting after line 32 the
 3 following:
 4 "6. The commission shall review applications for
 5 community attraction and tourism development fund
 6 assistance and make recommendations to the department
 7 regarding applications."
 8 2. By striking page 1, line 33, through page 2,
 9 line 21.
 10 3. By striking page 2, line 26, through page 3,
 11 line 5, and inserting the following:
 12 ~~"When reviewing the applications, the department~~
 13 ~~shall consider, at a minimum, The department shall~~
 14 award financial assistance to applicants that are
 15 geographically diverse. In order to receive financial
 16 assistance under the program, an applicant must
 17 demonstrate and the department must find all of the
 18 following:
 19 1. ~~Whether the~~ The wages, benefits, including
 20 health benefits, safety, and other attributes of the
 21 project would improve the quality of attraction and
 22 tourism employment in the community.

- 23 2. The extent to which such a project would
 24 generate additional attraction and tourism
 25 opportunities.
 26 3. The ability of the project to would produce a
 27 long-term tax generating economic impact.
 28 ~~4. The location of the projects and geographic~~
 29 ~~diversity of the applications.~~
 30 ~~5. 4. The extent to which any part of the propose d~~
 31 ~~project meets the definition of vertical~~
 32 ~~infrastructure in section 8.57, subsection 5,~~
 33 ~~paragraph "c".~~
 34 4. Page 3, by striking lines 6 through 8.
 35 5. By renumbering as necessary.

WARNSTADT of Woodbury

H-8125

- 1 Amend House File 2323 as follows:
 2 1. Page 6, by striking lines 24 and 25 and
 3 inserting the following:
 4 "This chapter shall not apply to the following:
 5 1. Legal services contracts under chapter 13B.
 6 2. Retention of any attorney, law firm, or other
 7 entity legally authorized to practice law for purposes
 8 of assistance to the state as a defendant in pending
 9 or proposed litigation."
 10 2. By renumbering as necessary.

KREIMAN of Davis

H-8126

- 1 Amend House File 2323 as follows:
 2 1. Page 2, by inserting after line 9 the
 3 following:
 4 "The one million dollar threshold in this chapter
 5 shall be adjusted annually according to the percentage
 6 change in the consumer price index for all urban
 7 consumers, United States city average, as published in
 8 the federal register by the United States department
 9 of labor, bureau of labor statistics."

KREIMAN of Davis

H-8128

- 1 Amend House File 2323 as follows:
 2 1. Page 3, line 31, by striking the word
 3 "appropriate" and inserting the following:
 4 "judiciary".

KREIMAN of Davis

H-8131

- 1 Amend House File 2163 as follows:
- 2 1. Page 1, line 21, by inserting after the word
- 3 "fish" the following: "except when it is necessary to
- 4 provide for the immediate safety of a person".

KREIMAN of Davis

H-8132

- 1 Amend House File 2323 as follows:
- 2 1. By striking page 3, line 23, through page 5,
- 3 line 8.
- 4 2. By renumbering as necessary.

PARMENTER of Story

H-8133

- 1 Amend House File 2323 as follows:
- 2 1. Page 5, line 19, by striking the word "thirty"
- 3 and inserting the following: "forty".
- 4 2. Page 5, line 25, by striking the word "thirty"
- 5 and inserting the following: "forty".
- 6 3. Page 5, line 29, by striking the word "thirty"
- 7 and inserting the following: "forty".

PARMENTER of Story

H-8134

- 1 Amend House File 2323 as follows:
- 2 1. Page 6, by striking lines 2 through 5.
- 3 2. By renumbering as necessary.

PARMENTER of Story

H-8135

- 1 Amend House File 2323 as follows:
- 2 1. By striking page 5, line 9, through page 6,
- 3 line 11.
- 4 2. By renumbering as necessary.

PARMENTER of Story

H-8136

- 1 Amend House File 2498 as follows:
- 2 1. Page 4, by striking line 22 and inserting the
- 3 following:

4 "Sec. ____ NEW SECTION. 147B.8 RELATIONSHIPS
5 WITH PROVIDERS.

6 Nothing in this chapter shall be construed to
7 require a person licensed under chapter 148, 150,
8 150A, or 152 to consult with, provide professional
9 services under protocol, or enter into any other
10 relationship with a certified professional midwife or
11 certified midwife registered pursuant to this chapter.
12 Additionally, this chapter shall not be construed to
13 require the consideration or grant of clinical
14 privileges to, or the establishment of any other
15 relationship with, a certified professional midwife or
16 certified midwife registered pursuant to this chapter
17 by a hospital, clinic, outpatient health facility,
18 birth center, or other health facility.

19 Sec. ____ NEW SECTION. 147B.9 PROHIBITION –
20 CRIME."

BLODGETT of Cerro Gordo

H-8137

1 Amend House File 2459 as follows:

- 2 1. Page 2, line 17, by striking the words
- 3 "oversight and communications," and inserting the
- 4 following: "administration and regulation, the human
- 5 resources committees of both houses,".
- 6 2. Page 2, line 32, by striking the words
- 7 "oversight and communications" and inserting the
- 8 following: "administration and regulation and by the
- 9 human resources committees of both houses".

BRUNKHORST of Bremer

H-8138

1 Amend the amendment, H-8086, to House File 2249 as
2 follows:

- 3 1. Page 1, by striking lines 2 through 4 and
- 4 inserting the following:
- 5 "____. Page 3, line 15, by striking the words
- 6 "~~five~~ fifteen" and inserting the following: "five".

HEATON of Henry

H-8140

1 Amend House File 2410 as follows:

- 2 1. Page 5, by inserting after line 20 the
- 3 following:
- 4 "Sec. ____ Section 261B.3A, Code 1999, is amended
- 5 to read as follows:

6 261B.3A REQUIREMENT.

7 A ~~In order to register~~, a school offering courses
 8 ~~or programs of study leading to a degree in the state~~
 9 ~~of Iowa~~ shall be accredited by an agency or
 10 organization approved or recognized by the United
 11 States department of education or a successor agency
 12 and be approved for operation by the appropriate state
 13 agencies in all other states in which it operates or
 14 maintains a presence college student aid commission.

15 Sec. __. Section 261B.4, subsection 9, Code 1999,
 16 is amended to read as follows:

17 9. ~~Whether~~ The name of the school is aceredit
 18 ~~any~~ accrediting agency recognized by the United States
 19 department of education or a successor agency ~~and, if~~
 20 ~~so, the name of the accreditation body which has~~
 21 accredited the school and the status under which
 22 accreditation is held.

23 Sec. __. Section 261B.9, subsection 6, Code 1999,
 24 is amended to read as follows:

25 6. ~~Whether~~ The name of the school is accredited by
 26 ~~an~~ accrediting agency recognized by the United States
 27 department of education or its successor agency which
 28 has accredited the school."

DOLECHECK of Ringgold

H-8141

1 Amend House File 2388 as follows:

2 1. Page 1, by striking lines 1 through 26, and
 3 inserting the following:

4 "Section 1. CONCURRENT JURISDICTION – CUSTODY OR
 5 SUPPORT – PILOT PROJECT.

6 1. The judicial branch shall implement a pilot
 7 project in at least one judicial district to provide
 8 for concurrent jurisdiction between the juvenile court
 9 and the district court for the purpose of the district
 10 court modifying an existing custody or support order
 11 when the juvenile court issues an order removing a
 12 child from the custody of a parent previously granted
 13 custody pursuant to chapter 598.

14 2. The judicial branch shall submit a report to
 15 the general assembly on or before December 1, 2000,
 16 regarding the progress of the pilot project and
 17 recommendations regarding the continuation or
 18 expansion of the project."

19 2. Title page, line 1, by inserting after the
 20 word "to" the following: "the implementation of a
 21 pilot project pertaining to".

MILLAGE of Scott

H-8142

1 Amend House File 2426 as follows:

2 1. Page 1, by inserting after line 14 the
3 following:

4 "3. This section shall not apply to persons who
5 are under the age of nineteen or who are nineteen
6 years of age or older and are enrolled in a secondary
7 or alternative school."

8 2. By renumbering as necessary.

FORD of Polk

H-8147

1 Amend House File 2419 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 124.401, subsection 1,
5 paragraph a, subparagraph (2), unnumbered paragraph 1,
6 Code Supplement 1999, is amended to read as follows:

7 More than five kilograms of a any compound, mixture
8 ~~or preparation, or~~ substance containing a detectable
9 amount of any of the following:

10 Sec. 2. Section 124.401, subsection 1, paragraph
11 a, subparagraph (2), subparagraph subdivisions (a),
12 (b), and (c), Code Supplement 1999, are amended by
13 striking the subparagraph subdivisions.

14 Sec. 3. Section 124.401, subsection 1, paragraph
15 a, subparagraph (2), subparagraph subdivision (f),
16 Code Supplement 1999, is amended to read as follows:

17 (f) Any compound, mixture, or preparation which
18 contains any quantity of any of the substances
19 referred to in subparagraph subdivisions (a) through
20 ~~(e)~~ this subparagraph (2).

21 Sec. 4. Section 124.401, subsection 1, paragraph
22 a, subparagraph (3), Code Supplement 1999, is amended
23 to read as follows:

24 (3) More than fifty grams of a any compound,
25 mixture ~~or preparation, or~~ substance described in
26 subparagraph (2) which contains cocaine base
27 containing a detectable amount of any of the
28 following:

29 (a) Coca leaves, except coca leaves and extracts
30 of coca leaves from which cocaine, ecgonine, and
31 derivatives of ecgonine or their salts have been
32 removed.

33 (b) Cocaine, its salts, optical and geometric
34 isomers, and salts of isomers.

35 (c) Ecgonine, its derivatives, their salts,
36 isomers, and salts of isomers.

37 (d) Cocaine base.

38 Sec. 5. Section 124.401, subsection 1, paragraph
 39 b, subparagraph (2), Code Supplement 1999, is amended
 40 by striking the subparagraph.

41 Sec. 6. Section 124.401, subsection 1, paragraph
 42 b, subparagraph (3), Code Supplement 1999, is amended
 43 to read as follows:

44 (3) More than five grams but not more than fifty
 45 grams of a any compound, mixture, preparation, or
 46 substance described in subparagraph (2) which contains
 47 cocaine base, containing a detectable amount of any of
 48 the following:

49 (a) Coca leaves, except coca leaves and extracts
 50 of coca leaves from which cocaine, ecgonine, and

Page 2

1 derivatives of ecgonine or their salts have been
 2 removed.

3 (b) Cocaine, its salts, optical and geometric
 4 isomers, and salts of isomers.

5 (c) Ecgonine, its derivatives, their salts,
 6 isomers, and salts of isomers.

7 (d) Cocaine base.

8 Sec. 7. Section 124.401, subsection 1, paragraph
 9 c, subparagraph (2), Code Supplement 1999, is amended
 10 by striking the subparagraph.

11 Sec. 8. Section 124.401, subsection 1, paragraph
 12 c, subparagraph (3), Code Supplement 1999, is amended
 13 to read as follows:

14 (3) Five grams or less of a any compound, mixture,
 15 preparation, or substance described in subparagraph
 16 (2) which contains cocaine base, containing a
 17 detectable amount of any of the following:

18 (a) Coca leaves, except coca leaves and extracts
 19 of coca leaves from which cocaine, ecgonine, and
 20 derivatives of ecgonine or their salts have been
 21 removed.

22 (b) Cocaine, its salts, optical and geometric
 23 isomers, and salts of isomers.

24 (c) Ecgonine, its derivatives, their salts,
 25 isomers, and salts of isomers.

26 (d) Cocaine base."

27 2. Page 3, by inserting after line 15 the
 28 following:

29 "Sec. ____ Section 232.22, subsection 1, paragraph
 30 e, subparagraph (2), Code 1999, is amended to read as
 31 follows:

32 (2) A mixture or substance containing cocaine, its
 33 salts, optical and geometric isomers, and salts of
 34 isomers, and if the act was committed by an adult, it
 35 would be a violation of section 124.401, subsection 1,
 36 paragraph "a", subparagraph (2) (3), subparagraph

37 subdivision (b), paragraph "b", subparagraph (2) (3),
 38 subparagraph subdivision (b), or paragraph "c",
 39 subparagraph (2) (3), subparagraph subdivision (b)."
 40 3. Title page, line 2, by inserting after the
 41 word "amphetamines" the following: ", cocaine, or
 42 cocaine-related substances".

FORD of Polk

H-8149

1 Amend House File 2249 as follows:

2 1. Page 4, by inserting after line 6 the
 3 following:

4 "DIVISION ____

5 STATE CHILD CARE ASSISTANCE

6 Sec. ____ Section 237A.1, Code Supplement 1999, is
 7 amended by adding the following new subsection:
 8 NEW SUBSECTION. 12A. "Poverty level" means the
 9 poverty level defined by the most recently revised
 10 poverty income guidelines published by the United
 11 States department of health and human services.

12 Sec. ____ NEW SECTION. 237A.13 STATE CHILD CARE
 13 ASSISTANCE.

14 1. A state child care assistance program is
 15 established in the department to assist children in
 16 families who meet eligibility guidelines and are
 17 described by any of the following circumstances:

18 a. The child's parent, guardian, or custodian is
 19 in academic or vocational training.

20 b. The child's parent, guardian, or custodian is
 21 unemployed or looking for employment.

22 c. The child's parent, guardian, or custodian is
 23 employed and the family income meets income
 24 requirements.

25 d. The child's parent, guardian, or custodian is
 26 absent for a limited period of time due to
 27 hospitalization, physical illness, or mental illness,
 28 or the parent, guardian, or custodian is deceased.

29 e. The child needs protective services to prevent
 30 or alleviate child abuse or neglect.

31 2. Services under the program may be provided in a
 32 licensed child care center, a registered group child
 33 care home, a registered family child care home, the
 34 home of a relative, the child's own home, an
 35 unregistered family child care home, or in a facility
 36 exempt from licensing or registration.

37 3. The department shall set provider reimbursement
 38 rates on a county-by-county basis using a child care
 39 rate reimbursement survey of each county and as
 40 authorized in accordance with appropriations enacted
 41 for payment of the reimbursement. The survey shall be

42 conducted at least every two years. The department
43 shall set rates in a manner so as to provide
44 incentives for an unregistered provider to become
45 registered.

46 4. The department shall not apply waiting list
47 requirements to any of the following persons:

48 a. Persons deemed to be eligible for benefits
49 under the state child care assistance program in
50 accordance with section 239B.24.

Page 2

1 b. Children whose parent, guardian, or custodian
2 is absent or deceased.

3 c. Children who need protective services to
4 prevent or alleviate child abuse or neglect.

5 5. Based upon the availability of the funding
6 appropriated for state child care assistance for a
7 fiscal year, the department shall establish waiting
8 lists for state child care assistance in descending
9 order of prioritization as follows:

10 a. Families with an income at or below one hundred
11 percent of the federal poverty level whose members are
12 employed at least twenty-eight hours per week, and
13 parents with a family income at or below one hundred
14 percent of the federal poverty level who are under the
15 age of twenty-one years and are participating in an
16 educational program leading to a high school diploma
17 or the equivalent.

18 b. Parents with a family income at or below one
19 hundred percent of the federal poverty level who are
20 under the age of twenty-one years and are
21 participating, at a satisfactory level, in an approved
22 training program or in an educational program.

23 c. Families with an income of more than one
24 hundred percent but not more than one hundred forty
25 percent of the federal poverty level whose members are
26 employed at least twenty-eight hours per week.

27 d. Families with an income at or below one hundred
28 seventy-five percent of the federal poverty level
29 whose members are employed at least twenty-eight hours
30 per week with a special needs child as a member of the
31 family.

32 6. Nothing in this section shall be construed as
33 or is intended as, or shall imply, a grant of
34 entitlement for services to persons who are eligible
35 for assistance due to an income level or other
36 eligibility circumstance addressed in this section.
37 Any state obligation to provide services pursuant to
38 this section is limited to the extent of the funds
39 appropriated for the purposes of state child care
40 assistance.

41 Sec. ____ Section 239B.24, subsection 1, Code
42 Supplement 1999, is amended to read as follows:
43 1. The following persons are deemed to be eligible
44 for benefits under the state child care assistance
45 program administered by the department in accordance
46 with section 237A.13, notwithstanding the program's
47 eligibility requirements or any waiting list:
48 DIVISION ____
49 COUNTY CLUSTER EMPLOYEE AND VOLUNTEER RECORD CHECKS
50 Sec. __. NEW SECTION. 217.44 COUNTY CLUSTERS -

Page 3

1 EMPLOYEE AND VOLUNTEER RECORD CHECKS.
2 1. The department of human services shall conduct
3 criminal and child and dependent adult abuse record
4 checks of persons who are potential employees,
5 employees, potential volunteers, and volunteers in
6 county cluster offices and who are in a position
7 having direct contact with the department's clients.
8 The record checks shall be performed in this state and
9 the department may conduct these checks in other
10 states. If the department determines that a person
11 has been convicted of a crime or has a record of
12 founded child or dependent adult abuse, the department
13 shall perform an evaluation to determine whether the
14 crime or founded abuse warrants prohibition of the
15 person's employment or participation as a volunteer.
16 The record checks and evaluation shall be performed in
17 accordance with procedures adopted for this purpose by
18 the department.
19 2. In an evaluation, the department shall consider
20 the nature and seriousness of the crime or founded
21 child or dependent adult abuse in relation to the
22 position sought or held, the time elapsed since the
23 commission of the crime or founded abuse, the
24 circumstances under which the crime or founded abuse
25 was committed, the degree of rehabilitation, the
26 likelihood that the person will commit the crime or
27 founded abuse again, and the number of crimes or
28 founded abuses committed by the person involved.
29 3. The department may permit a person who is
30 evaluated to be employed or to participate as a
31 volunteer if the person complies with the department's
32 conditions relating to employment or participation as
33 a volunteer which may include completion of additional
34 training.
35 4. If the department determines that the person
36 has committed a crime or has a record of founded child
37 or dependent adult abuse which warrants prohibition of
38 employment or participation as a volunteer, the person
39 shall not be employed by or participate as a volunteer

- 40 in a department cluster office in a position having
41 direct contact with the department's clients."
42 2. By renumbering as necessary.

HEATON of Henry

H-8153

- 1 Amend House File 2492 as follows:
2 1. Page 16, by inserting after line 7 the
3 following:
4 "Sec. __. FIREFIGHTER AND EMERGENCY MEDICAL
5 SERVICES PROVIDER BENEFITS – REPORT. The department
6 of management shall conduct a study concerning the
7 possible implementation of a system to provide
8 retirement benefits to volunteer firefighters and
9 emergency medical service personnel and to provide
10 death and survivor benefits, including but not limited
11 to providing for payment of postsecondary education
12 expenses of dependent children, when a volunteer
13 firefighter or emergency medical service provider or a
14 firefighter covered under chapter 411 dies in the line
15 of duty. The study shall examine what benefits should
16 be provided, if any, as well as possible funding
17 mechanisms to provide any such proposed benefits,
18 including the use of excess insurance premium tax
19 receipts, but excluding the fire and police retirement
20 fund created in section 411.8. In conducting the
21 study, the department shall consult with
22 representatives from the Iowa firemen's association,
23 the Iowa fire chief's association, the Iowa
24 association of professional firefighters, the Iowa
25 association of professional fire chiefs, the Iowa
26 firefighters group, the state fire service and
27 emergency response council, the Iowa emergency medical
28 services association, and the Iowa league of cities.
29 The department shall submit a report concerning the
30 results of its study, including any findings and
31 recommendations, to the general assembly by January 8,
32 2001."
33 2. By renumbering as necessary.

SUNDERBRUCH of Scott
FALCK of Fayette

H-8154

- 1 Amend House File 2163 as follows:
2 1. Page 1, line 21, by inserting after the word
3 "fish" the following: "with the intent of obstructing
4 or harassing another person who is lawfully hunting,
5 fishing, or fur harvesting".

KREIMAN of Davis

H-8157

- 1 Amend the amendment, H-8080, to House File 2377 as
- 2 follows:
- 3 1. Page 1, by striking lines 3 through 49 and
- 4 inserting the following: "line 8."

MURPHY of Dubuque

H-8159

- 1 Amend House File 2498 as follows:
- 2 1. Page 4, by inserting after line 1 the
- 3 following:
- 4 "(6) Providing written information to the mother
- 5 of a newborn infant regarding the need for a newborn
- 6 blood test for hereditary metabolic disorders and
- 7 where the specimen may be collected consistent with
- 8 rules adopted by the department."

BRADLEY of Clinton

H-8163

- 1 Amend House File 2498 as follows:
- 2 1. Page 4, by inserting after line 27 the
- 3 following:
- 4 "Sec. ____ NEW SECTION. 147B.9 STANDARD OF CARE.
- 5 A person registered pursuant to this chapter to
- 6 practice as a certified professional midwife or a
- 7 certified midwife shall be held to the same standard
- 8 of care as a person licensed to practice medicine and
- 9 surgery, osteopathy, or osteopathic medicine and
- 10 surgery."
- 11 2. By renumbering as necessary.

BARRY of Harrison

H-8164

- 1 Amend House File 2389 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "as" the following: "each is".

KREIMAN of Davis

H-8166

- 1 Amend House File 2506 as follows:

2 1. Page 1, by inserting after line 6 the
 3 following:
 4 "Sec. ____ Section 372.14, subsection 1, Code
 5 1999, is amended to read as follows:
 6 1. The mayor is the chief executive officer of the
 7 city and presiding officer of the council. However,
 8 the mayor shall not appoint, employ, or discharge
 9 officers or employees without the approval of the
 10 council. Except for the supervisory duties which have
 11 been delegated by law to a city manager, the mayor
 12 shall supervise all city officers and departments."

CARROLL of Poweshiek

H-8167

1 Amend House File 2409 as follows:
 2 1. Page 6, by inserting after line 2 the
 3 following:
 4 "Sec. ____ 1999 Iowa Acts, chapter 136, section
 5 14, subsection 3, is amended to read as follows:
 6 3. REPORT. Not later than December 15, ~~1999~~ 2000,
 7 the commission shall submit to the general assembly a
 8 report of the activities of the commission, together
 9 with a draft of legislation recommended by the
 10 commission to reform the campaign finance disclosure
 11 and related laws for consideration by the general
 12 assembly in the year ~~2000~~ 2001 according to the
 13 provisions of this Act.
 14 Sec. ____ 1999 Iowa Acts, chapter 136, section 15,
 15 is amended to read as follows:
 16 SEC. 15. ASSIGNMENT OF LEGISLATION. The
 17 legislation drafted by the commission shall be filed
 18 with each chamber on the first day of the legislative
 19 session beginning in the year ~~2000~~ 2001, and
 20 immediately assigned to the committee on state
 21 government in each chamber."
 22 2. By renumbering as necessary.

JOCHUM of Dubuque

H-8168

1 Amend House File 2041 as follows:
 2 1. Page 2, line 6, by inserting after the word
 3 "that" the following: "intentionally".
 4 2. Title page, line 2, by inserting after the
 5 word "that" the following: "intentionally".

RAECKER of Polk

H-8169

1 Amend House File 2041 as follows:

2 1. Page 2, by inserting after line 9 the
3 following:

4 "Sec. __. Section 476.57, subsection 4, Code
5 1999, is amended to read as follows:

6 4. CRIMINAL PENALTY. A violation of this section
7 is a serious misdemeanor.

8 5. CIVIL ENFORCEMENT. A violation of this section
9 is a violation of section 714.16, subsection 2,
10 paragraph "a". The remedies and penalties provided by
11 section 714.16, including but not limited to
12 injunctive relief and civil penalties, apply to a
13 violation of this section. In seeking reimbursement
14 pursuant to section 714.16, subsection 7, from a
15 person who has violated this section, the attorney
16 general may seek an order from the court that the
17 person pay to the attorney general on behalf of
18 consumers the amounts for which the person would be
19 liable under subsection 6 for each consumer who has a
20 cause of action pursuant to subsection 6. Section
21 714.16, as it relates to consumer reimbursement,
22 applies to amounts recovered by the attorney general
23 as reimbursement under this section. However, a
24 consumer who is awarded monetary damages pursuant to
25 subsection 6 is not eligible for monetary relief under
26 this subsection for the same violation.

27 6. PRIVATE CIVIL ACTION. A consumer who receives
28 a telephonic sales call which fails to comply with
29 this section may bring an action against the person or
30 entity on whose behalf the telemarketing call was
31 placed, to recover both of the following:

32 a. The greater of the consumer's actual damages,
33 or an amount not less than five hundred dollars but no
34 greater than two thousand dollars.

35 b. Costs and reasonable attorney fees.

36 Sec. __. DIRECTIONS TO CODE EDITOR. The Code
37 editor shall recodify section 476.57, as amended by
38 this Act, to be a new section in a new chapter 476B."

39 2. By renumbering as necessary.

RAECKER of Polk

H-8171

1 Amend House File 2409 as follows:

2 1. Page 1, by inserting after line 6 the
3 following:

4 "Sec. __. NEW SECTION. 56.6A ELECTRONIC FILING.

5 Reports filed with the board pursuant to the
6 requirements of section 56.6 shall be filed in an

7 electronic format if a candidate or committee accepts
8 contributions in excess of twenty thousand dollars in
9 the aggregate, makes expenditures in excess of twenty
10 thousand dollars in the aggregate, or incurs
11 indebtedness in excess of twenty thousand dollars in
12 the aggregate."

13 2. Page 2, by inserting after line 29 the
14 following:

15 "Sec. ____ NEW SECTION. 56.13A MEDIA REPORTS.

16 1. a. Publishers of print and electronic media
17 shall record all purchases of print space and
18 electronic media time or space related to
19 advertisements that expressly advocate the election or
20 defeat of a clearly identified candidate or the
21 passage or defeat of a ballot issue.

22 b. Publishers shall file monthly reports of
23 activity covered by this section with the board, due
24 at the board or postmarked by the fifth day of each
25 month following any month in which media space or time
26 has been purchased related to advertisements that
27 expressly advocate the election or defeat of a clearly
28 identified candidate or the passage or defeat of a
29 ballot issue.

30 c. The reports shall contain a detailed listing of
31 at least the following information:

32 (1) Identification of the persons buying the media
33 space or time.

34 (2) Identification of the candidate or ballot
35 issue that is clearly identified in the advertisement.

36 (3) Description of the position advocated by the
37 persons buying the media space or time with regard to
38 the clearly identified candidate or ballot issue.

39 (4) The dates on which the purchase took place,
40 and the dates for which the media space or time was
41 purchased.

42 (5) The cost of the media space or time.

43 2. The filing requirements of this section shall
44 apply in addition to any other applicable filing
45 requirements under this chapter.

46 3. The board shall develop, prescribe, furnish,
47 and distribute forms for the media reports."

48 3. Page 6, by striking lines 3 and 4 and
49 inserting the following:

50 "Sec. ____ NEW SECTION. 56.100 DEFINITIONS.

Page 2

1 For the purposes of this subchapter:

2 1. "Allowable contribution" means a qualifying
3 contribution or a seed money contribution.

4 2. "Board" means the Iowa ethics and campaign
5 disclosure board established under section 68B.32.

6 3. "Clean money qualifying period" means the
7 period during which candidates are permitted to
8 collect qualifying contributions in order to qualify
9 for clean money funding. The period begins ninety
10 days before the beginning of the primary election
11 campaign period and ends thirty days before the
12 beginning of the primary election campaign period.

13 4. "Coordination" means a payment made for a
14 communication or anything of value that is for the
15 purpose of influencing the outcome of an election and
16 that is made by a person according to at least one of
17 the following:

18 a. In cooperation, consultation, or concert with,
19 at the request or suggestion of, or pursuant to, a
20 particular understanding with a candidate, a
21 candidate's authorized committee, or an agent acting
22 on behalf of a candidate or authorized committee.

23 b. For the dissemination, distribution, or
24 republication, in whole or in part, of any broadcast
25 or any written, graphic, or other form of campaign
26 material prepared by a candidate, a candidate's
27 committee, or an agent of a candidate or candidate's
28 committee.

29 c. Based on specific information about the
30 candidate's plans, projects, or needs provided to the
31 person making the payment by the candidate or the
32 candidate's agent who provides the information with a
33 view toward having the payment made.

34 d. If, in the same election cycle in which the
35 payment is made, the person making the payment is
36 serving or has served as a member, employee, fund-
37 raiser, or agent of the candidate's committee in an
38 executive or policymaking position.

39 e. If the person making the payment has served in
40 any formal policy or advisory position with the
41 candidate's campaign or has participated in strategic
42 or policymaking discussions with the candidate's
43 campaign relating to the candidate's pursuit of
44 nomination for election, or election, to office, in
45 the same election cycle as the election cycle in which
46 the payment is made.

47 f. If the person making the payment retains the
48 professional services of an individual or person who,
49 in a nonministerial capacity, has provided or is
50 providing campaign-related services in the same

Page 3

1 election cycle to a candidate who is pursuing the same
2 nomination or election as any of the candidates to
3 whom the communication refers. For purposes of this
4 section, "professional services" includes services in

- 5 support of a candidate's pursuit of nomination for
6 election or election to office such as polling, media
7 advice, direct mail, fund-raising, or campaign
8 research.
- 9 5. "Excess expenditure amount" means the amount of
10 money spent or obligated to be spent by a
11 nonparticipating candidate in excess of the clean
12 money amount available to a participating candidate
13 running for the same office.
- 14 6. "Express advocacy" means the same as defined in
15 section 56.2.
- 16 7. "General election campaign period" means the
17 period beginning the day after the primary election
18 and ending on the day of the general election.
- 19 8. "Independent candidate" means a candidate who
20 does not represent a political party that has been
21 granted ballot status and holds a primary election to
22 choose its nominee for the general election.
- 23 9. "Independent expenditure" means an expenditure
24 made by a person or group of persons other than a
25 candidate or candidate's committee that meets both of
26 the following conditions:
- 27 a. The expenditure is made for a communication
28 that contains express advocacy.
- 29 b. The expenditure is made without the
30 participation or cooperation of and without
31 coordination with a candidate or a candidate's
32 committee.
- 33 10. "Issue advertisement" means a communication
34 through a broadcasting station, newspaper, magazine,
35 outdoor advertising facility, mailing, or any other
36 type of general public political advertising that has
37 all of the following characteristics:
- 38 a. The purchase does not constitute an independent
39 expenditure or a contribution.
- 40 b. The cost, in the aggregate, is at least five
41 hundred dollars.
- 42 c. The communication contains the name or likeness
43 of one or more candidates.
- 44 d. The communication was made during a primary or
45 general election period.
- 46 e. The communication recommends a position on a
47 political issue.
- 48 11. "Nonparticipating candidate" means a candidate
49 who is on the ballot but has chosen not to apply for
50 clean money campaign funding, or a candidate who is on

Page 4

- 1 the ballot and has applied for but has not satisfied
2 the requirements for receiving clean money funding.
- 3 12. "Participating candidate" means a candidate

4 who qualifies for clean money campaign funding. Such
5 candidates are eligible to receive clean money funding
6 during primary or general election campaign periods.

7 13. "Party candidate" means a candidate who
8 represents a political party as defined by section
9 43.2.

10 14. "Primary election campaign period" means the
11 period beginning ninety days before the primary
12 election and ending on the day of the primary
13 election.

14 15. "Qualifying contribution" means a contribution
15 of five dollars that is received during the designated
16 clean money qualifying period by a candidate seeking
17 to become eligible for clean money campaign funding
18 and that is acknowledged by a written receipt
19 identifying the contributor.

20 16. "Seed money contribution" means a contribution
21 of no more than one hundred dollars made by an
22 individual adult during the seed money period, but
23 specifically excludes all of the following:

24 a. Payments by a membership organization for the
25 costs of communications to its members.

26 b. Payments by a membership organization for the
27 purpose of facilitating the making of qualifying
28 contributions.

29 c. Volunteer activity, including the payment of
30 incidental expenses by volunteers.

31 17. "Seed money period" means the period beginning
32 the day following the previous general election for
33 that office and ending on the last day of the clean
34 money qualifying period. This is the exploratory
35 period during which candidates who wish to become
36 eligible for clean money funding for the next
37 elections are permitted to raise and spend a limited
38 amount of private seed money, from contributions of up
39 to one hundred dollars per individual, for the purpose
40 of determining whether to become a candidate and
41 fulfilling the clean money eligibility requirements.

42 Sec. . NEW SECTION. 56.101 ELIGIBILITY FOR
43 PARTY CANDIDATES.

44 1. A party candidate qualifies as a participating
45 candidate for the primary election campaign period if
46 the candidate does both of the following:

47 a. The candidate files a declaration with the
48 board that the candidate has complied and will comply
49 with all of the requirements of this subchapter,
50 including the requirement that during the seed money

3 from any source other than seed money contributions
4 and clean money qualifying contributions, unless the
5 provisions of section 56.103 apply.

6 b. The candidate meets both of the following
7 qualifying contribution requirements before the close
8 of the clean money qualifying period:

9 (1) A party candidate must collect both qualifying
10 contributions and signatures as follows:

11 (a) For the office of governor, from five hundred
12 registered voters in each congressional district.

13 (b) For statewide office other than governor, from
14 two hundred fifty registered voters in each
15 congressional district.

16 (c) For the Iowa senate, from two hundred
17 registered voters in the senate candidate's electoral
18 district.

19 (d) For the Iowa house of representatives from one
20 hundred registered voters in the house candidate's
21 electoral district.

22 (2) Each qualifying contribution must meet all
23 requirements of this section.

24 2. Contributors shall be registered voters who
25 reside within the candidate's electoral district and
26 who are therefore eligible to vote for that candidate.

27 3. Qualifying contributions shall be:

28 a. Made in cash or by check or money order.

29 b. Gathered by candidates themselves or by
30 volunteers who do not receive compensation.

31 c. Acknowledged by a receipt to the contributor,
32 with a copy to be kept by the candidate and a third
33 copy to be submitted to the board. The receipt shall
34 indicate, by the contributor's signature, that the
35 contributor understands that the purpose of the
36 contribution is to help the candidate qualify for
37 clean money campaign funding, and shall include a
38 signed statement indicating that the contribution is
39 made without coercion or reimbursement. The receipt
40 shall include the contributor's signature, printed
41 name, home address, and telephone number, and the name
42 of the candidate on whose behalf the contribution is
43 made.

44 d. Turned over to the board for deposit in the
45 clean money fund established under section 56.122,
46 with the signed and completed receipt, according to a
47 schedule and procedure to be determined by the board.
48 A contribution submitted as a qualifying contribution
49 that does not include the signed and completed receipt
50 shall not be counted as a qualifying contribution.

2 candidate for the general election campaign period
3 when the candidate does both of the following:
4 a. The candidate has met all of the applicable
5 requirements and filed a declaration with the board
6 that the candidate has fulfilled and will fulfill all
7 of the requirements of a participating candidate as
8 stated in this subchapter.

9 b. As a participating candidate during the primary
10 election campaign period, the candidate had the
11 highest number of votes of the candidates contesting
12 the primary election from the candidate's respective
13 party and won the party's nomination.

14 Sec. __. NEW SECTION. 56.102 ELIGIBILITY FOR
15 INDEPENDENT CANDIDATES.

16 1. An independent candidate qualifies as a
17 participating candidate for the primary election
18 campaign period if the candidate does both of the
19 following:

20 a. The candidate files a declaration with the
21 board that the candidate has complied and will comply
22 with all of the requirements of this subchapter,
23 including the requirement that during the seed money
24 period and the clean money qualifying period the
25 candidate not accept or spend private contributions
26 from any source other than seed money contributions
27 and clean money qualifying contributions, unless the
28 provisions of section 56.103 apply.

29 b. The candidate meets the following qualifying
30 contribution requirements before the close of the
31 clean money qualifying period:

32 (1) An independent candidate shall collect the
33 same number of qualifying contributions as required of
34 a party candidate for the same office under section
35 56.101.

36 (2) Each qualifying contribution must meet all
37 requirements of this section.

38 2. Contributors shall be registered voters who
39 reside within the candidate's electoral district and
40 who are therefore eligible to vote for that candidate.

41 3. Qualifying contributions shall be:

42 a. Made in cash or by check or money order.

43 b. Gathered by candidates themselves or by
44 volunteers who do not receive compensation.

45 c. Acknowledged by a receipt to the contributor,
46 with a copy to be kept by the candidate and a third
47 copy to be submitted to the board. The receipt shall
48 indicate, by the contributor's signature, that the
49 contributor understands that the purpose of the
50 contribution is to help the candidate qualify for

Page 7

1 clean money campaign funding, and shall include a
2 signed statement indicating that the contribution is
3 made without coercion or reimbursement. The receipt
4 shall include the contributor's signature, printed
5 name, home address, and telephone number, and the name
6 of the candidate on whose behalf the contribution is
7 made.

8 d. Turned over to the board for deposit in the
9 clean money fund established under section 56.122,
10 with the signed and completed receipt, according to a
11 schedule and procedure to be determined by the board.
12 A contribution submitted as a qualifying contribution
13 that does not include the signed and completed receipt
14 shall not be counted as a qualifying contribution.

15 4. An independent candidate qualifies as a
16 participating candidate for the general election
17 campaign period when the candidate does both of the
18 following:

19 a. If, prior to the primary election, the
20 candidate has met all of the applicable requirements
21 of this subchapter and filed a declaration with the
22 board that the candidate has fulfilled and will
23 fulfill all of the requirements of a participating
24 candidate as stated in this subchapter.

25 b. If, during the primary election campaign
26 period, the candidate has fulfilled all the
27 requirements of a participating candidate as stated in
28 this subchapter.

29 Sec. NEW SECTION. 56.103 TRANSITION RULE
30 FOR CURRENT ELECTION CYCLE.

31 During the election cycle in effect on the date of
32 enactment of this subchapter, a candidate may be
33 certified as a participating candidate,
34 notwithstanding the acceptance of contributions or
35 making of expenditures from private funds before the
36 date of enactment that would, absent this section,
37 disqualify the candidate as a participating candidate,
38 provided that any private funds accepted but not
39 expended before the date of enactment of this
40 subchapter shall either be returned to the contributor
41 or submitted to the board for deposit in the clean
42 money fund established under section 56.122.

43 Sec. NEW SECTION. 56.104 CONTINUING
44 OBLIGATION TO COMPLY.

45 A participating candidate who accepts any benefits
46 under section 56.111 during the primary election
47 campaign period shall comply with all the requirements
48 of this subchapter through any remaining time during
49 the primary election campaign period as well as
50 through the general election campaign period whether

Page 8

1 or not the candidate continues to accept benefits.

2 Sec. NEW SECTION. 56.105 CONTRIBUTIONS AND
3 EXPENDITURES.

4 1. During the primary and general election
5 campaign periods, a participating candidate who has
6 voluntarily agreed to participate in clean money
7 financing shall not accept private contributions from
8 any source other than the candidate's political party
9 as specified in section 56.106.

10 2. Notwithstanding section 56.12, a person shall
11 not make a contribution in the name of another person.
12 A participating candidate who receives a qualifying
13 contribution or a seed money contribution that is not
14 from the person listed on the receipt as required by
15 this subchapter shall be liable to pay to the board
16 for deposit in the clean money fund established under
17 section 56.122 the entire amount of such contribution,
18 in addition to any penalties.

19 3. During the primary and general election
20 campaign periods, a participating candidate shall pay
21 by means of the board's clean money debit card.

22 4. Eligible candidates shall furnish complete
23 campaign records, including all records of seed money
24 contributions and qualifying contributions, to the
25 board at regular filing times, or on request by the
26 board. Candidates must cooperate with any audit or
27 examination conducted or ordered by the board.

28 Sec. NEW SECTION. 56.105A NONPARTICIPATING
29 CANDIDATES – CONTRIBUTION LIMITS.

30 Nonparticipating candidates shall be subject to the
31 following contribution limits:

32 1. Candidates for statewide office:

33 a. One thousand dollars in the aggregate per
34 individual contribution.

35 b. Five thousand dollars in the aggregate per
36 political committee contribution.

37 2. Candidates for the Iowa senate and house of
38 representatives:

39 a. Five hundred dollars in the aggregate per
40 individual contribution.

41 b. One thousand dollars in the aggregate per
42 political committee contribution.

43 Sec. NEW SECTION. 56.106 POLITICAL PARTY
44 CONTRIBUTIONS AND EXPENDITURES.

45 1. Participating candidates may accept monetary or
46 in-kind contributions from political parties provided
47 that the aggregate amount of such contributions from
48 all political party committees combined does not
49 exceed the equivalent of five percent of the clean
50 money financing amount for that office.

Page 9

1 2. In-kind contributions made during a general
 2 election campaign period on behalf of a group of the
 3 party's candidates shall not be considered a
 4 prohibited party contribution or count against the
 5 five percent limit established in subsection 1 if such
 6 group includes at least fifty-one percent of the
 7 candidates whose names will appear on the general
 8 election ballot in the political subdivision
 9 represented by the party committee making such in-kind
 10 contributions.

11 3. Contributions made to, and expenditures made
 12 by, political parties during primary and general
 13 campaign periods shall be reported to the board on the
 14 same basis as contributions and expenditures made to
 15 or by candidates.

16 4. This section and this subchapter shall not
 17 prevent political party funds from being used for any
 18 of the following:

- 19 a. General operating expenses of the party.
- 20 b. Conventions.
- 21 c. Nominating and endorsing candidates.
- 22 d. Identifying, researching, and developing the
 23 party's positions on issues.
- 24 e. Party platform activities.
- 25 f. Non-candidate-specific voter registration.
- 26 g. Non-candidate-specific get-out-the-vote drives.
- 27 h. Travel expenses for noncandidate party leaders
 28 and staff.
- 29 i. Other non-candidate-specific party-building
 30 activities, as defined by rule of the board.

31 Sec. __. NEW SECTION. 56.107 USE OF PERSONAL
 32 FUNDS.

33 1. Personal funds contributed as seed money by a
 34 candidate seeking to become eligible as a
 35 participating candidate or by the candidate's spouse
 36 shall not exceed one hundred dollars per contributor.

37 2. Personal funds shall not be used to meet the
 38 qualifying contribution requirement except for one
 39 five dollar contribution from the candidate and one
 40 five dollar contribution from the candidate's spouse.

41 Sec. __. NEW SECTION. 56.108 SEED MONEY.

42 1. The only private contributions a candidate
 43 seeking to become eligible for clean money funding
 44 shall accept, other than qualifying contributions, are
 45 seed money contributions contributed by individual
 46 adults prior to the end of the clean money qualifying
 47 period.

48 2. A seed money contribution shall not exceed one
 49 hundred dollars, and the aggregate amount of seed
 50 money contributions accepted by a candidate seeking to

Page 10

- 1 become eligible for clean money funding shall not
2 exceed the relevant limit, as follows:
- 3 a. Twenty-five thousand dollars for a candidate
4 team running for governor and lieutenant governor.
5 b. Fifteen thousand dollars for a candidate team
6 running for statewide office other than governor or
7 lieutenant governor.
8 c. Two thousand dollars for a candidate running
9 for the Iowa senate.
10 d. One thousand dollars for a candidate running
11 for the Iowa house of representatives.
- 12 3. Receipts for seed money contributions shall
13 include the contributor's signature, printed name,
14 street address and zip code, telephone number,
15 occupation, and name of employer. Contributions shall
16 not be accepted if the required disclosure information
17 is not received.
- 18 4. Seed money shall be spent only during the clean
19 money qualifying period. Seed money shall not be
20 spent during the primary or general election campaign
21 periods.
- 22 5. Within forty-eight hours after the close of the
23 clean money qualifying period, candidates seeking to
24 become eligible for clean money funding shall do both
25 of the following:
- 26 a. Fully disclose all seed money contributions and
27 expenditures to the board.
28 b. Turn over to the board for deposit in the clean
29 money fund any seed money the candidate has raised
30 during the designated seed money period that exceeds
31 the aggregate seed money limit.
- 32 Sec. __. NEW SECTION. 56.109 PARTICIPATION IN
33 DEBATES.
- 34 1. Participating candidates in contested races
35 shall participate in all of the following:
- 36 a. For the offices of governor and lieutenant
37 governor:
- 38 (1) One one-hour debate during a contested primary
39 election.
40 (2) Two one-hour debates during a contested
41 general election.
- 42 b. For all other offices:
- 43 (1) One one-hour debate during a contested primary
44 election.
45 (2) One one-hour debate during a contested general
46 election.
- 47 2. Licensed broadcasters who receive any state
48 funds shall be required to publicly broadcast the
49 debates held pursuant to this section and section
50 56.120.

Page 11

1 3. Nonparticipating candidates for the same office
2 whose names will appear on the ballot shall be invited
3 to join the debates.

4 Sec. __. NEW SECTION. 56.110 CERTIFICATION.

5 1. No more than five days after a candidate
6 applies for clean money benefits, the board shall
7 certify that the candidate is or is not eligible.

8 2. Eligibility can be revoked if the candidate
9 violates the requirements of this subchapter, in which
10 case all clean money funds shall be repaid.

11 3. The candidate's request for certification shall
12 be signed by the candidate and the treasurer of the
13 candidate's committee under penalty of perjury.

14 4. The board's determination is final except that
15 it is subject to examination and audit by an outside
16 agency according to rule and to prompt judicial review
17 according to rule and chapter 17A.

18 Sec. __. NEW SECTION. 56.111 BENEFITS PROVIDED
19 TO CANDIDATES ELIGIBLE TO RECEIVE CLEAN MONEY.

20 1. Candidates who qualify for clean money funding
21 for primary and general elections shall receive all of
22 the following:

23 a. Clean money funding from the board for each
24 election, the amount of which is specified in section
25 56.113. This funding may be used to finance any and
26 all campaign expenses during the particular campaign
27 period for which it was received.

28 b. Media benefits as provided for in section
29 56.120.

30 c. Indication on the ballot of participation in
31 the public funding program as provided in section
32 56.121.

33 d. Additional clean money funding to match any
34 excess expenditure amount spent by a nonparticipating
35 candidate, as specified in section 56.115.

36 e. Additional clean money funding to match any
37 independent expenditure made in opposition to their
38 candidacies or on behalf of their opponents'
39 candidacies, as specified in section 56.117.

40 f. Additional clean money funding to match any
41 issue advertisement expenditure, as specified in
42 section 56.118.

43 2. The maximum aggregate amount of additional
44 funding a participating candidate shall receive to
45 match independent expenditures and the excess
46 expenditures of nonparticipating candidates shall be
47 two hundred percent of the full amount of clean money
48 funding allocated to a participating candidate for a
49 particular primary or general election campaign
50 period.

Page 12

1 Sec. . NEW SECTION. 56.112 SCHEDULE OF CLEAN
2 MONEY PAYMENTS.

3 1. An eligible candidate shall receive clean money
4 funding for the primary election campaign period on
5 the date on which the board certifies the candidate as
6 a participating candidate. This certification shall
7 take place no later than five days after the candidate
8 has submitted the required number of qualifying
9 contributions and a declaration stating that the
10 candidate has complied with all other requirements for
11 eligibility as a participating candidate, but no
12 earlier than the beginning of the primary election
13 campaign period.

14 2. An eligible candidate shall receive clean money
15 funding for the general election campaign period
16 within forty-eight hours after certification of the
17 primary election results.

18 Sec. . NEW SECTION. 56.113 DETERMINATION OF
19 CLEAN MONEY AMOUNTS.

20 1. a. For party candidates, the amount of clean
21 money funding for a contested primary election is as
22 follows:

23 (1) Five hundred thousand dollars for a candidate
24 team running for governor and lieutenant governor.

25 (2) Fifty thousand dollars for a candidate for
26 attorney general.

27 (3) Twenty-five thousand dollars for a candidate
28 for statewide office other than governor, lieutenant
29 governor, or attorney general.

30 (4) Fifteen thousand dollars for a candidate
31 running for the Iowa senate.

32 (5) Ten thousand dollars for a candidate running
33 for the Iowa house of representatives.

34 b. The clean money amount for an eligible party
35 candidate in an uncontested primary election is
36 twenty-five percent of the amount provided in a
37 contested primary election.

38 c. In a contested general election, if an eligible
39 party candidate or all of the candidates of the
40 candidate's party combined received at least twenty
41 percent of the total number of votes cast for all
42 candidates seeking that office in the just-held
43 primary election or in the previous general election,
44 the candidate shall receive the full amount of clean
45 money funding for the general election, as follows:

46 (1) Two million dollars for a candidate team
47 running for governor and lieutenant governor.

48 (2) One hundred thousand dollars for a candidate
49 for attorney general.

50 (3) Seventy-five thousand dollars for a candidate

Page 13

1 for statewide office other than governor, lieutenant
2 governor, or attorney general.
3 (4) Thirty-five thousand dollars for a candidate
4 running for the Iowa senate.
5 (5) Twenty thousand dollars for a candidate
6 running for the Iowa house of representative.
7 d. The clean money amount for an eligible party
8 candidate in an uncontested general election is ten
9 percent of the amount provided in a contested general
10 election for the same office.

11 2. a. For eligible independent candidates, the
12 clean money amount for a primary election is twenty-
13 five percent of the amount received by a party
14 candidate in a contested primary election.

15 b. The clean money amount for an eligible
16 independent candidate in the general election is the
17 same as the full amount received by a party candidate
18 in the general election.

19 c. After the first cycle of clean money elections,
20 the board shall modify all clean money amounts based
21 on the percentage increase in the consumer price
22 index, for all urban consumers, United States city
23 average, as published in the federal register by the
24 United States department of labor, bureau of labor
25 statistics, that reflects the percentage increase in
26 the consumer price index for the twelve-month period
27 ending December 31 of the previous year.

28 Sec. __. NEW SECTION. 56.114 EXPENDITURES MADE
29 WITH CLEAN MONEY FUNDS.

30 1. The clean money funding received by a
31 participating candidate shall be used only for the
32 purpose of defraying that candidate's campaign-related
33 expenses during the particular election campaign
34 period for which the clean money funding was received.

35 2. Payments shall not be used for the following:

36 a. Payments that are in violation of the law.

37 b. Payments that repay any personal, family, or
38 business loans, expenditures, or debts.

39 Sec. __. NEW SECTION. 56.115 DISCLOSURE OF
40 EXCESS SPENDING BY NONPARTICIPATING CANDIDATES.

41 1. If a nonparticipating candidate's total
42 expenditures exceed the amount of clean money funding
43 allocated to the candidate's clean money opponent, the
44 candidate shall declare to the board within forty-
45 eight hours every excess expenditure amount that, in
46 the aggregate, is more than one thousand dollars.

47 2. During the last twenty days before the end of
48 the relevant campaign period, a nonparticipating
49 candidate shall declare to the board each excess
50 expenditure amount over five hundred dollars within

Page 14

1 twenty-four hours of when the expenditure is made or
2 obligated to be made.

3 3. The board may make its own determination as to
4 whether excess expenditures have been made by
5 nonparticipating candidates.

6 4. Upon receiving an excess expenditure
7 declaration, the board shall immediately release
8 additional clean money funding to the opposing
9 participating candidate or candidates equal to the
10 excess expenditure amount the nonparticipating
11 candidate has spent or intends to spend, subject to
12 the limit set forth in section 56.111.

13 Sec. . NEW SECTION. 56.116 CAMPAIGN
14 ADVERTISEMENTS.

15 All broadcast and print advertisements placed by
16 candidates or candidate's committees shall include a
17 clear written or spoken statement indicating that the
18 candidate has approved of the contents of the
19 advertisement.

20 Sec. . NEW SECTION. 56.117 DISCLOSURE OF, AND
21 ADDITIONAL CLEAN MONEY TO RESPOND TO, INDEPENDENT
22 EXPENDITURES.

23 1. Any person or group of persons who makes or
24 obligates to make an independent expenditure during a
25 primary or general election campaign period which, in
26 the aggregate, exceeds one thousand dollars shall
27 report each expenditure within forty-eight hours to
28 the board.

29 2. The report to the board shall include a
30 statement, under penalty of perjury, by the person or
31 persons making the independent expenditure identifying
32 the candidate whom the independent expenditure is
33 intended to help elect or defeat and affirming that
34 the expenditure is totally independent and involves no
35 cooperation or coordination with a candidate or a
36 political party.

37 a. An individual or organization may file a
38 complaint with the board if the candidate or the
39 organization believes that the statement according to
40 this subsection is false.

41 b. A hearing on a complaint under this subsection
42 shall be held within three business days of filing and
43 a decision issued within seven days of filing.

44 3. Any person or group of persons who makes or
45 obligates to make an independent expenditure during
46 the last twenty days before the end of the relevant
47 campaign period which, in the aggregate, exceeds five
48 hundred dollars shall report each expenditure within
49 twenty-four hours to the board.

50 4. Upon receiving a report that an independent

Page 15

1 expenditure has been made or obligated to be made, the
2 board shall immediately release additional clean money
3 funding, equal in amount to the cost of the
4 independent expenditure, to all participating
5 candidates whom the independent expenditure is
6 intended to oppose or defeat provided that the maximum
7 aggregate amount of additional funding a participating
8 candidate shall receive to match independent
9 expenditures and the excess expenditures of
10 nonparticipating candidates is no more than two
11 hundred percent of the full amount of clean money
12 funding allocated to a participating candidate in that
13 election.

14 Sec. . NEW SECTION. 56.118 DEFINITION AND
15 DISCLOSURE OF, AND ADDITIONAL CLEAN MONEY TO RESPOND
16 TO, ISSUE ADVERTISEMENTS.

17 1. A person who makes or obligates to make a
18 disbursement to purchase an issue advertisement shall
19 file a report with the board not later than forty-
20 eight hours after making or obligating to make the
21 disbursement, containing the following information:
22 a. The amount of the disbursement.
23 b. The name and address of the person making the
24 disbursement.
25 c. The purpose of the issue advertisement.

26 2. Upon receiving a report that an issue
27 advertisement has been made or obligated to be made,
28 and upon determination that the advertisement can
29 reasonably be interpreted as having the effect of
30 promoting the defeat of a participating candidate or
31 the election of that candidate's opponent, the board
32 shall immediately release to that candidate additional
33 clean money funding, equal in amount to the cost of
34 the issue advertisement.

35 Sec. . NEW SECTION. 56.119 VOTER INFORMATION
36 PROGRAM.

37 1. The board shall establish and administer a
38 nonpartisan voter information program, including an
39 advisory council consisting of representatives of
40 nonprofit organizations, political parties, the media,
41 and interested citizens.

42 2. The voter information program advisory council
43 shall be authorized to establish a voter information
44 program for the purpose of providing voters with
45 election-related information and fostering political
46 dialogue and debate.

47 3. The voter information program advisory council
48 shall organize the publication and distribution of a
49 voter information guide that includes important
50 information about the following issues:

Page 16

1 a. Candidates appearing on the ballot, including
2 biographical material submitted by the candidates.
3 b. Whether candidates are funding their campaigns
4 with public money or private money.
5 c. Policy statements by the candidates or their
6 political parties on issues designated by the council
7 and other issues.
8 d. Candidates' voting records.
9 Sec. __. NEW SECTION. 56.120 BROADCAST DEBATES.

10 1. All public television and radio broadcast
11 stations funded in whole or in part by the state shall
12 make available free coverage for candidate debates in
13 contested primary and general elections. The minimum
14 amount of time that broadcasters shall broadcast, and
15 participating candidates shall participate in, shall
16 be as follows:

17 a. For the office of governor and lieutenant
18 governor:

19 (1) One one-hour debate during a contested primary
20 election.

21 (2) Two one-hour debates during a contested
22 general election.

23 b. For all other offices:

24 (1) One one-hour debate during a contested primary
25 election.

26 (2) One one-hour debate during a contested general
27 election.

28 2. All participating candidates shall participate
29 in the debates and all nonparticipating candidates for
30 the same office whose names will appear on the ballot
31 must be invited to join the debates.

32 Sec. __. NEW SECTION. 56.121 BALLOT LABEL.

33 The board shall inform voters as to which
34 candidates have qualified for and accepted clean money
35 funding by placing the following sentence below the
36 name of each participating candidate on the ballot:

37 THIS CANDIDATE IS PARTICIPATING IN IOWA'S VOLUNTARY
38 PUBLIC-FINANCING PROGRAM.

39 Sec. __. NEW SECTION. 56.122 CLEAN MONEY FUND
40 - NATURE AND PURPOSES.

41 1. A special clean money fund is established as a
42 separate fund within the state treasury, under the
43 control of the board, for the following purposes:

44 a. Providing public financing for the election
45 campaigns of certified participating candidates during
46 primary, general, and runoff campaign periods.

47 b. Paying for the administrative and enforcement
48 costs of the board in relation to this subchapter.

49 2. The fund shall consist of moneys received
50 according to section 56.123. Notwithstanding section

Page 17

1 8.33, unencumbered or unobligated moneys and any
2 interest earned on moneys in the fund on June 30 of
3 any fiscal year shall not revert to the general fund
4 of the state but shall remain in the fund and
5 available for expenditure in subsequent years.

6 Sec. __. NEW SECTION. 56.123 FUNDING.

7 1. In addition to any moneys appropriated by the
8 general assembly to the clean money fund established
9 in section 56.122, the following moneys shall be
10 deposited in the fund:

11 a. The qualifying contributions required of
12 candidates seeking to become certified as
13 participating candidates according to section 56.101
14 and candidates' excess qualifying contributions.

15 b. The excess seed money contributions of
16 candidates seeking to become certified as
17 participating candidates as defined by section 56.108.

18 c. Moneys distributed to any participating
19 candidate who does not remain a candidate until the
20 primary or general election for which they were
21 distributed.

22 d. Civil penalties levied by the board against
23 candidates for violations of this chapter.

24 e. Voluntary donations made directly to the clean
25 money fund.

26 f. Any other sources of revenue designated by the
27 general assembly.

28 2. The general assembly shall appropriate
29 additional funds as necessary to fully fund clean
30 money payments required under this subchapter.

31 Sec. __. NEW SECTION. 56.124 POWERS AND
32 PROCEDURES.

33 The board shall have the following powers and
34 procedures, in addition to those granted in this
35 chapter and chapter 68B, when administering this
36 subchapter:

37 1. After every primary and general election, the
38 board may conduct random audits and investigations to
39 ensure compliance with this subchapter.

40 2. The subjects of audits and investigations shall
41 be selected on the basis of impartial criteria
42 established by a vote of at least three members of the
43 board.

44 3. The board may investigate anonymous complaints.

45 4. Complainants may receive whistle blower
46 protection.

47 5. The board may seek injunctions when all of the
48 following conditions are met:

49 a. There is a substantial likelihood that a
50 violation of this subchapter is occurring or is about

Page 18

- 1 to occur.
- 2 b. The failure to act expeditiously will result in
3 irreparable harm to a party affected by the potential
4 violation.
- 5 c. Expeditious action will not cause undue harm or
6 prejudice to the interests of others.
- 7 d. The public interest would be best served by the
8 issuance of an injunction.
- 9 6. The board may levy civil penalties for
10 violations of the law. Civil penalties shall be
11 deposited in the clean money fund.
- 12 7. The board shall refer criminal violations to
13 the county attorney or attorney general for
14 prosecution.
- 15 8. The board may participate fully in any actions
16 filed under this section.
- 17 9. The board shall adopt rules pursuant to chapter
18 17A as necessary to administer this subchapter,
19 including a program to implement a clean money debit
20 card.
- 21 Sec. . NEW SECTION. 56.125 CIVIL ACTIONS.
- 22 1. A citizen who believes a candidate has violated
23 the law may pursue a civil action in a court of
24 relevant jurisdiction, provided that both of the
25 following are true:
- 26 a. The citizen has previously filed a complaint
27 regarding the same alleged violation with the board.
- 28 b. The board has failed to make a determination
29 within thirty days of the filing of the complaint.
- 30 2. A party which wins a civil action charging a
31 violation of this subchapter shall be entitled to
32 receive reasonable attorney fees and court costs from
33 the defendant.
- 34 3. If a court in which a civil action has been
35 filed under subsection 1 finds that the complaint in
36 that action was made frivolously or without cause, the
37 court may require the complainant to pay the costs of
38 the board, the court, and the defendant parties.
- 39 Sec. . NEW SECTION. 56.126 BOARD REPORTS.
- 40 1. The board shall report fully to the general
41 assembly after each election cycle.
- 42 2. The report shall include a detailed summary of
43 all seed money contributions, qualifying
44 contributions, and benefits received, and expenditures
45 made, by all participating candidates. The report
46 shall also include a summary and evaluation of the
47 board's activities and recommendations relating to the
48 implementation, administration, and enforcement of
49 this subchapter.
- 50 Sec. . NEW SECTION. 56.127 REPAYMENTS OF

Page 19

1 EXCESS EXPENDITURES.

2 1. If a participating candidate spends or
3 obligates to spend more than the clean money funding
4 the candidate receives, and if such is determined not
5 to be an amount that had or could have been expected
6 to have a significant impact on the outcome of the
7 election, the candidate shall repay to the clean money
8 fund an amount equal to the excess.

9 2. If a participating candidate spends or
10 obligates to spend more than the clean money funding
11 the candidate receives, and if such is determined to
12 be an amount that had or could have been expected to
13 have a significant impact on the outcome of the
14 election, the candidate shall repay to the clean money
15 fund an amount equal to five times the value of the
16 excess.

17 Sec. __. NEW SECTION. 56.128 PENALTIES.

18 1. A candidate shall not knowingly accept more
19 benefits than those to which the candidate is
20 entitled, spend more than the amount of clean money
21 funding received, or misuse such benefits or clean
22 money funding.

23 2. If a violation of subsection 1 was intentional
24 and involved an amount that had or could have been
25 expected to have a significant impact on the outcome
26 of the election, the candidate commits an aggravated
27 misdemeanor.

28 3. If it is determined that the violation of
29 subsection 1 was intentional and involved an amount
30 that had or could have been expected to have a
31 significant impact on the outcome of the election, and
32 if, in the judgment of the board, the violation is
33 believed to have contributed to the violator winning
34 the election, the board may recommend to the general
35 assembly that the results of the election be nullified
36 and a new election called.

37 4. A person shall not provide false information to
38 the board or conceal or withhold information from the
39 board. A violation of this subsection is an
40 aggravated misdemeanor.

41 Sec. __. SEVERABILITY. The provisions of this
42 Act are severable as provided in section 4.12.

43 Sec. __. EFFECTIVE DATE. The sections of this
44 Act which enact sections 56.6A, 56.13A, and 56.100
45 through 56.128 take effect January 1, 2001. The
46 remaining sections of this Act, being deemed of
47 immediate importance, take effect upon enactment."

48 4. By renumbering as necessary.

H-8172

- 1 Amend House File 2459 as follows:
- 2 1. Page 2, line 10, by inserting after the figure
- 3 "135C." the following: "The department of inspections
- 4 and appeals shall consult with representatives of
- 5 health care facilities in developing the quality-based
- 6 inspections system, including consultation in
- 7 establishing the criteria to be used under the
- 8 quality-based inspections system."

BLODGETT of Cerro Gordo

H-8174

- 1 Amend House File 2457 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 455B.482, Code 1999, is
- 5 amended by adding the following new subsection:
- 6 NEW SUBSECTION. 16. "White goods" means a major
- 7 household appliance including a refrigerator, stove,
- 8 oven, deep freeze freezer, dishwasher, clothes washer,
- 9 clothes dryer, and microwave oven.
- 10 Sec. ____ Section 455B.484, Code 1999, is amended
- 11 by adding the following new subsection:
- 12 NEW SUBSECTION. 15. Develop and administer the
- 13 white goods cleanup day program established in section
- 14 455B.489.
- 15 Sec. ____ NEW SECTION. 455B.489 WHITE GOODS
- 16 CLEANUP PROGRAM.
- 17 The waste management assistance division shall
- 18 conduct programs to collect and dispose of white
- 19 goods. The program shall be known as "white goods
- 20 cleanup days". The waste management assistance
- 21 division shall promote and conduct the program and
- 22 shall, by contracting with an approved unit of local
- 23 government, private organization or business, or
- 24 person, collect and properly dispose of white goods.
- 25 A unit of local government, private organization or
- 26 business, or person desiring to contract with the
- 27 waste management assistance division to collect and
- 28 dispose of white goods shall apply to the division for
- 29 approval. In order to be approved, the applicant must
- 30 be in compliance with all applicable state and federal
- 31 laws and administrative rules. The waste management
- 32 assistance division shall establish maximum amounts of
- 33 white goods which may be accepted from a person during
- 34 the white goods cleanup days program. Amounts
- 35 accepted from a person above the maximum shall be
- 36 limited by the waste management assistance division
- 37 and may be subject to a fee set by the division, but

38 the division shall not assess a fee for amounts
39 accepted below the maximum amount. The waste
40 management assistance division shall designate the
41 times and dates for the collection of white goods. In
42 order to achieve the maximum benefit from the program,
43 the waste management assistance division shall offer
44 white goods cleanup days on a statewide basis and
45 provide at least one white goods cleanup day in each
46 departmental region. White goods cleanup days shall
47 be offered in both rural and urban areas to provide a
48 comparison of response levels and to test the
49 viability of multicounty white goods cleanup days.
50 The waste management assistance division shall prepare

Page 2

1 an annual report citing the results and costs of the
2 program for submittal to the general assembly."
3 2. Page 1, by inserting after line 19 the
4 following:
5 "Sec. ____ Section 455E.11, subsection 2,
6 paragraph c, unnumbered paragraph 1, Code 1999, is
7 amended to read as follows:
8 A household hazardous waste account. The moneys
9 collected pursuant to section 455F.7 and moneys
10 collected pursuant to section 29C.8A which are
11 designated for deposit, shall be deposited in the
12 household hazardous waste account. Two thousand
13 dollars is appropriated annually to the Iowa
14 department of public health to carry out departmental
15 duties under section 135.11, subsections 20 and 21,
16 and section 139.35. The remainder of the account
17 shall be used to fund toxic cleanup days, white goods
18 cleanup days, and the efforts of the department to
19 support a collection system for household hazardous
20 materials and white goods, including public education
21 programs, training, and consultation of local
22 governments in the establishment and operation of
23 permanent collection systems, and the management of
24 collection sites, education programs, and other
25 activities pursuant to chapter 455F, including the
26 administration of the household hazardous materials
27 permit program by the department of revenue and
28 finance."
29 3. Title page, line 1, by inserting after the
30 words "An Act" the following: "establishing and
31 funding a white goods cleanup program and".
32 4. By renumbering as necessary.

H-8176

1 Amend House File 2530 as follows:
2 1. Page 156 by striking lines 34 and 35 and
3 inserting the following: "2006, the affiliate at the
4 time of the transfer shall offer employment to a
5 sufficient number of nonsupervisory employees of the
6 transferred division, business unit, generating
7 station, or generating unit to safely and reliably
8 operate and maintain the transferred division,
9 business unit, generating station, or generating unit.
10 Unless modified or waived by a collective bargaining
11 agreement, the employment offered shall satisfy the
12 following conditions:
13 a. The wage rates shall be no less than the wage
14 rates in effect immediately prior to the transfer.
15 b. Fringe benefits shall be substantially
16 equivalent to the fringe benefits in effect
17 immediately prior to the transfer.
18 c. Terms and conditions of employment, other than
19 wage rates and fringe benefits, shall be substantially
20 equivalent to the terms and conditions in effect
21 immediately prior to the transfer.
22 d. The wage rates, fringe benefits, and terms and
23 conditions shall continue for at least thirty months
24 from the time of transfer.
25 If ownership of the affiliate is".

WISE of Lee

H-8182

1 Amend House File 2530 as follows:
2 1. Page 33, line 17, by striking the figure
3 "2001" and inserting the following: "2000".
4 2. Page 34, line 5, by striking the figure "2001"
5 and inserting the following: "2000".
6 3. Page 154, line 27, by striking the word "May"
7 and inserting the following: "October".
8 4. Page 155, line 11, by striking the figure
9 "2007" and inserting the following: "2006".

METCALF of Polk
CHIODO of Polk

H-8187

1 Amend House File 2418 as follows:
2 1. Page 8, by striking lines 6 through 8, and
3 inserting the following:
4 "If a person under isolation or quarantine or the
5 person liable for the support of the person, in the

6 opinion of the local board, is financially unable to
7 secure proper care,".

8 2. Page 11, line 5, by striking the word "may"
9 and inserting the following: "shall".

10 3. Page 20, line 6, by striking the "university"
11 and inserting the following: "state".

12 4. Page 20, line 24, by striking the words "still
13 births" and inserting the following: "stillbirths".

BLODGETT of Cerro Gordo

H-8189

1 Amend House File 2491 as follows:

2 1. Page 2, line 22, by striking the words
3 "dollars and" and inserting the following: "dollars
4 for each acre of land held in violation of this
5 section. The enterprise".

WEIGEL of Chickasaw

H-8191

1 Amend House File 2491 as follows:

2 1. Page 1, line 32, by striking the word
3 "PURPOSE" and inserting the following: "PURPOSES".

4 2. Page 1, by inserting before line 33, the
5 following:

6 " _____. The purpose of this chapter is to assert
7 this state's continuing commitment to family farm
8 agriculture and the need for restrictions on the
9 acquisition and holding of agricultural land by
10 persons other than family farmers. All provisions in
11 this chapter shall be strictly construed in order to
12 accomplish this purpose."

13 3. By striking page 1, line 35 through page 2,
14 line 3, and inserting the following: "technological
15 advancement in animal and human health sciences. It
16 is the intent of the general assembly that persons
17 actively engaged in farming as defined in section 10.1
18 benefit from opportunities created during this period,
19 by requiring that a life science enterprise allow such
20 persons to participate in the enterprise, including by
21 holding an equity interest in the enterprise."

WEIGEL of Chickasaw

H-8192

1 Amend House File 2491 as follows:

2 1. Page 1, line 4, by inserting before the word
3 "total" the following: "net income of the enterprise

4 computed as provided in section 422.7, and the".

WEIGEL of Chickasaw

H-8194

1 Amend the amendment, H-8149, to House File 2249 as
 2 follows:
 3 1. Page 1, line 19, by striking the word "in" and
 4 inserting the following: "participating in approved".
 5 2. Page 1, by striking line 21 and inserting the
 6 following: "seeking employment. Eligibility for
 7 assistance while seeking employment shall be limited
 8 to thirty days during a twelve-month period."
 9 3. Page 1, line 27, by striking the words "mental
 10 illness," and inserting the following: "mental
 11 illness."
 12 4. Page 1, by striking line 28.
 13 5. Page 1, by striking lines 37 through 42 and
 14 inserting the following:
 15 "3. The department shall set reimbursement rates
 16 as authorized by appropriations enacted for payment of
 17 the reimbursements. The department shall conduct a
 18 statewide reimbursement rate survey to compile
 19 information on each county and the survey shall be
 20 conducted at least every two years. The department".
 21 6. Page 2, by striking lines 1 and 2 and
 22 inserting the following:
 23 "b. A family that is receiving state child care
 24 assistance at the time a child is born into the
 25 family. The newborn child shall be approved for
 26 services when the family reports the birth of the
 27 child."
 28 7. Page 2, by inserting after line 47, the
 29 following:
 30 "Sec. ____ CHILD CARE REIMBURSEMENT ALTERNATIVES.
 31 The department of human services shall review
 32 alternatives for applying child care reimbursement
 33 rates on a county, cluster, and regional basis. The
 34 department shall prepare a report concerning the
 35 review, including findings and recommendations. The
 36 report shall be submitted to the members of the joint
 37 appropriations subcommittee on human services,
 38 legislative fiscal bureau, and legislative service
 39 bureau on or before December 15, 2000."
 40 8. By renumbering as necessary.

HEATON of Henry

H-8195

1 Amend House File 2491 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 10C.1 CONFINEMENT
5 FEEDING OPERATIONS.

6 1. Notwithstanding section 331.304A and 335.2, a
7 county may adopt a confinement feeding operations
8 siting ordinance which shall be part of other
9 regulations provided in chapter 335. The ordinance
10 shall regulate the siting of confinement feeding
11 operation buildings and related manure storage
12 structures. The ordinance shall be subject to
13 adoption by the county board of supervisors, upon
14 recommendation by the county's zoning commission as
15 provided in section 335.8. The county board of
16 supervisors shall adopt the ordinance in the same
17 manner as other regulations adopted pursuant to this
18 chapter.

19 2. The ordinance shall include a siting plan as
20 follows:

21 a. The plan shall do all of the following:

22 (1) Preserve the availability of farmland reserved
23 for confinement feeding operations.

24 (2) Encourage efficient urban development patterns
25 that do not burden farmland reserved under the plan
26 for confinement feeding operations. The plan shall
27 attempt to prevent congestion and overcrowding of
28 confinement feeding operations, especially near
29 cities.

30 (3) Preserve and protect natural resources,
31 including water sources, fragile environmental
32 locations, and recreational areas.

33 b. The plan may provide different regulations for
34 confinement feeding operations based on all of the
35 following:

36 (1) The animal weight capacity of the confinement
37 feeding operation.

38 (2) The type of animal feeding operation
39 structure.

40 (3) The proximity of land for the application of
41 manure which originates from the confinement feeding
42 operation.

43 3. The ordinance shall not apply to a small animal
44 feeding operation.

45 4. a. The ordinance shall not violate any
46 requirement of chapter 455B, or rules adopted by the
47 department of natural resources pursuant to that
48 chapter. However, the ordinance may provide for
49 separation distance requirements that exceed the
50 requirements of chapter 455B, division II, part 2, or

Page 2

1 section 455B.204. The separation distance requirement
2 may be based on guidelines established by the
3 department of natural resources pursuant to sections
4 455B.165 and 455B.204 and shall to every extent
5 practicable be based on the methodology established by
6 the department pursuant to those sections.

7 b. The ordinance shall be consistent with the
8 county's comprehensive plan as required by section
9 335.5, and other regulations adopted pursuant to this
10 chapter.

11 c. The ordinance shall not prohibit the operation
12 of confinement feeding operations constructed prior to
13 the effective date of the ordinance.

14 5. The ordinance shall provide for review and
15 approval or disapproval of proposals to construct
16 confinement feeding operations, including the
17 construction of a confinement building or related
18 manure storage structures.

19 a. The ordinance shall provide for methods and
20 procedures required for timely submission, review, and
21 approval or disapproval of proposals.

22 b. The planning and zoning commission shall review
23 each proposal and recommend to the board of
24 supervisors that the proposal be approved or
25 disapproved. The board of supervisors shall approve
26 or disapprove the proposal after considering all
27 relevant information, including the commission's
28 recommendation. The commission's recommendation and
29 the board's decision shall be based solely on whether
30 the proposal satisfies the requirements of the
31 ordinance.

32 Sec. _____. Section 335.8, Code 1999, is amended to
33 read as follows:

34 335.8 **ZONING COMMISSION APPOINTED.**

35 1. In order to avail itself of the powers
36 conferred by this chapter, the The board of
37 supervisors shall appoint establish a zoning
38 commission, a. The board shall appoint members to the
39 commission. A majority of whose the members shall
40 reside within the county but outside the corporate
41 limits of any city, to be known as the county zoning
42 commission, to recommend. The zoning commission shall
43 do all of the following:

44 a. Recommend the boundaries of the various
45 original districts, and appropriate regulations and
46 restrictions to be enforced therein within those
47 districts. Such The commission shall, with due
48 diligence, prepare a preliminary report and hold
49 public hearings thereon on the preliminary report
50 before submitting its final report; and the. The

Page 3

1 board of supervisors shall not hold its public
 2 hearings or take action until it has received the
 3 final report of such commission. After the adoption
 4 of such regulations, restrictions, and boundaries of
 5 districts, the zoning commission may, from time to
 6 time, recommend to the board of supervisors
 7 amendments, supplements, changes, or modifications.

8 b. Provide for the siting of confinement feeding
 9 operations as follows:

10 (1) The zoning commission shall prepare a
 11 confinement feeding operations siting ordinance
 12 including a plan for siting for recommendation to the
 13 board of supervisors as provided in section 10C.1.
 14 The zoning commission shall prepare and recommend the
 15 ordinance or any amendments, supplements, changes, or
 16 modifications to the ordinance, in the same manner as
 17 other regulations pursuant to paragraph "a". The
 18 zoning commission shall not make a recommendation
 19 without holding a public hearing in the same manner as
 20 provided in section 335.6.

21 (2) The zoning commission shall review and
 22 recommend the approval or disapproval of a proposal
 23 for the construction of a confinement feeding
 24 operation as provided in section 10C.1 based on
 25 compliance with the confinement feeding operations
 26 siting ordinance.

27 2. The zoning commission, with the approval of the
 28 board of supervisors, may contract with professional
 29 consultants, regional planning commissions, the Iowa
 30 department of economic development, the department of
 31 natural resources, or the federal government, for
 32 local planning assistance.

33 Sec. ____ Section 455B.165, Code 1999, is amended
 34 by adding the following new subsection:

35 NEW SUBSECTION. 9. A separation distance
 36 requirement that is provided in a confinement feeding
 37 operation siting ordinance adopted by a county board
 38 of supervisors pursuant to section 10C.1. The
 39 ordinance shall not include a requirement providing a
 40 lesser separation distance than is provided for in
 41 this part. If requested by a county, the department
 42 shall provide recommendations with guidelines for
 43 increasing required separation distances based on a
 44 methodology which considers topographic, hydrologic,
 45 climatic, or demographic factors.

46 Sec. ____ Section 455B.204, subsection 3, Code
 47 1999, is amended by adding the following new
 48 paragraph:

49 NEW PARAGRAPH. c. A separation distance
 50 requirement that is provided in a confinement feeding

Page 4

- 1 operation siting ordinance adopted by a county board
 2 of supervisors pursuant to section 10C.1. The
 3 ordinance shall not include a requirement providing a
 4 closer separation distance than is provided for in
 5 subsection 2. Upon request by a county, the
 6 department shall provide recommendations to the county
 7 as provided in section 455B.165."
 8 2. Title page, by striking lines 1 and 2 and
 9 inserting the following: "An Act providing for
 10 agricultural production, and making penalties
 11 applicable."

WEIGEL of Chickasaw

H-8196

- 1 Amend House File 2476 as follows:
 2 1. Page 10, line 18, by striking the word "shall"
 3 and inserting the following: "to".
 4 2. Page 10, line 27, by inserting after the word
 5 "by" the following: "the".

BLODGETT of Cerro Gordo

H-8198

- 1 Amend House File 2528 as follows:
 2 1. Page 1, lines 14 and 15, by striking the words
 3 "~~private property~~ agricultural land" and inserting the
 4 following: "private property".

HUSER of Polk
DIX of Butler
MUNDIE of Webster

H-8199

- 1 Amend House File 2431 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. NEW SECTION. 56.15B LIMITATION ON
 5 CONTRIBUTIONS.
 6 A person shall not make a contribution to a
 7 candidate or candidate's committee that exceeds five
 8 hundred dollars in the aggregate in any calendar
 9 year."
 10 2. Title page, line 2, by striking the word
 11 "procedures" and inserting the following: "policies
 12 and procedures, including a limitation on political
 13 contributions to candidates".

14 3. By renumbering as necessary.

FALLON of Polk

H-8200

- 1 Amend House File 2453 as follows:
 2 1. Page 1, line 28, by striking the word "shall"
 3 and inserting the following: "may".
 4 2. Page 1, line 31, by striking the word "shall"
 5 and inserting the following: "may".

WITT of Black Hawk

H-8201

- 1 Amend House File 2453 as follows:
 2 1. Page 1, line 13, by striking the letter and
 3 word "a. Upon", and inserting the following: "Upon".
 4 2. Page 1, by striking lines 25 through 33.

WITT of Black Hawk

H-8202

- 1 Amend House File 2409 as follows:
 2 1. Page 5, by inserting after line 25 the
 3 following:
 4 "Sec. . NEW SECTION. 56.15B LIMITATION ON
 5 CONTRIBUTIONS.
 6 A person shall not make a contribution to a
 7 candidate or candidate's committee that exceeds five
 8 hundred dollars in the aggregate in any calendar
 9 year."
 10 2. By renumbering as necessary.

FALLON of Polk

H-8206

- 1 Amend House File 2527 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. NEW SECTION. 56.13A POLITICAL
 5 TELEMARKETING.
 6 1. The general assembly finds that political
 7 telephone communication is increasingly used in
 8 political campaigns in this state in a deceitful
 9 manner, including but not limited to the use of push
 10 polling, a form of unregulated political telemarketing
 11 that jeopardizes the integrity of the electoral
 12 process and perpetuates a fraud on the citizenry by

13 masking persuasive telemarketing techniques in a
14 shroud of scientific sincerity. The purpose of a
15 legitimate poll or survey is to obtain opinions; the
16 goal of political telemarketing, especially push
17 polling, is to push voters away from one candidate to
18 another through innuendo, false, or misleading
19 information about the candidate, the candidate's
20 family, or the candidate's position on issues. As
21 such, the general assembly believes push polling is an
22 appropriate subject for state regulation in the same
23 manner as written and broadcast political
24 advertisements are an appropriate subject for state
25 regulation. The general assembly does not intend to
26 adversely impact legitimate scientific polling and
27 surveys or infringe on the rights of candidates and
28 others to engage in robust, unfettered political
29 speech.

30 2. As used in this section:

31 a. "Basic preference question" means a question
32 that provides a respondent with a nondescriptive list
33 of candidates' names and asks which candidate the
34 respondent supports in a particular election.

35 b. "Persuasion poll" means any paid telephone
36 survey, or series of telephone surveys that are
37 similar in nature, designed to include or actually
38 aggregating more than one thousand calls, that
39 reference a candidate or group of candidates other
40 than in a basic preference question, and to which any
41 one or more of the following applies:

42 (1) A list or directory is used, exclusively or in
43 part, to select respondents belonging to a particular
44 subset or combination of subsets of the population,
45 based on demographic or political characteristics such
46 as race, sex, age, ethnicity, party affiliation, or
47 like characteristics.

48 (2) The poll takes less than three minutes to
49 complete, excluding any sponsorship identification.

50 (3) The poll fails to make demographic inquiries

Page 2

1 on factors such as age, household income, or status as
2 a likely voter, sufficient to allow for the tabulation
3 of results based on relevant subsets of the population
4 consistent with standard industry practice.

5 (4) The pollster or polling organization does not
6 collect or tabulate survey results.

7 (5) The poll is commenced within ten days of the
8 election to which it pertains.

9 "Persuasion poll" does not include any poll
10 supporting a particular candidate that fails to
11 reference another candidate or candidates, other than

12 in a basic preference question.

13 c. "Political telephone solicitation" means any
14 telephone call to a residence, other than a poll or
15 survey, supporting or opposing any candidate, elected
16 official, political party, or political organization.

17 3. A person shall not authorize, commission,
18 conduct, or administer a persuasion poll or political
19 telephone solicitation by telephone or telephonic
20 device unless, during each call, the caller complies
21 with all of the following:

22 (1) The caller identifies all persons sponsoring
23 or authorizing the call by stating "This is a paid
24 political advertisement by (name of persons).", and
25 identifies the person making the call, if different
26 from the person sponsoring or authorizing the call, by
27 stating "This call is conducted by (name of
28 persons).".

29 (2) If any person identified as either sponsoring
30 or authorizing the call is not required to file any
31 documents with the board pursuant to this chapter,
32 then a valid, current, publicly listed telephone
33 number and address for the person or the person's
34 organization shall also be disclosed.

35 (3) If any person identified as either sponsoring
36 or authorizing the call is affiliated with a
37 candidate, the disclosure shall include the
38 candidate's name and the office sought by the
39 candidate.

40 (4) If the call is an independent expenditure, the
41 disclosure shall also state that no candidate has
42 approved the call.

43 4. A person shall not state or imply false or
44 fictitious names or telephone numbers when providing
45 the disclosures under this section.

46 5. All oral disclosures required by this section
47 shall be made in a clear and intelligible manner, and
48 shall be repeated in like fashion at the request of
49 the call recipient. Disclosures made by any
50 telephonic device must offer respondents a procedure

Page 3

1 to have the disclosures repeated.

2 6. This section does not apply to a persuasion
3 poll or political telephone solicitation if the
4 individuals participating in the call know each other
5 prior to the call.

6 7. a. A person who conducts a paid persuasion
7 poll or political telephone solicitation shall, prior
8 to conducting such poll or solicitation, have and
9 continuously maintain for at least one hundred eighty
10 days following the cessation of business activities in

11 the state, a registered agent for the purpose of
 12 service of process, notice, or demand required or
 13 permitted by law, and shall file with the board notice
 14 of such registered agent, including the name, address,
 15 and telephone number of the registered agent. The
 16 registered agent must be an individual resident of
 17 this state, a domestic corporation, or a foreign
 18 corporation authorized to do business in this state.

19 b. Any changes in information provided to the
 20 board under paragraph "a" shall be reported to the
 21 board immediately.

22 c. For purposes of this section, conducting
 23 business in this state includes placing calls from a
 24 location in this state or placing calls from outside
 25 this state to individuals located within this state.

26 d. This subsection does not apply to a person
 27 already lawfully registered to conduct business in
 28 this state.

29 8. The board shall adopt rules, and create forms
 30 as necessary to implement this section.

31 9. A person who violates this section commits a
 32 serious misdemeanor.

33 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
 34 immediate importance, takes effect upon enactment."

35 2. Title page, line 2, by striking the words
 36 "applying a penalty" and inserting the following:
 37 "providing a penalty and an effective date".

JOCHUM of Dubuque

H-8212

1 Amend House File 2373 as follows:

2 1. Page 1, by inserting after line 9 the
 3 following:

4 "Sec. ____ Section 16.92, subsection 1, paragraph
 5 f, subparagraph (4), Code Supplement 1999, is amended
 6 to read as follows:

7 (4) If after payment of the unpaid balance of the
 8 loan secured by the mortgage, the mortgage continues
 9 to secure any unpaid obligation due the mortgagee or
 10 any unfunded commitment by the mortgagor to the
 11 mortgagee, ~~the legal description of the property that~~
 12 ~~will continue to be subject to the mortgage, and the~~
 13 legal description of the property that will be
 14 released from the mortgage.

15 Sec. ____ Section 16.92, subsection 2, paragraph
 16 a, subparagraph (1), subparagraph subdivision (b),
 17 Code Supplement 1999, is amended to read as follows:

18 (b) The statement contains the legal description
 19 of the property to be released from the mortgage and
 20 ~~the legal description of the property that will~~

21 continue to be subject to the mortgage.
 22 Sec. ____ Section 16.92, subsection 3, paragraph
 23 d, subparagraph (2), Code Supplement 1999, is amended
 24 to read as follows:

25 (2) A statement that the certificate is a partial
 26 release of the mortgage, and the legal description of
 27 the property that will be released from the mortgage,
 28 and the legal description of the property that will
 29 continue to be subject to the mortgage.

30 Sec. ____ Section 16.92, subsection 7, Code
 31 Supplement 1999, is amended to read as follows:

32 7. PRIOR MORTGAGES.

33 a. If the real estate lender or closer has
 34 notified the division that a mortgage has been paid in
 35 full by someone other than the real estate lender or
 36 closer, or was paid by the real estate lender or
 37 closer under a previous transaction, and an effective
 38 release has not been filed of record, the division may
 39 execute and record a certificate of release without
 40 certification by the real estate lender or closer that
 41 payment was made pursuant to a payoff statement and
 42 the date payment was received by the mortgagee. A
 43 certificate of release filed pursuant to this
 44 subsection is subject to the requirements of
 45 subsection 2, paragraph "c".

46 b. For purposes of this subsection, an effective
 47 release has not been filed of record if there appears
 48 that a mortgagee in the record chain of title to the
 49 mortgage has not, either on the mortgagee's own behalf
 50 or by the mortgagee's duly appointed servicer or

Page 2

1 attorney in fact as established of record by a filed
 2 servicing agreement or power of attorney, filed of
 3 record either an assignment of the mortgage to another
 4 mortgagee in the record chain of title to the mortgage
 5 or a release of the mortgagee's interest in the
 6 mortgage. For the purposes of this subsection and
 7 subsection 2, paragraph "c", "mortgage servicer"
 8 includes a mortgagee for which an effective release
 9 has not been filed of record as provided in this
 10 paragraph."

11 2. Title page, line 1, by inserting after the
 12 words "relating to" the following: "the title
 13 guaranty program, mortgage release certificates, and".

14 3. By renumbering as necessary.

H-8214

1 Amend the amendment, H-8197, to House File 2528 as
2 follows:

3 1. Page 1, by inserting after line 1, the
4 following:

5 "___ Page 1, lines 14 and 15, by striking the
6 words "~~private property agricultural land~~" and
7 inserting the following: "private property"."

8 2. By renumbering as necessary.

HUSER of Polk
DIX of Butler

H-8215

1 Amend House File 2409 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 56.2, Code Supplement 1999, is
5 amended by adding the following new subsections:
6 NEW SUBSECTION. 8A. "Computer" means an
7 electronic device that performs logical, arithmetical,
8 and memory functions by manipulations of electronic or
9 magnetic impulses, and includes all functions,

10 connections, and connected and related devices that
11 assist in input, output, processing, storage, computer
12 programs, computer applications, and communication.
13 NEW SUBSECTION. 13A. "Electronic format" means
14 data in a form that is readable by a computer,
15 including its software programs, and is either entered
16 directly into a computer, or transmitted via computer
17 disk, modem, or internet.

18 NEW SUBSECTION. 15A. "General election cycle"
19 means the period of time between the general election
20 for a particular office, and the next general election
21 for that office.

22 NEW SUBSECTION. 15B. "Internet" means the
23 federated system of allied computer networks linked by
24 telecommunication channels that is the international
25 network that connects educational, scientific, and
26 commercial institutions, and that may also be accessed
27 by individuals."

28 2. Page 1, by inserting after line 6 the
29 following:

30 "Sec. __. Section 56.6, subsection 3, paragraph
31 i, Code Supplement 1999, is amended to read as
32 follows:

33 i. If a person listed under paragraph "b", "d",
34 "e", or "f" as making a contribution or loan to or
35 purchase from a candidate's committee meets either of
36 the following criteria, the information relating to

37 the person's status shall also be disclosed, as
 38 follows:
 39 (1) If the person is related to the candidate
 40 within the third degree of consanguinity or affinity,
 41 the existence of that person's family relationship
 42 shall be indicated on the report.
 43 (2) If the amount of the contribution, loan, or
 44 purchase from the candidate's committee equals or
 45 exceeds two hundred dollars, then the person's
 46 employer shall be indicated on the report.
 47 If the treasurer of a political committee shows
 48 that best efforts have been used to obtain, maintain,
 49 and submit the information required to be provided by
 50 this paragraph "i", any report of such committee shall

Page 2

1 be considered in compliance with this section. The
 2 committee will only be deemed to have exercised best
 3 efforts to obtain, maintain, and report the required
 4 information if it complies with the following:
 5 (a) All written solicitations for contributions
 6 shall include a clear request for the contributor's
 7 full name, mailing address, occupation, and name of
 8 employer, and include an accurate statement of the law
 9 regarding the collection and reporting of individual
 10 contributor identifications.
 11 (b) For each contribution received aggregating in
 12 excess of two hundred dollars per calendar year which
 13 lacks required contributor information, the treasurer
 14 shall make at least one effort after the receipt of
 15 the contribution to obtain the missing information.
 16 Such effort shall consist of either a written request
 17 sent to the contributor or an oral request to the
 18 contributor documented in writing. The written or
 19 oral request must be made no later than thirty days
 20 after receipt of the contribution.
 21 Sec. . NEW SECTION. 56.6A ELECTRONIC FILING
 22 AND DISCLOSURE OF DISCLOSURE REPORTS.
 23 1. Reports filed with the board pursuant to the
 24 requirements of section 56.6 shall be filed in an
 25 electronic format, according to the following:
 26 a. Until the beginning of the general election
 27 cycle that concludes with the general election in
 28 2006, any candidate or political committee may submit
 29 data required by section 56.6 in an electronic format,
 30 as prescribed by rule.
 31 b. Beginning with the general election cycle that
 32 concludes with the general election in 2004, any
 33 candidate, candidate's committee, or political
 34 committee which accepts contributions in excess of
 35 twenty thousand dollars in the aggregate, makes

36 expenditures in excess of twenty thousand dollars in
37 the aggregate, or incurs indebtedness in excess of
38 twenty thousand dollars in the aggregate in any one
39 calendar year shall submit data required by section
40 56.6 in an electronic format, as prescribed by rule.
41 This requirement shall apply to any candidate or
42 committee that reaches the threshold, whether or not
43 that candidate is running for election during the
44 current general election cycle, or whether the
45 committee is involved with a ballot issue for the
46 current general election.
47 c. Beginning with the general election cycle that
48 concludes with the general election in 2006, all
49 candidates, candidate committees, and political
50 committees shall submit data required by section 56.6

Page 3

1 in an electronic format, as prescribed by rule. This
2 requirement shall apply to any candidate or committee,
3 whether or not that candidate is running for election
4 during the current general election cycle, or whether
5 the committee is involved with a ballot issue for the
6 current general election.
7 2. Until the beginning of the general election
8 cycle that concludes with the general election in
9 2006, if any candidate for a particular office submits
10 data in an electronic format, then the data for all
11 other candidates for that office shall be maintained
12 in an electronic format, as prescribed by rule. The
13 data for any candidate for that office that was not
14 voluntarily submitted to the board in an electronic
15 format by the candidate or the candidate's committee
16 shall be entered into the computer database by the
17 board.
18 3. Beginning January 1, 2000, all disclosure
19 reports filed with the board pursuant to section 56.6
20 shall be available for viewing on the internet in an
21 electronic format that conveys the information in
22 substantially the same form as the paper copy required
23 by section 56.6. This requirement shall apply to all
24 reports filed by any candidate or committee, whether
25 or not that candidate or committee is running in or is
26 otherwise involved in an election during the current
27 general election cycle.
28 4. Beginning with the general election cycle that
29 concludes with the general election in 2004, all
30 campaign finance data that is submitted to the board
31 in an electronic format or is otherwise entered into
32 the computer database shall be accessible to the
33 public on the internet in a searchable database."
34 3. Page 6, by inserting after line 2 the

35 following:

36 "Sec. __. 1999 Iowa Acts, chapter 136, section
 37 14, subsection 3, is amended to read as follows:
 38 3. REPORT. Not later than December 15, ~~1999~~ 2000,
 39 the commission shall submit to the general assembly a
 40 report of the activities of the commission, together
 41 with a draft of legislation recommended by the
 42 commission to reform the campaign finance disclosure
 43 and related laws for consideration by the general
 44 assembly in the year ~~2000~~ 2001 according to the
 45 provisions of this Act.

46 Sec. __. 1999 Iowa Acts, chapter 136, section 15,
 47 is amended to read as follows:
 48 SEC. 15. ASSIGNMENT OF LEGISLATION. The
 49 legislation drafted by the commission shall be filed
 50 with each chamber on the first day of the legislative

Page 4

- 1 session beginning in the year ~~2000~~ 2001, and
- 2 immediately assigned to the committee on state
- 3 government in each chamber."
- 4 4. By renumbering as necessary.

JOCHUM of Dubuque

H-8216

- 1 Amend the amendment, H-8162, to House File 2229 as
- 2 follows:
- 3 1. Page 1, by striking lines 12 through 18.
- 4 2. By striking page 1, line 35 through page 3,
- 5 line 28 and inserting the following:
- 6 "Except in the case of a medical emergency, an
- 7 abortion shall not be performed in this state without
- 8 the voluntary and informed consent of the patient upon
- 9 whom the abortion is to be performed."
- 10 3. By striking page 3, line 47 through page 4,
- 11 line 4, and inserting the following: "performed or
- 12 attempted to be performed."

WISE of Lee

H-8217

- 1 Amend House File 2437 as follows:
- 2 1. Page 1, line 16, by inserting after the word
- 3 "records." the following: "However, an educational
- 4 institution shall meet the requirements and criteria
- 5 provided in 20 U.S.C. § 1232g, relating to federal
- 6 family educational and privacy rights."

KREIMAN of Davis

H-8219

- 1 Amend House Joint Resolution 2006 as follows:
- 2 1. Page 1, by striking line 1 and inserting the
- 3 following:
- 4 "Section 1. The following amendment to the
- 5 Constitution of the State of Iowa is proposed:
- 6 Article VII of the Constitution of the State of".

SUKUP of Franklin

H-8220

- 1 Amend the amendment, H-8143, to House File 2426 as
- 2 follows:
- 3 1. Page 1, by inserting before line 2 the
- 4 following:
- 5 " ___. Page 1, line 11, by inserting after the
- 6 words "who is" the following: "a volunteer, or an
- 7 official who is compensated in any manner or,".
- 8 2. By renumbering as necessary.

SCHERRMAN of Dubuque

H-8224

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "authority." the following: "The membership of the
- 4 board shall include a person who is not an elected or
- 5 appointed public official."
- 6 2. Page 1, by inserting after line 33 the
- 7 following:
- 8 "c. If it is economically feasible, a public
- 9 agency or a recipient of a public grant or contract
- 10 shall use alternative materials for fill dirt for a
- 11 public project in lieu of the use of loess soils."
- 12 3. Page 2, line 4, by inserting after the word
- 13 "landform." the following: "The voting members of the
- 14 board of directors shall also include a person who is
- 15 not an elected or appointed public official."

FALLON of Polk

H-8225

- 1 Amend House File 2360 as follows:
- 2 1. Page 3, by inserting after line 15 the
- 3 following:
- 4 "Sec. ___. FOOD AND AGRICULTURAL COMMODITY
- 5 PURCHASING – STUDY. The department of general
- 6 services, in consultation with the quartermaster and

7 property officer of the state under section 29A.19,
8 the commission for the blind, the council on human
9 services, the state board of education, the state
10 board of regents, and the director of the department
11 of corrections, shall conduct a study of the
12 feasibility of requiring state agencies, when
13 purchasing food or agricultural commodities for
14 processing into food, to purchase Iowa agricultural
15 commodities for processing into food and food
16 processed from Iowa agricultural commodities if the
17 price of the commodities or food is reasonably
18 competitive and the quality meets required standards.
19 The study shall include an analysis of the financial
20 impacts of such a purchasing requirement and the
21 availability of Iowa agricultural commodities and food
22 processed from Iowa agricultural commodities. The
23 analysis shall consider the potential for decreased
24 costs and increased availability of Iowa agricultural
25 commodities and food processed from Iowa agricultural
26 commodities as a result of the imposition of such a
27 purchasing requirement.
28 The department shall report to the general assembly
29 by January 1, 2001, on the results of the study and
30 the findings and recommendations of the department."
31 2. By renumbering as necessary.

FALLON of Polk

H-8226

1 Amend House File 2491 as follows:
2 1. Page 1, line 4, by inserting after the figure
3 "10C," the following: "as that chapter existed on or
4 before June 30, 2004."
5 2. Page 1, by inserting before line 18, the
6 following:
7 "___ "Economic development board" or "board"
8 means the economic development board created pursuant
9 to section 15.103."
10 3. Page 1, by striking line 25.
11 4. Page 2, line 7, by inserting after the word
12 "enterprise" the following: "may acquire or hold an
13 ownership or leasehold interest in agricultural land,
14 if the economic development board approves a life
15 science enterprise plan as provided in section 15.104.
16 A life science enterprise must acquire or hold the
17 agricultural land pursuant to the plan which may be
18 amended as provided by the board. However, the life
19 science enterprise".
20 5. Page 2, line 15, by striking the words
21 "livestock, including culls," and inserting the
22 following: "cull livestock".

23 6. Page 2, by inserting after line 35, the
 24 following:
 25 "Sec. . NEW SECTION. 10C.5 REPEAL.
 26 Sections 10C.1 through 10C.4 and this section are
 27 repealed July 1, 2004.
 28 Sec. . NEW SECTION. 10C.6 EXISTING LIFE
 29 SCIENCE ENTERPRISES.
 30 1. a. A life science enterprise may acquire or
 31 hold agricultural land, notwithstanding section 10C.5
 32 as that section existed in the 2003 Code or 2003 Code
 33 Supplement, if all of the following applies:
 34 (1) The enterprise acquires or holds the
 35 agricultural land pursuant to chapter 10C as that
 36 chapter existed in the 2003 Code or 2003 Code
 37 Supplement.
 38 (2) The economic development board has approved a
 39 life science enterprise plan filed on or before June
 40 30, 2004 with the board. The enterprise must acquire
 41 or hold the agricultural land pursuant to the plan
 42 which may be amended and approved by the board at any
 43 time.
 44 b. The life science enterprise must file a report
 45 with the secretary of state as provided in section
 46 10B.4.
 47 2. A person who is a successor in interest to a
 48 life science enterprise may acquire or hold
 49 agricultural land as provided in chapter 10C as that
 50 chapter existed in the 2003 Code or 2003 Code

Page 2

1 Supplement, if all of the following applies:
 2 a. The person meets the qualifications of a life
 3 science enterprise and acquires or holds the
 4 agricultural land as provided in chapter 10C as that
 5 chapter existed in the 2003 Code or 2003 Code
 6 Supplement.
 7 b. The person acquires or holds the agricultural
 8 land according to the life science enterprise plan
 9 filed by the person's predecessor in interest and
 10 approved by the economic development board.
 11 c. The person has filed a notice with the economic
 12 development board as required by the board. The
 13 notice shall state that the person is a successor in
 14 interest. The notice must be filed with the board
 15 within thirty days following the person's acquisition
 16 of the interest.
 17 d. The person must file a report with the
 18 secretary of state as provided in section 10B.4.
 19 Sec. . Section 15.104, Code 1999, is amended by
 20 adding the following new subsection:
 21 NEW SUBSECTION. 4A. Review and approve a life

22 science enterprise plan as provided in chapter 10C as
 23 that chapter existed on or before June 30, 2004. The
 24 plan shall be submitted by a life science enterprise,
 25 and shall include information regarding the life
 26 science enterprise as required by rules adopted by the
 27 board, including but not limited to all of the
 28 following:

- 29 a. A description of life science products to be
 30 developed by the enterprise.
 - 31 b. The time frame required by the enterprise to
 32 develop the life science products.
 - 33 c. The amount of capital investment required by
 34 the enterprise to develop the life science products.
 - 35 d. The number of acres of land required to produce
 36 the life science products.
- 37 Sec. ____ . DIRECTIONS TO CODE EDITOR. The Code
 38 editor may transfer section 10C.6 to another chapter
 39 in the 2005 Code, and correct internal references as
 40 necessary in order to enhance the readability of the
 41 Code.
- 42 Sec. ____ . EFFECTIVE DATE. Section 10C.6, as
 43 enacted in this Act, takes effect July 1, 2004.
- 44 7. Title page, line 2, by inserting after the
 45 word "penalties" the following: "and an effective
 46 date".
- 47 8. By renumbering as necessary.

ALONS of Sioux
 RAYHONS of Hancock

H-8227

- 1 Amend the amendment, H-8197, to House File 2528 as
 2 follows:
- 3 1. Page 1, by inserting after line 1, the
 4 following:
 5 " ____ . Page 1, lines 14 and 15, by striking the
 6 words "~~private property~~ agricultural land" and
 7 inserting the following: "private property"."
 - 8 2. Page 3, line 18, by striking the words
 9 "agricultural land" and inserting the following:
 10 "private property".
 - 11 3. By renumbering as necessary.

HUSER of Polk
 DIX of Butler
 MUNDIE of Webster

H-8228

- 1 Amend House File 2482 as follows:
 2 1. Page 1, line 12, by striking the word "twenty-

3 one" and inserting the following: "eighteen".

HORBACH of Tama

H-8229

1 Amend House File 2482 as follows:

- 2 1. Page 1, line 12, by inserting after the word
3 "child" the following: "is under the age of eighteen
4 or the adult".

HORBACH of Tama

H-8230

1 Amend House File 2515 as follows:

- 2 1. Page 3, line 2, by striking the words "a ten
3 dollar" and inserting the following: "an".
4 2. Page 3, line 3, by inserting after the word
5 "fee" the following: "in an amount to be determined
6 by the division".
7 3. Page 3, by striking lines 4 through 6 and
8 inserting the following: "be renewed by such consumer
9 as provided by the division."
10 4. Page 3, line 8, by striking the words "on a
11 quarterly basis" and inserting the following: "at
12 least quarterly".
13 5. Page 3, by striking lines 9 through 12 and
14 inserting the following: "initial listing and renewal
15 requests. The division, upon request, shall provide
16 the most current listing for a fee".
17 6. Page 3, line 23, by inserting after the word
18 "include" the following: ", if possible,".
19 7. Page 3, lines 30 and 31, by striking the words
20 "current quarterly".
21 8. Page 4, line 12, by striking the words "this
22 subsection" and inserting the following: "paragraph
23 "b" or "c".
24 9. Page 6, line 21, by inserting after the word
25 "subsection" the following: "2, paragraph "a", or
26 subsection".

HORBACH of Tama

H-8231

1 Amend the amendment, H-8162, to House File 2229 as
2 follows:

- 3 1. By striking page 1, line 49 through page 2,
4 line 1.

5 2. By renumbering as necessary.

GREIMANN of Story

H-8235

1 Amend Senate File 2302, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by striking line 12 and inserting the
4 following: "a woman may, with discretion, breast-feed
5 the".

BLODGETT of Cerro Gordo

H-8239

1 Amend House File 2392 as follows:
2 1. Page 2, by inserting before line 22 the
3 following:
4 "Sec. __. Section 15.372, subsection 3, Code
5 Supplement 1999, is amended to read as follows:
6 3. The fund shall be used to provide grants,
7 loans, forgivable loans, and loan guarantees under the
8 community attraction and tourism development program
9 established in section 15.371. Each fiscal year, not
10 more than one-third of the financial assistance
11 awarded from this fund shall be awarded to projects
12 located in counties with a population ranking in the
13 thirty-three counties with the lowest populations
14 according to the most recent census."
15 2. By renumbering as necessary.

WARNSTADT of Woodbury

H-8240

1 Amend the amendment, H-8057, to House File 2392 as
2 follows:
3 1. Page 1, by striking lines 10 through 12 and
4 inserting the following:
5 "__. By striking page 2, line 26, through page
6 3, line 5, and inserting the following:
7 "When reviewing the applications, the The
8 department shall consider, at a minimum, award
9 financial assistance to applicants that are
10 geographically diverse. In order to receive financial
11 assistance under the program, an applicant must
12 demonstrate and the department must find all of the
13 following:
14 1. ~~Whether the~~ The wages, benefits, including
15 health benefits, safety, and other attributes of the
16 project would improve the quality of attraction and

- 17 tourism employment in the community.
 18 2. The extent to which such a project would
 19 generate additional attraction and tourism
 20 opportunities.
 21 3. The ability of the project to would produce a
 22 long-term tax generating economic impact.
 23 4. The location of the projects and geographic
 24 diversity of the applications.
 25 ~~5. 4. The extent to which any part of the proposed~~
 26 ~~project meets the definition of vertical~~
 27 ~~infrastructure in section 8.57, subsection 5,~~
 28 ~~paragraph "c"."~~

WARNSTADT of Woodbury

H-8242

- 1 Amend House File 2491 as follows:
 2 1. Page 1, by inserting after line 6 the
 3 following:
 4 "Sec. __. Section 10B.6, subsection 1, Code 1999,
 5 is amended to read as follows:
 6 1. The failure of a person to timely file a report
 7 or the filing of false information in a report by a
 8 person as provided in section 10B.4 is punishable by a
 9 civil penalty. Unless the person is a life science
 10 enterprise as defined in section 10C.1, the person
 11 shall be subject to a civil penalty not to exceed one
 12 thousand dollars. If the person is a life science
 13 enterprise, the person shall be subject to a civil
 14 penalty not to exceed ten thousand dollars."
 15 2. By renumbering as necessary.

WEIGEL of Chickasaw

H-8243

- 1 Amend House File 2147 as follows:
 2 1. Page 1, by inserting after line 12 the
 3 following:
 4 "Sec. __. Section 99E.10, subsection 1,
 5 unnumbered paragraph 2, Code Supplement 1999, is
 6 amended to read as follows:
 7 Lottery expenses for marketing, educational, and
 8 informational material shall not exceed ~~four~~ three
 9 percent of the lottery revenue."
 10 2. Title page, line 1, by inserting after the
 11 word "to" the following: "expenses of, and".

FALLON of Polk
 BRUNKHORST of Bremer

H-8247

- 1 Amend House File 2311 as follows:
- 2 1. Page 1, by striking lines 17 and 18, and
3 inserting the following:
4 "Sec. ____ Section 252I.4, subsections 3 and 4,
5 Code Supplement 1999, are amended to read as follows:"
6 2. Page 2, by inserting after line 19 the
7 following:
8 "4. a. ~~The~~ A financial institution is immune from
9 any liability in any action or proceeding, whether
10 civil or criminal, which might otherwise be incurred
11 or imposed for any of the following:
12 a. (1) ~~Any~~ The disclosure of any information
13 released by the a financial institution to the unit
14 pursuant to this section chapter or the rules or
15 procedures adopted by the unit to implement this
16 chapter, including disclosure of information relating
17 to an obligor who maintains an account with the
18 financial institution or disclosure of information
19 relating to any other person who maintains an account
20 with the financial institution that is provided for
21 the purpose of complying with the data match
22 requirements of this section and with the agreement
23 entered into between the financial institution and the
24 unit pursuant to subsection 2.
25 b. (2) Any encumbrance or surrender of any assets
26 held by the financial institution in response to a
27 notice of lien or levy issued by the unit.
28 e. (3) ~~Any other action taken in or omission in~~
29 connection with good faith efforts to comply with this
30 section or section 252I.7 chapter or any rules or
31 procedures that are adopted by the unit to implement
32 this chapter, including but not limited to disclosure
33 of erroneous information about any person.
34 (4) ~~The disclosure, use, or misuse by the unit or~~
35 by any other person of information provided or assets
36 delivered to the unit by a financial institution.
37 b. ~~For the purposes of this section, "financial~~
38 institution" includes officers, directors, employees,
39 contractors, and agents of the financial institution."
40 3. Title page, line 1, by inserting after the
41 word "support" the following: ", immunity from
42 liability for financial institutions relating to data
43 matching and levies against accounts,".

KETTERING of Sac

H-8256

- 1 Amend House File 2424 as follows:
2 1. Page 1, line 10, by striking the word "seven"

- 3 and inserting the following: "nine".
 4 2. Page 1, line 23, by striking the word "three"
 5 and inserting the following: "five".

WARNSTADT of Woodbury

H-8257

- 1 Amend Senate File 2052 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking lines 3 through 8 and
 4 inserting the following:
 5 "NEW SUBSECTION. 3."
 6 2. By renumbering as necessary.

Committee on Judiciary

H-8258

- 1 Amend Senate File 2300, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 21, by inserting after the word
 4 "fish" the following: "except when it is necessary to
 5 provide for the immediate safety of a person".

KREIMAN of Davis

H-8265

- 1 Amend House File 2409 as follows:
 2 1. Page 5, by inserting after line 25 the
 3 following:
 4 "Sec. __. NEW SECTION. 56.15B LIMITATION ON
 5 CONTRIBUTIONS.
 6 1. A person shall not make a contribution to a
 7 candidate or candidate's committee that exceeds either
 8 of the following:
 9 a. Five hundred dollars in the aggregate for any
 10 contested primary election.
 11 b. Five hundred dollars in the aggregate for any
 12 general election.
 13 2. A candidate or candidate's committee shall not
 14 receive a contribution from a person that exceeds:
 15 a. Five hundred dollars in the aggregate for any
 16 contested primary election.
 17 b. Five hundred dollars in the aggregate for any
 18 general election."
 19 2. By renumbering as necessary.

FALLON of Polk

H-8266

- 1 Amend House File 2527 as follows:
2 1. Page 2, by inserting after line 9 the
3 following:
4 "Sec. NEW SECTION. 56.15B LIMITATION ON
5 CONTRIBUTIONS.
6 1. A person shall not make a contribution to a
7 candidate or candidate's committee that exceeds either
8 of the following:
9 a. Five hundred dollars in the aggregate for any
10 contested primary election.
11 b. Five hundred dollars in the aggregate for any
12 general election.
13 2. A candidate or candidate's committee shall not
14 receive a contribution from a person that exceeds:
15 a. Five hundred dollars in the aggregate for any
16 contested primary election.
17 b. Five hundred dollars in the aggregate for any
18 general election."
19 2. Title page, line 1, by inserting after the
20 words "relating to" the following: "campaign finance,
21 by requiring".
22 3. Title page, line 2, by inserting after the
23 word "communications," the following: "including a
24 limitation on political contributions to candidates,".
25 4. By renumbering as necessary.

FALLON of Polk

H-8269

- 1 Amend the amendment, H-8244, to House File 2491, as
2 follows:
3 1. Page 1, by inserting after line 1, the
4 following:
5 " . Page 1, lines 3 and 4, by striking the
6 words "life science" and inserting the following:
7 "biotech".
8 2. Page 1, by inserting after line 4, the
9 following:
10 " . Page 1, line 5, by striking the words "life
11 science" and inserting the following: "biotech".
12 3. Page 1, lines 13 and 14, by striking the words
13 "life science" and inserting the following:
14 "biotech".
15 4. Page 1, line 15, by striking the words "life
16 science" and inserting the following: "biotech".
17 5. Page 1, lines 17 and 18, by striking the words
18 "life science" and inserting the following:
19 "biotech".
20 6. Page 1, by inserting after line 9, the

- 21 following:
 22 " _____. Page 1, line 18, by striking the words
 23 " "Life science" and inserting the following:
 24 " "Biotech".
 25 _____. Page 1, line 21, by striking the words "life
 26 science" and inserting the following: "biotech".
 27 _____. Page 1, line 22, by striking the words "Life
 28 science" and inserting the following: "Biotech".
 29 _____. Page 2, lines 2 and 3, by striking the words
 30 "life science" and inserting the following:
 31 "biotech".
 32 _____. Page 2, line 5, by striking the words "LIFE
 33 SCIENCE" and inserting the following: "BIOTECH".
 34 _____. Page 2, line 7, by striking the words "life
 35 science" and inserting the following: "biotech".
 36 7. Page 1, lines 13 and 14, and inserting the
 37 following: "life science" and inserting the
 38 following: "biotech".
 39 8. Page 1, lines 15, by striking the words "life
 40 science" and inserting the following: "life science".
 41 9. Page 1, lines 17 and 18, and inserting the
 42 following: "biotech".
 43 10. Page 1, by inserting after line 21, the
 44 following:
 45 " _____. Page 2, line 16, by striking the words
 46 "life science" and inserting the following:
 47 "biotech".
 48 _____. Page 2, line 20, by striking the words "life
 49 science" and inserting the following: "biotech".
 50 _____. Page 2, line 25, by striking the words "life

Page 2

- 1 science" and inserting the following: "biotech".
 2 11. Page 1, lines 27 and 28, by striking the
 3 words "LIFE SCIENCE" and inserting the following:
 4 "BIOTECH".
 5 12. Page 1, line 29, by striking the words "life
 6 science" and inserting the following: "biotech".
 7 13. Page 1, line 38, by striking the words "life
 8 science" and inserting the following: "biotech".
 9 14. Page 1, line 43, by striking the words "life
 10 science" and inserting the following: "biotech".
 11 15. Page 1, line 47, by striking the words "life
 12 science" and inserting the following: "biotech".
 13 16. Page 2, lines 1 and 2, by striking the words
 14 "life science" and inserting the following:
 15 "biotech".
 16 17. Page 2, line 7, by striking the words "life
 17 science" and inserting the following: "biotech".
 18 18. Page 2, line 18, by striking the words "life
 19 science" and inserting the following: "biotech".

- 20 19. Page 2, lines 23 and 24, by striking the
 21 words "life science" and inserting the following:
 22 "biotech".
 23 20. Page 2, line 27, by striking the words "life
 24 science" and inserting the following: "biotech".
 25 21. Page 2, line 29, by striking the words "life
 26 science" and inserting the following: "biotech".
 27 22. Page 2, line 32, by striking the words "life
 28 science" and inserting the following: "biotech".
 29 23. Page 2, line 35, by striking the words "life
 30 science" and inserting the following: "biotech".
 31 24. Page 2, line 37, by striking the words "life
 32 science and inserting the following: "biotech".
 33 25. Page 2, line 39, by striking the words "life
 34 science" and inserting the following: "biotech".
 35 26. Page 2, by inserting after line 50, the
 36 following:
 37 " ____ . Tile page line, 1, by striking the words
 38 "life science" and inserting the following:
 39 "biotech"."

FALLON of Polk

H-8270

- 1 Amend the amendment, H-8244, to House File 2491, as
 2 follows:
 3 1. Page 1, by inserting after line 1, the
 4 following:
 5 " ____ . Page 1, lines 3 and 4, by striking the
 6 words "life science" and inserting the following:
 7 "biotech"."
 8 2. Page 1, by inserting after line 4, the
 9 following:
 10 " ____ . Page 1, line 5, by striking the words "life
 11 science" and inserting the following: "biotech"."
 12 3. Page 1, lines 13 and 14, by striking the words
 13 "life science" and inserting the following:
 14 "biotech".
 15 4. Page 1, line 15, by striking the words "life
 16 science" and inserting the following: "biotech".
 17 5. Page 1, lines 17 and 18, by striking the words
 18 "life science" and inserting the following:
 19 "biotech".
 20 6. Page 1, by inserting after line 9, the
 21 following:
 22 " ____ . Page 1, line 18, by striking the words
 23 "Life science" and inserting the following:
 24 "Biotech".
 25 7. Page 1, line 21, by striking the words "life
 26 science" and inserting the following: "biotech"."
 27 8. Page 1, line 22, by striking the words "Life

- 28 science" and inserting the following: "Biotech".
 29 9. Page 2, lines 2 and 3, by striking the words
 30 "life science" and inserting the following:
 31 "biotech".
 32 10. Page 2, line 5, by striking the words "LIFE
 33 SCIENCE" and inserting the following: "BIOTECH".
 34 11. Page 2, line 7, by striking the words "life
 35 science" and inserting the following: "biotech".
 36 12. Page 1, by inserting after line 18 the
 37 following:
 38 " ____ . Page 2, line 14, by striking the words
 39 "life science" and inserting the following:
 40 "biotech".
 41 10. Page 1, by inserting after line 21, the
 42 following:
 43 " ____ . Page 2, line 16, by striking the words
 44 "life science" and inserting the following:
 45 "biotech".
 46 13. Page 2, line 20, by striking the words "life
 47 science" and inserting the following: "biotech".
 48 14. Page 2, line 25, by striking the words "life
 49 science" and inserting the following: "biotech".
 50 15. Page 1, lines 27 and 28, by striking the

Page 2

- 1 words "LIFE SCIENCE" and inserting the following:
 2 "BIOTECH".
 3 16. Page 1, line 29, by striking the words "life
 4 science" and inserting the following: "biotech".
 5 17. Page 1, line 38, by striking the words "life
 6 science" and inserting the following: "biotech".
 7 18. Page 1, line 43, by striking the words "life
 8 science" and inserting the following: "biotech".
 9 19. Page 1, line 47, by striking the words "life
 10 science" and inserting the following: "biotech".
 11 20. Page 2, lines 1 and 2, by striking the words
 12 "life science" and inserting the following:
 13 "biotech".
 14 21. Page 2, line 7, by striking the words "life
 15 science" and inserting the following: "biotech".
 16 22. Page 2, line 18, by striking the words "life
 17 science" and inserting the following: "biotech".
 18 23. Page 2, lines 23 and 24, by striking the
 19 words "life science" and inserting the following:
 20 "biotech".
 21 24. Page 2, line 27, by striking the words "life
 22 science" and inserting the following: "biotech".
 23 25. Page 2, line 29, by striking the words "life
 24 science" and inserting the following: "biotech".
 25 26. Page 2, line 32, by striking the words "life
 26 science" and inserting the following: "biotech".

- 27 27. Page 2, line 35, by striking the words "life
 28 science" and inserting the following: "biotech".
 29 28. Page 2, line 37, by striking the words "life
 30 science and inserting the following: "biotech".
 31 29. Page 2, line 39, by striking the words "life
 32 science" and inserting the following: "biotech".
 33 30. Page 2, by inserting after line 50, the
 34 following:
 35 " _____. Tile page line,1, by striking the words
 36 "life science" and inserting the following:
 37 "biotech"."

FALLON of Polk

H-8275

- 1 Amend House File 2426 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 " _____. The organizers of each athletic contest
 5 shall inform the spectators and participants of an
 6 athletic contest of the penalties for assaulting a
 7 sports official or participant. This subsection shall
 8 not be construed to create any liability for an
 9 organizer who fails to inform the spectators or
 10 participants of the penalties for assaulting a sports
 11 official or participant."
 12 2. By renumbering as necessary.

MASCHER of Johnson

H-8276

- 1 Amend House File 2426 as follows:
 2 1. Page 1, by inserting after line 8 the
 3 following:
 4 "1A. A sports official who commits an assault, as
 5 defined in section 708.1, against a participant in an
 6 athletic contest in which the sports official took an
 7 active officiating role, within the confines or
 8 immediate area of the athletic facility or field at
 9 which the athletic contest is being or has recently
 10 been held, is guilty of a serious misdemeanor."
 11 2. Page 1, line 14, by inserting after the word
 12 "contests." the following: "For purposes of this
 13 section, "participant" means a person who is eligible
 14 to compete in the athletic contest."
 15 3. By renumbering as necessary.

WEIGEL of Chickasaw
 SHEY of Linn

H-8277

1 Amend House File 2426 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 708.2, Code Supplement 1999,
5 is amended to read as follows:

6 708.2 PENALTIES FOR ASSAULT.

7 1. A person who commits an assault, as defined in
8 section 708.1, with the intent to inflict a serious
9 injury upon another, is guilty of ~~an aggravated~~
10 ~~misdemeanor~~ a class "D" felony.

11 2. A person who commits an assault, as defined in
12 section 708.1, and who causes bodily injury or mental
13 illness, is guilty of ~~a serious~~ an aggravated
14 ~~misdemeanor.~~

15 3. A person who commits an assault, as defined in
16 section 708.1, and uses or displays a dangerous weapon
17 in connection with the assault, is guilty of ~~an~~
18 ~~aggravated misdemeanor~~ a class "D" felony. This
19 subsection does not apply if section 708.6 or 708.8
20 applies.

21 4. A person who commits an assault, as defined in
22 section 708.1, and who causes serious injury, is
23 guilty of a class "D" "C" felony.

24 5. Any other assault, except as otherwise
25 provided, is a ~~simple~~ serious misdemeanor.

26 Sec. 2. Section 708.2A, subsections 2 through 4,
27 Code Supplement 1999, are amended to read as follows:

28 2. On a first offense of domestic abuse assault,
29 the person commits:

30 a. A ~~simple~~ serious misdemeanor for a domestic
31 abuse assault, except as otherwise provided.

32 b. ~~A serious~~ An aggravated misdemeanor, if the
33 domestic abuse assault causes bodily injury or mental
34 illness.

35 c. ~~An aggravated misdemeanor~~ A class "D" felony,
36 if the domestic abuse assault is committed with the
37 intent to inflict a serious injury upon another, or if
38 the person uses or displays a dangerous weapon in
39 connection with the assault. This paragraph does not
40 apply if section 708.6 or 708.8 applies.

41 3. Except as otherwise provided in subsection 2,
42 on a second domestic abuse assault, a person commits:

43 a. ~~A serious~~ An aggravated misdemeanor, if the
44 first offense was classified as a ~~simple~~ or serious
45 misdemeanor, and the second offense would otherwise be
46 classified as a ~~simple~~ serious misdemeanor.

47 b. ~~An aggravated misdemeanor~~ A class "D" felony,
48 if the first offense was classified as a ~~simple,~~
49 serious, or aggravated misdemeanor, and the second
50 offense would otherwise be classified as a ~~serious~~ an

Page 2

- 1 ~~aggravated~~ misdemeanor, ~~or the first offense was~~
2 ~~classified as a serious or aggravated misdemeanor, and~~
3 ~~the second offense would otherwise be classified as a~~
4 ~~simple or serious misdemeanor.~~
5 4. On a third or subsequent offense of domestic
6 abuse assault, a person commits a class "D" "C"
7 felony."
8 2. Title page, line 1, by inserting after the
9 word "Act" the following: "relating to criminal
10 penalties for assault and domestic abuse and".
11 3. By renumbering as necessary.

MASCHER of Johnson
GARMAN of Story

H-8278

- 1 Amend House File 2517 as follows:
2 1. Page 2, by inserting after line 11 the
3 following:
4 "6. This section shall not apply in cases where
5 the sole theory of recovery is res ipsa loquitur."

SHEY of Linn

H-8279

- 1 Amend House File 774 as follows:
2 1. Page 1, line 7, by inserting after the word
3 "taxation." the following: "If as part of the
4 improvements to the farm structure the interior is
5 converted to a use other than for purposes of a barn
6 but which maintains, emphasizes, or does not detract
7 from the barn interior, any increase in valuation due
8 to such converted use is also exempt."

FALLON of Polk

H-8280

- 1 Amend the amendment, H-8143, to House File 2426 as
2 follows:
3 1. Page 1, by inserting before line 2 the
4 following:
5 "_. Page 1, by inserting after line 8 the
6 following:
7 "1A. A person who commits an assault, as defined
8 in section 708.1, against a practitioner as defined in
9 section 272.1, within the confines or immediate area
10 of a school where the practitioner is employed,

- 11 commits a serious misdemeanor.""
- 12 2. By renumbering as necessary.

MASCHER of Johnson

H-8282

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 14, by inserting after the figure
- 3 "169," the following: "272,".

KREIMAN of Davis

H-8283

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "152B," the following: "153,".

KREIMAN of Davis

H-8284

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "148," the following: "148B,".

KREIMAN of Davis

H-8285

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "152B," the following: "154C,".

KREIMAN of Davis

H-8286

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "152B," the following: "154,".

KREIMAN of Davis

H-8287

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "152B," the following: "154D,".

KREIMAN of Davis

H-8288

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "152B," the following: "154B,".

KREIMAN of Davis

H-8289

- 1 Amend House File 2517 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "150A," the following: "151,".

KREIMAN of Davis

H-8290

- 1 Amend the amendment, H-8057, to House File 2392 as
- 2 follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "applications." the following: "The department shall
- 5 not award financial assistance to an applicant under
- 6 the program unless the commission has submitted a
- 7 favorable recommendation to the department."

MILLAGE of Scott

H-8291

- 1 Amend House File 2392 as follows:
- 2 1. Page 2, by inserting before line 22 the
- 3 following:
- 4 "Sec. __. Section 15.372, subsection 3, Code
- 5 Supplement 1999, is amended to read as follows:
- 6 3. The fund shall be used to provide grants,
- 7 loans, forgivable loans, and loan guarantees under the
- 8 community attraction and tourism development program
- 9 established in section 15.371. The total amount of
- 10 financial assistance awarded from the fund for
- 11 projects in one county shall not exceed fifteen
- 12 percent of any moneys appropriated by the general
- 13 assembly for purposes of this fund over a two-year
- 14 period."
- 15 2. By renumbering as necessary.

MILLAGE of Scott

H-8292

- 1 Amend House File 2392 as follows:

- 2 1. Page 2, by inserting before line 22 the
 3 following:
 4 "Sec. ____ Section 15.372, subsection 3, Code
 5 Supplement 1999, is amended to read as follows:
 6 3. The fund shall be used to provide grants,
 7 loans, forgivable loans, and loan guarantees under the
 8 community attraction and tourism development program
 9 established in section 15.371. Financial assistance
 10 awarded from the fund may be awarded for one or more
 11 identified components of a project. An applicant
 12 shall not receive financial assistance under the
 13 program in an amount greater than one-third of the
 14 total cost of the components for which financial
 15 assistance is approved."
 16 2. By renumbering as necessary.

MILLAGE of Scott

H-8293

- 1 Amend House File 2392 as follows:
 2 1. Page 1, line 4, by striking the word "five"
 3 and inserting the following: "eleven".
 4 2. Page 1, line 10, by striking the word "and".
 5 3. Page 1, line 13, by inserting after the word
 6 "counties" the following: ", and two members
 7 appointed by the governor. In addition, the
 8 commission shall include four members of the general
 9 assembly with not more than one member from each
 10 chamber being from the same political party. The
 11 majority and minority leaders of the senate shall each
 12 appoint one member. The speaker and minority leader
 13 of the house of representatives shall each appoint one
 14 member. Not more than one member of the commission
 15 shall reside in the same county".

MILLAGE of Scott

H-8299

- 1 Amend the amendment, H-8277, to House File 2426 as
 2 follows:
 3 1. Page 1, line 44, by striking the words "or
 4 serious" and inserting the following: ", serious, or
 5 aggravated".
 6 2. Page 1, line 45, by inserting after the word
 7 "misdemeanor," the following: "or class "D" felony".
 8 3. Page 1, line 49, by striking the words "or
 9 aggravated misdemeanor" and inserting the following:
 10 "or aggravated misdemeanor, or class "D" felony".

11 4. By renumbering as necessary.

MASCHER of Johnson
GARMAN of Story

H-8301

- 1 Amend House File 2396 as follows:
- 2 1. Page 7, by striking lines 32 and 33, and
- 3 inserting the following:
- 4 "___ . The following shall apply:
- 5 a. A buyer engaged in farming operations who buys
- 6 farm products from a seller who is also engaged in
- 7 farming operations shall take free of a security
- 8 interest created by the seller, even though the
- 9 security interest is perfected and the buyer knows of
- 10 the existence of the interest.
- 11 b. Except as provided in this paragraph, a buyer
- 12 who is not engaged in farming operations who buys farm
- 13 products from a seller engaged in farming operations".
- 14 2. Page 8, line 2, by striking the word "a." and
- 15 inserting the following: "(1)".
- 16 3. Page 8, line 5, by striking the figure "(1)"
- 17 and inserting the following: "(a)".
- 18 4. Page 8, line 19, by striking the figure "(2)"
- 19 and inserting the following: "(b)".
- 20 5. Page 8, line 23, by inserting after the word
- 21 "sold," the following: "the secured party demands
- 22 that a buyer issue a check for payment jointly to the
- 23 debtor and secured party for the purchase of the farm
- 24 products as memorialized in the effective financing
- 25 statement,".
- 26 6. Page 8, line 30, by striking the word "b." and
- 27 inserting the following: "(2)".
- 28 7. Page 9, line 11, by striking the word "c." and
- 29 inserting the following: "(3)".

DIX of Butler

H-8305

- 1 Amend the amendment, H-8057, to House File 2392 as
- 2 follows:
- 3 1. Page 1, by inserting after line 7 the
- 4 following:
- 5 "7. The recommendations of the commission for
- 6 awarding financial assistance shall give the highest
- 7 priority to applications from political subdivisions
- 8 which are entirely or partially within a school
- 9 district which does not share in revenues from taxes
- 10 imposed under chapter 422E. Financial assistance

11 awarded by the department shall be consistent with
12 this priority."

RICHARDSON of Warren

H-8306

1 Amend the amendment, H-8057, to House File 2392 as
2 follows:
3 1. Page 1, by inserting after line 7 the
4 following:
5 "7. The commission shall not review any
6 applications or make any recommendations to the
7 department until chapter 422E is amended to provide an
8 equitable formula for distribution of sales tax
9 revenues in order that all school districts in the
10 state receive a fair share of such revenues. The
11 department shall not award financial assistance to an
12 applicant under the program unless the commission has
13 submitted a favorable recommendation to the
14 department."

RICHARDSON of Warren

H-8307

1 Amend the amendment, H-8057, to House File 2392 as
2 follows:
3 1. Page 1, by striking lines 10 through 12 and
4 inserting the following:
5 " _____. By striking page 2, line 26, through page
6 3, line 5, and inserting the following:
7 "When reviewing the applications, the The
8 department shall consider, at a minimum, award
9 financial assistance to applicants that are
10 geographically diverse and who demonstrate the project
11 meets the definition of vertical infrastructure in
12 section 8.57, subsection 5, paragraph "c". When
13 reviewing the applications, the department shall
14 consider, at a minimum, all of the following:
15 1. Whether the wages, benefits, including health
16 benefits, safety, and other attributes of the project
17 would improve the quality of attraction and tourism
18 employment in the community.
19 2. The extent to which such a project would
20 generate additional attraction and tourism
21 opportunities.
22 3. The ability of the project to produce a long-
23 term tax generating economic impact.
24 4. The location of the projects and geographic
25 diversity of the applications.
26 5. The extent to which any part of the proposed

27 project meets the definition of vertical
 28 infrastructure in section 8.57, subsection 5,
 29 paragraph "c"."

WARNSTADT of Woodbury

H-8310

1 Amend House File 2290 as follows:
 2 1. Page 1, line 8, by inserting after the word
 3 "infrastructure," the following: "the disparities
 4 which exist among school districts regarding
 5 transportation funding."

SCHERRMAN of Dubuque

H-8312

1 Amend House File 2229 as follows:
 2 1. Page 1, by striking lines 2 and 3, and
 3 inserting the following:
 4 "This chapter shall be known and may be cited as
 5 the "State Mandated Information and Waiting Period for
 6 Abortion Act."
 7 2. Title page, by striking lines 1 and 2, and
 8 inserting the following: "An Act relating to state
 9 mandated information and a waiting period relating to
 10 an abortion, and providing penalties."

FOEGE of Linn

H-8313

1 Amend the amendment, H-8051, to House File 2229 as
 2 follows:
 3 1. Page 1, by striking line 6, and inserting the
 4 following: " "State Mandated Information and Waiting
 5 Period for Abortion Act."
 6 2. Page 1, by striking lines 12 and 13, and
 7 inserting the following:
 8 " _____. Title page, by striking lines 1 and 2 and
 9 inserting the following: "An Act relating to state
 10 mandated information and a waiting period relating to
 11 an abortion.""

FOEGE of Linn

H-8314

1 Amend House File 2229 as follows:
 2 1. Page 3, by inserting after line 19, the
 3 following:

4 "d. Information that the patient may be eligible
5 for medical assistance benefits to cover the costs of
6 an abortion under certain circumstances."

DODERER of Johnson

H-8316

1 Amend House File 2508 as follows:
2 1. Page 1, line 4, by striking the word
3 "contract" and inserting the following: "proposal".
4 2. Page 1, line 7, by striking the word
5 "contract" and inserting the following: "proposal".
6 3. Page 1, line 9, by striking the word
7 "contract" and inserting the following: "proposal".
8 4. Page 1, line 11, by striking the word
9 "contracts" and inserting the following: "proposals".
10 5. Page 1, lines 13 and 14, by striking the words
11 "for entering into a contract" and inserting the
12 following: "to initiate a proposal".
13 6. Page 1, line 16, by striking the words
14 "entering into the contract" and inserting the
15 following: "the proposal".
16 7. Page 1, by striking line 17 and inserting the
17 following: "statement of the estimated cost and
18 purpose of the proposal and the".
19 8. Page 1, line 22, by striking the word
20 "contract" and inserting the following: "proposal".
21 9. Page 1, line 26, by striking the words
22 "entering into the contract" and inserting the
23 following: "initiating the proposal".
24 10. Page 1, line 28, by striking the words "to
25 enter into the contract".
26 11. Page 1, line 30, by striking the words
27 "entering into the contract" and inserting the
28 following: "proceeding with the proposal".
29 12. Page 2, line 2, by striking the words "enter
30 into" and inserting the following: "issue a request
31 for proposal for".
32 13. Page 2, line 9, by striking the words
33 "entering into the" and inserting the following:
34 "issuing a request for proposal for a".

HOUSER of Pottawattamie

H-8317

1 Amend House File 2229 as follows:
2 1. Page 3, by striking lines 6 through 8.
3 2. By renumbering as necessary.

GREIMANN of Story

H-8318

- 1 Amend House File 2229 as follows:
- 2 1. Page 1, by striking lines 8 through 12.
- 3 2. Page 8, lines 3 and 4, by striking the words
- 4 "or attempts to perform".
- 5 3. Page 8, lines 10 and 11, by striking the words
- 6 "or attempted to be performed".

PARMENTER of Story

H-8321

- 1 Amend House File 2501 as follows:
- 2 1. Title page, line 2, by striking the words
- 3 "death or".

ARNOLD of Lucas

H-8322

- 1 Amend House File 2229 as follows:
- 2 1. Page 1, by striking line 3, and inserting the
- 3 following:
- 4 " "State Mandated Information and Waiting Period for
- 5 Abortion Act"."
- 6 2. Title page, by striking lines 1 and 2, and
- 7 inserting the following: "An Act relating to state
- 8 mandated information and a waiting period relating to
- 9 an abortion, and providing criminal penalties."

FOEGE of Linn

H-8323

- 1 Amend House File 2229 as follows:
- 2 1. By striking page 8, line 2 through page 9,
- 3 line 33.
- 4 2. Title page, by striking line 2 and inserting
- 5 the following: "abortion."

MASCHER of Johnson

H-8325

- 1 Amend House File 2229 as follows:
- 2 1. Page 8, by striking line 5 and inserting the
- 3 following: "is guilty of a simple misdemeanor."

MASCHER of Johnson

H-8326

1 Amend House File 2368 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 321.1, subsection 32,
5 unnumbered paragraph 1, Code supplement 1999, is
6 amended to read as follows:

7 "Implement of husbandry" means a vehicle or special
8 mobile equipment manufactured, designed, or
9 reconstructed for agricultural purposes and, except
10 for incidental uses, exclusively used in the conduct
11 of agricultural operations. "Implements of husbandry"
12 includes all-terrain vehicles operated in compliance
13 with section 321.234A, fence-line feeders, and
14 vehicles used exclusively for the application of
15 organic or inorganic plant food materials, organic
16 agricultural limestone, or agricultural chemicals. To
17 be considered an implement of husbandry, a self-
18 propelled implement of husbandry must be operated at
19 speeds of thirty-five miles per hour or less, except
20 that a self-propelled implement of husbandry equipped
21 with air brakes may be operated at speeds up to forty
22 miles per hour. "Reconstructed" as used in this
23 subsection means materially altered from the original
24 construction by the removal, addition, or substitution
25 of essential parts, new or used.

26 Sec. ____ Section 321.383, subsection 2, Code
27 Supplement 1999, is amended to read as follows:

28 2. When operated on a highway in this state at a
29 speed of thirty-five miles per hour or less, every
30 farm tractor, or tractor with towed equipment, self-
31 propelled implement of husbandry, road construction or
32 maintenance vehicle, road grader, horse-drawn vehicle,
33 or any other vehicle principally designed for use off
34 the highway and any such tractor, implement, vehicle,
35 or grader when manufactured for sale or sold at retail
36 after December 31, 1971, shall be identified with a
37 reflective device in accordance with the standards of
38 the American society of agricultural engineers;
39 however, this provision shall not apply to such
40 vehicles when traveling in an escorted parade. A
41 self-propelled implement of husbandry equipped with
42 air brakes which is operated at speeds up to forty
43 miles per hour on a highway in this state shall also
44 be identified with the reflective device. If a person
45 operating a vehicle drawn by a horse or mule objects
46 to using a reflective device that complies with the
47 standards of the American society of agricultural
48 engineers for religious reasons, the vehicle may be
49 identified by an alternative reflective device that is
50 in compliance with rules adopted by the department.

Page 2

- 1 The reflective device or alternative reflective device
 2 shall be visible from the rear. A vehicle other than
 3 those specified in this section shall not display a
 4 reflective device or an alternative reflective device.
 5 On Except as otherwise provided in this subsection, on
 6 vehicles operating at speeds above thirty-five miles
 7 per hour, the reflective device or alternative
 8 reflective device shall be removed or hidden from
 9 view."
 10 2. Title page, line 1, by striking the words
 11 "weight restrictions on certain".
 12 3. By renumbering as necessary.

DRAKE of Pottawattamie

H-8327

- 1 Amend House File 2229 as follows:
 2 1. Page 1, line 26, by striking the words "unborn
 3 child" and inserting the following: "fetus".
 4 2. Page 1, line 28, by striking the words "unborn
 5 child" and inserting the following: "fetus".
 6 3. Page 2, line 12, by striking the words "unborn
 7 child" and inserting the following: "fetus".
 8 4. Page 2, lines 14 and 15, by striking the words
 9 "unborn child" and inserting the following: "fetus".
 10 5. Page 3, line 13, by striking the words "unborn
 11 child" and inserting the following: "fetus".
 12 6. Page 4, line 22, by striking the words "unborn
 13 child" and inserting the following: "fetus".
 14 7. Page 4, line 26, by striking the words "unborn
 15 child" and inserting the following: "fetus".
 16 8. Page 4, line 27, by striking the words "unborn
 17 child" and inserting the following: "fetus".
 18 9. Page 4, line 29, by striking the words "unborn
 19 child" and inserting the following: "fetus".
 20 10. Page 4, line 33, by striking the words
 21 "unborn child" and inserting the following: "fetus".
 22 11. Page 5, lines 3 and 4, by striking the words
 23 "an unborn child" and inserting the following: "a
 24 fetus".

FOEGE of Linn

H-8328

- 1 Amend House File 2482 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 260C.4, Code 1999, is amended
 5 by adding the following new subsection:

6 NEW SUBSECTION. 4. Require that each community
7 college review or establish a policy regarding
8 violation of federal, state, or local law or
9 institutional rule or policy governing student use or
10 possession of alcohol by students under twenty-one
11 years of age which is prohibited under section 123.47
12 and the use or possession of controlled substances
13 which is prohibited under chapter 124. The policy
14 shall include awareness education concerning alcohol
15 and other substance abuse, enforcement procedures, and
16 sanctions for violations occurring under the
17 jurisdiction of the community college. Each community
18 college shall invite student participation in a review
19 or the development of the policy. Each community
20 college shall report biennially to the state board not
21 later than December 1, the same data as required by
22 the federal drug-free schools and campuses
23 regulations. The report shall include a written
24 policy on alcohol and other drugs, methods for
25 distribution of the policy to each student,
26 effectiveness of the programs and consistency of
27 enforcement. The state board shall provide the
28 reports to the standing committees on education not
29 later than January 15 following their receipt.
30 Sec. 2. Section 261.2, Code 1999, is amended by
31 adding the following new subsection:
32 NEW SUBSECTION. 15. Require that each accredited
33 private institution review or establish a policy
34 regarding violation of federal, state, or local law or
35 institutional rule or policy governing student use or
36 possession of alcohol by students under twenty-one
37 years of age which is prohibited under section 123.47
38 and the use or possession of controlled substances
39 which is prohibited under chapter 124. The policy
40 shall include awareness education concerning alcohol
41 and other substance abuse, enforcement procedures, and
42 sanctions for violations occurring under the
43 jurisdiction of the accredited private institution.
44 Each accredited private institution shall invite
45 student participation in a review or the development
46 of the policy. Each accredited private institution
47 shall report biennially to the commission not later
48 than December 1, the same data as required by the
49 federal drug-free schools and campuses regulations.
50 The report shall include a written policy on alcohol

Page 2

1 and other drugs, methods for distribution of the
2 policy to each student, effectiveness of the programs
3 and consistency of enforcement. The commission shall
4 provide the reports to the standing committees on

5 education not later than January 15 following their
6 receipt.

7 Sec. 3. Section 262.9, Code Supplement 1999, is
8 amended by adding the following new subsection:
9 NEW SUBSECTION. 30. Require that each institution
10 of higher learning review or establish a policy
11 regarding violation of federal, state, or local law or
12 institutional rule or policy governing student use or
13 possession of alcohol by students under twenty-one
14 years of age which is prohibited under section 123.47
15 and the use or possession of controlled substances
16 which is prohibited under chapter 124. The policy
17 shall include awareness education concerning alcohol
18 and other substance abuse, enforcement procedures, and
19 sanctions for violations occurring under the
20 jurisdiction of the institution of higher learning.

21 Each institution of higher learning shall invite
22 student participation in a review or the development
23 of the policy. Each institution of higher learning
24 shall report biennially to the state board not later
25 than December 1, the same data as required by the
26 federal drug-free schools and campuses regulations.
27 The report shall include a written policy on alcohol
28 and other drugs, methods for distribution of the
29 policy to each student, effectiveness of the programs
30 and consistency of enforcement. The state board shall
31 provide the reports to the standing committees on
32 education not later than January 15 following their
33 receipt.

34 Sec. 4. TRANSITION. Notwithstanding the reporting
35 requirements of sections 1 through 3 of this Act, the
36 first report required to be made by each institution
37 of higher learning need only include the preceding
38 report required pursuant the federal drug-free schools
39 and campuses regulations. The report and any included
40 data shall be submitted to the state boards and
41 commission not later than December 1, 2000. The
42 report shall be forwarded by the state board and
43 commission to the standing committees on education not
44 later than January 15, 2001. All subsequent reports
45 shall be due not later than December 1 and January 15
46 following the date of submission to the United States
47 department of education. The reports shall include
48 narrative and data on the effectiveness of the
49 programs in reducing underage drinking."

50 2. Title page, line 2, by striking the words

Page 3

1 "community colleges and other".

H-8329

- 1 Amend House File 2229 as follows:
- 2 1. Page 4, line 20, by inserting after the word
- 3 "materials" the following: ", which shall be based
- 4 upon the most recent information published by the
- 5 American college of obstetrics and gynecology,".

PARMENTER of Story

H-8330

- 1 Amend House File 2229 as follows:
- 2 1. Page 1, by striking lines 13 and 14.
- 3 2. By striking page 1, line 32 through page 5,
- 4 line 9 and inserting the following:
- 5 "Except in the case of a medical emergency, an
- 6 abortion shall not be performed in this state without
- 7 the voluntary and informed consent of the patient upon
- 8 whom the abortion is to be performed."
- 9 3. Page 5, line 17, by striking the word "twenty-
- 10 four-hour".
- 11 4. By striking page 5, line 21 through page 9,
- 12 line 33, and inserting the following:
- 13 "Sec. . NEW SECTION. 146A.5A CRIMINAL
- 14 PENALTIES.
- 15 1. A person who knowingly or recklessly performs
- 16 or attempt to perform an abortion in violation of this
- 17 chapter is guilty of a serious misdemeanor.
- 18 2. A penalty shall not be assessed under this
- 19 chapter against a patient upon whom an abortion is
- 20 performed or attempted to be performed.
- 21 Sec. . NEW SECTION. 146A.5B PROTECTION OF
- 22 PRIVACY IN COURT PROCEEDINGS - PENALTY.
- 23 1. In every criminal proceeding brought pursuant
- 24 to this chapter, the court proceedings shall be
- 25 conducted in a manner which protects the
- 26 confidentiality of the patient, and all court
- 27 documents pertaining to the proceedings shall remain
- 28 confidential and shall be sealed. The court shall
- 29 direct the exclusion of individuals from courtrooms or
- 30 hearing rooms to the extent necessary to safeguard the
- 31 patient's identity from public disclosure.
- 32 2. This section shall not be construed to conceal
- 33 the identity of witnesses from the defendant.
- 34 3. A person who knowingly violates the
- 35 confidentiality requirements of this section relating
- 36 to court proceedings and documents is guilty of a
- 37 serious misdemeanor."

38 5. Title page, line 2, by striking the words
 39 "civil remedies and".

WISE of Lee

H-8333

1 Amend the amendment, H-8057, to House File 2392 as
 2 follows:

3 1. Page 1, by striking lines 10 through 12 and
 4 inserting the following:

5 " _____. By striking page 2, line 26, through page
 6 3, line 5, and inserting the following:

7 ~~"When reviewing the applications, the The~~
 8 ~~department shall consider, at a minimum, award~~
 9 ~~financial assistance to applicants who demonstrate the~~
 10 ~~project meets the definition of vertical~~
 11 ~~infrastructure in section 8.57, subsection 5,~~
 12 ~~paragraph "c". When reviewing the applications, the~~
 13 ~~department and the commission shall consider, at a~~
 14 ~~minimum, all of the following:~~

15 1. Whether the wages, benefits, including health
 16 benefits, safety, and other attributes of the project
 17 would improve the quality of attraction and tourism
 18 employment in the community.

19 2. The extent to which such a project would
 20 generate additional attraction and tourism
 21 opportunities.

22 3. The ability of the project to produce a long-
 23 term tax generating economic impact.

24 4. The location of the projects and geographic
 25 diversity of the applications.

26 ~~5. The extent to which any part of the proposed~~
 27 ~~project meets the definition of vertical~~
 28 ~~infrastructure in section 8.57, subsection 5,~~
 29 ~~paragraph "c".~~

WARNSTADT of Woodbury

H-8336

1 Amend the amendment, H-8239, to House File 2392 as
 2 follows:

3 1. Page 1, line 9, by striking the word "Each"
 4 and inserting the following: "If the general assembly
 5 creates and provides a funding mechanism for a program
 6 to provide financial assistance to major attraction
 7 projects with a total cost of at least twenty million
 8 dollars, then, each fiscal year, at least one-third of
 9 the financial assistance awarded from the community
 10 attraction and tourism development fund shall be
 11 awarded to projects located in counties with a

- 12 population ranking in the thirty-three counties with
 13 the lowest populations according to the most recent
 14 census. If the general assembly does not create or
 15 provide a funding mechanism for a program to provide
 16 financial assistance to major attraction projects with
 17 a total cost of at least twenty million dollars, then,
 18 each".
 19 2. Page 1, line 11, by striking the word "this"
 20 and inserting the following: "the community
 21 attraction and tourism development".

WARNSTADT of Woodbury

H-8338

- 1 Amend Senate File 2241, as passed by the Senate, as
 2 follows:
 3 1. Page 4, line 25, by striking the words
 4 "authorized by law".
 5 2. Page 4, lines 27 and 28, by striking the words
 6 "in relation to such election".

PARMENTER of Story.

H-8345

- 1 Amend House File 2426 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 "3. A person who commits an assault, as defined in
 5 section 708.1, against a judicial officer as defined
 6 in section 602.1101, while the judicial officer is
 7 acting within the scope of employment, is guilty of a
 8 serious misdemeanor."
 9 2. Title page, line 2, by inserting after the
 10 word "official" the following: "or judicial officer".

DODERER of Johnson

H-8346

- 1 Amend the amendment, H-8113, to House File 2041, as
 2 follows:
 3 1. Page 1, by striking lines 6 through 12 and
 4 inserting the following: "similar equipment to make
 5 telephonic sales calls when the number of live
 6 telemarketers would be insufficient to permit a live
 7 telemarketer to engage in each telephonic sales call
 8 made within two seconds of the time each such call is
 9 answered."

SCHRADER of Marion

H-8347

1 Amend the amendment, H-8334, to House File 2514 as
2 follows:

3 1. Page 1, by inserting after line 1 the
4 following:

5 "___ . By striking page 1, line 34 through page 2,
6 line 32."

7 2. Page 1, by striking lines 10 through 12 and
8 inserting the following:

9 "___ . Page 4, by striking lines 11 through 13 and
10 inserting the following:

11 "2. Rules shall be adopted by the board pursuant
12 to chapter 17A and section 148C.7 governing the
13 practice of licensed physician assistants."

14 ___ . Page 5, line 10, by striking the word and
15 figures "148C.6A, and 148C.7" and inserting the
16 following: "and 148C.6A"."

17 3. By renumbering as necessary.

METCALF of Polk

H-8348

1 Amend the amendment, H-8334, to House File 2514 as
2 follows:

3 1. Page 1, line 12, by striking the word
4 "examiners" and inserting the following: "examiners.

5 The rules shall provide that a physician assistant
6 shall only be supervised by a physician licensed by
7 and residing in the state of licensure of the
8 physician assistant".

METCALF of Polk

H-8355

1 Amend House File 2443 as follows:

2 1. Page 1, line 13, by striking the word "may"
3 and inserting the following: "shall".

4 2. Page 1, line 15, by striking the word "may"
5 and inserting the following: "shall".

FALLON of Polk

H-8356

1 Amend House File 2443 as follows:

2 1. Page 1, line 26, by inserting after the word
3 "shall" the following: "not".

4 2. Page 2, line 5, by inserting after the word
5 "shall" the following: "not".

- 6 3. Page 2, line 6, by inserting after the word
7 "total" the following: "rent".

FALLON of Polk

H-8357

- 1 Amend House File 2443 as follows:
2 1. Page 1, line 13, by inserting after the words
3 "by a" the following: "clear and conspicuous".
4 2. Page 1, line 15, by inserting after the word
5 "by" the following: "clear and conspicuous".
6 3. Page 1, line 21, by inserting before the word
7 "notice" the following: "clear and conspicuous".
8 4. Page 1, line 30, by inserting before the word
9 "notice" the following: "clear and conspicuous".
10 5. Page 1, line 35, by inserting before the word
11 "notice" the following: "clear and conspicuous".
12 6. Page 2, line 9, by inserting after the word
13 "provides" the following: "clear and conspicuous".

FALLON of Polk

H-8358

- 1 Amend House File 2443 as follows:
2 1. Page 1, line 23, by inserting after the word
3 "rent" the following: "or other amounts owed to the
4 landlord".

FALLON of Polk

H-8359

- 1 Amend House File 2530 as follows:
2 1. Page 156, by striking lines 34 and 35 and
3 inserting the following: "2006, the affiliate at the
4 time of the transfer shall offer employment to a
5 sufficient number of nonsupervisory employees of the
6 transferred division, business unit, generating
7 station, or generating unit to safely and reliably
8 operate and maintain the transferred division,
9 business unit, generating station, or generating unit.
10 Unless modified or waived by a collective bargaining
11 agreement, the employment offered shall satisfy the
12 following conditions:
13 a. The wage rates shall be no less than the wage
14 rates in effect immediately prior to the transfer.
15 b. Fringe benefits shall be substantially
16 equivalent to the fringe benefits in effect
17 immediately prior to the transfer.
18 c. Terms and conditions of employment, other than

19 wage rates and fringe benefits, shall be substantially
20 equivalent to the terms and conditions in effect
21 immediately prior to the transfer.
22 d. The wage rates, fringe benefits, and terms and
23 conditions shall continue for at least thirty months
24 from the time of transfer unless the parties agree to
25 different terms and conditions of employment within
26 the thirty-month period.
27 If ownership of the affiliate is".

WISE of Lee

H-8361

1 Amend House File 2530 as follows:
2 1. Page 84, line 28, by inserting after the word
3 "city" the following: "or county government entity".
4 2. Page 84, line 32, by inserting after the word
5 "city" the following: "or county".
6 3. Page 84, line 35, by inserting after the word
7 "city" the following: "or county".
8 4. Page 85, by striking line 4 and inserting the
9 following: "single city or county, or by a group of
10 cities or counties."
11 5. Page 85, line 5, by inserting after the word
12 "city" the following: "or county".
13 6. Page 85, line 7, by inserting after the word
14 "city" the following: "or county".
15 7. Page 85, line 14, by inserting after the word
16 "city" the following: "or county government entity".
17 8. Page 85, line 20, by striking the word "city"
18 and inserting the following: "governmental entity".
19 9. Page 85, line 21, by striking the word "city"
20 and inserting the following: "governmental entity".
21 10. Page 85, line 22, by inserting after the word
22 "chapter" the following: "331 or".
23 11. Page 85, line 25, by striking the word "city"
24 and inserting the following: "governmental entity".
25 12. Page 86, line 11, by inserting after the word
26 "city" the following: "or county".

BRADLEY of Clinton

H-8362

1 Amend House File 2439 as follows:
2 1. Page 3, by inserting after line 18 the
3 following:
4 "Sec. ____ Section 327F.39, Code 1999, is amended
5 by adding the following new subsection:
6 **NEW SUBSECTION. 5A. HOURS OF SERVICE FOR DRIVERS.**
7 The director shall adopt rules relating to the maximum

- 8 number of hours of service which can be provided by
 9 persons providing transportation for railroad workers
 10 to and from their places of employment or during the
 11 course of their employment."
 12 2. Title page, line 1, by inserting after the
 13 words "relating to" the following: "transportation,
 14 including hours of service for persons providing
 15 transportation for railroad employees and".
 16 3. By renumbering as necessary.

T. TAYLOR of Linn

H-8364

- 1 Amend Senate File 2282, as passed by the Senate as
 2 follows:
 3 1. Page 1, line 8, by inserting after the figure
 4 "902.12" the following: ", subsection 6".
 5 2. Page 1, line 13, by striking the word "is" and
 6 inserting the following: "and the victim if possible
 7 are".
 8 3. Page 1, line 15, by striking the word "thirty"
 9 and inserting the following: "ninety".
 10 4. Page 1, line 32, by inserting after the figure
 11 "902.12" the following: "subsection 6".
 12 5. Page 2, by inserting after line 2 the
 13 following:
 14 "Sec. ____ Section 902.12, subsection 5, Code
 15 1999, is amended to read as follows:
 16 5. Robbery in the first ~~or second~~ degree in
 17 violation of section 711.2 ~~or 711.3~~.
 18 Sec. ____ Section 902.12, Code 1999, is amended by
 19 adding the following new subsection:
 20 NEW SUBSECTION. 6. Robbery in the second degree
 21 in violation of section 711.3.
 22 Sec. ____ Section 906.5, subsection 1, unnumbered
 23 paragraph 1, Code Supplement 1999, is amended to read
 24 as follows:
 25 The board shall establish and implement a plan by
 26 which the board systematically reviews the status of
 27 each person who has been committed to the custody of
 28 the director of the Iowa department of corrections and
 29 considers the person's prospects for parole or work
 30 release. The board at least annually shall review the
 31 status of a person other than a class "A" felon, a
 32 class "B" felon serving a sentence of more than
 33 twenty-five years, or a felon serving an offense
 34 punishable under section 902.9, subsection 1, or a
 35 felon serving a mandatory minimum sentence other than
 36 a class "A" felon, and provide the person with notice
 37 of the board's parole or work release decision.
 38 However, the board shall annually review the status of

- 39 a felon serving a sentence provided for in section
 40 902.12, subsection 6, after one-fifth of the maximum
 41 term of the sentence has been served."
 42 6. By renumbering as necessary.

Committee on Judiciary

H-8365

- 1 Amend House File 2359 as follows:
 2 1. Page 1, by striking lines 1 through 20, and
 3 inserting the following:
 4 "Section 1. Section 341A.18, unnumbered paragraph
 5 8, Code 1999, is amended to read as follows:
 6 An officer or employee subject to civil service and
 7 a chief deputy sheriff or second deputy sheriff, who
 8 becomes a candidate for a partisan elective office for
 9 remuneration, ~~unless running unopposed upon request,~~
 10 shall automatically be given a leave of absence
 11 without pay, commencing thirty days before the date of
 12 the primary election and continuing until the person
 13 is eliminated as a candidate or wins the primary, and
 14 commencing thirty days before the date of the general
 15 election and continuing until the person is eliminated
 16 as a candidate or wins the general election, and
 17 during the leave period shall not perform any duties
 18 connected with the office or position so held. The
 19 officer or employee subject to civil service, or chief
 20 deputy sheriff or second deputy sheriff, may, however,
 21 use accumulated paid vacation time for part or all of
 22 ~~the any~~ leave of absence ~~required~~ under this section.
 23 The county shall continue to provide health benefit
 24 coverages, and may continue to provide other fringe
 25 benefits, to any officer or employee subject to civil
 26 service, or to any chief deputy sheriff or second
 27 deputy sheriff during any leave of absence ~~required~~
 28 under this section."
 29 2. By renumbering as necessary.

JACOBS of Polk

H-8367

- 1 Amend House File 2523 as follows:
 2 1. Page 2, lines 3 through 5, by striking the
 3 words "the rural services fund if sold by a county
 4 agency, and the general fund of a city" and inserting
 5 the following: "a fund designated by the county board
 6 of supervisors if sold by a county agency, and a fund
 7 designated by the city council".

SHOULTZ of Black Hawk
 DOTZLER of Black Hawk

H-8369

1 Amend Senate File 313, as passed by the Senate, as
2 follows:

3 1. Page 1, line 9, by striking the words "this
4 section" and inserting the following: "this
5 producers, sellers, and distributors of purple
6 loosestrife (lythrum virgatum) shall have until July
7 1, 2001, to deplete stock of purple loosestrife
8 (lythrum virgatum) existing on the effective date of
9 this Act. This section".

Committee on Natural Resources

H-8370

1 Amend House File 2543 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 257.1, subsection 2,
5 unnumbered paragraph 3, Code Supplement 1999, is
6 amended to read as follows:

7 For the budget year commencing July 1, ~~1999~~ 2000,
8 the department of management shall add the amount of
9 the additional budget adjustment computed in section
10 257.14, subsection 1, to the combined foundation
11 base."

12 2. By striking page 1, line 26, through page 2,
13 line 1, and inserting the following:

14 "Sec. ____ Section 257.14, subsection 1, Code
15 Supplement 1999, is amended to read as follows:

16 1. For the budget years commencing July 1, 1997,
17 July 1, 1998, ~~and July 1, 1999,~~ and July 1, 2000, if
18 the department of management determines that the
19 regular program district cost of a school district for
20 a budget year is less than the total of the regular
21 program district cost plus any adjustment added under
22 this section for the base year for that school
23 district, the department of management shall provide a
24 budget adjustment for that district for that budget
25 year that is equal to the difference."

FREVERT of Palo Alto

H-8371

1 Amend House File 2543 as follows:

2 1. Page 1, by striking lines 1 through 25 and
3 inserting the following:

4 "Section 1. Section 257.13, subsections 1 and 3,
5 Code Supplement 1999, are amended to read as follows:

6 1. For the school budget year beginning July 1,

7 ~~1999 2000~~, if a district's actual enrollment for the
8 budget year, determined under section 257.6, is
9 greater than its budget enrollment for the budget
10 year, the district may submit a request to the school
11 budget review committee for on-time funding for new
12 students. The school budget review committee shall
13 consider the relative increase in enrollment on a
14 district-by-district basis, in determining whether to
15 approve the request, and shall determine the amount of
16 additional funding to be provided if the request is
17 granted. An application for on-time funding pursuant
18 to this subsection must be received by the department
19 of education by November 1. Written notice of the
20 committee's decision shall be given through the
21 department of education to the school board for a
22 district.

23 3. There is appropriated for the fiscal year
24 beginning July 1, ~~1999 2000~~, and ending June 30, 2000
25 2001, from the general fund of the state to the
26 department of education up to four million dollars to
27 pay additional funding authorized under this section,
28 which shall be paid to school districts in the same
29 manner as other state aids payable under section
30 257.16. If the requests approved by the school budget
31 review committee exceed the appropriation in this
32 subsection, the payments to school districts receiving
33 approval for on-time funding shall be prorated such
34 that each school district approved for on-time funding
35 shall receive an amount of on-time funding equal to
36 the percentage that the on-time funding to be provided
37 to the district bears to the total amount of on-time
38 funding to be provided to all districts receiving
39 approval."

RICHARDSON of Warren

H-8373

1 Amend House File 2229 as follows:

2 1. Page 2, lines 3 and 4, by striking the words
3 "at least twenty-four hours".

4 2. Page 3, line 1, by striking the words "at
5 least twenty-four hours".

6 3. Page 3, line 16, by striking the words "at
7 least twenty-four hours".

8 4. Page 3, line 17, by striking the words "at
9 least seventy-two hours".

10 5. Page 5, line 17, by striking the words
11 "twenty-four-hour".

12 6. Page 6, lines 18 and 19, by striking the words

13 "at least twenty-four hours".

WISE of Lee

H-8375

- 1 Amend House File 2314 as follows:
- 2 1. Page 1, line 6, by striking the word "shall"
- 3 and inserting the following: "may".
- 4 2. Page 1, line 9, by inserting after the word
- 5 "jurisdiction" the following: "if ordered by the
- 6 court at the time of the inmate's sentencing".

PARMENTER of Story

H-8379

- 1 Amend House File 2544 as follows:
- 2 1. Page 19, by inserting after line 31 the
- 3 following:
- 4 "Sec. ____ Section 566.35, subsection 1, Code
- 5 Supplement 1999, is amended to read as follows:
- 6 1. If a person notifies a governmental subdivision
- 7 or agency of the existence within the jurisdiction of
- 8 the governmental subdivision or agency of a burial
- 9 site of the person's ancestor on property owned by
- 10 another person, the owner of the property shall permit
- 11 the person or any caretaker reasonable ingress and
- 12 egress for the purposes of visiting or maintaining the
- 13 burial site, and the governmental subdivision or
- 14 agency shall notify the owner of this obligation."

BRAUNS of Muscatine

H-8381

- 1 Amend House 2503 as follows:
- 2 1. By striking page 1, line 10 through page 2,
- 3 line 10.
- 4 2. Page 2, by striking line 11, and inserting the
- 5 following:
- 6 "Sec. ____ Section 354.9, subsection 2, Code 1999,
- 7 is".
- 8 3. Page 2, by striking lines 13 through 25.
- 9 4. Page 2, by striking lines 29 and 30, and
- 10 inserting the following: "this section, then the
- 11 subdivision shall be submitted to both the".
- 12 5. By renumbering as necessary.

CARROLL of Poweshiek

H-8383

1 Amend the amendment, H-8162, to House File 2229, as
2 follows:

3 1. By striking page 1, line 6 through page 4,
4 line 23, and inserting the following:

5 "Men's Medical Procedure Waiting Period Act".

6 Section 1. NEW SECTION. 146A.2 MEN - MEDICAL
7 PROCEDURES - WAITING PERIOD.

8 Except in the case of a medical emergency, a
9 medical procedure shall not be performed on a man in
10 this state unless the man consents to the procedure at
11 least twenty-four hours prior to the performance of
12 the procedure."

13 2. Title page, line 1, by striking the word
14 "informed" and inserting the following: "twenty-four
15 hour prior".

16 3. Title page, lines 1 and 2, by striking the
17 words "an abortion and providing civil remedies and
18 criminal penalties" and inserting the following: "a
19 medical procedure performed on a man"."

MASCHER of Johnson

DODERER of Johnson

CONNORS of Polk

GRUNDBERG of Polk

NELSON-FORBES of Marshall

MARTIN of Scott

HUSER of Polk

H-8384

1 Amend the amendment, H-8162, to House File 2229, as
2 follows:

3 1. By striking page 1, line 6 through page 4,
4 line 23, and inserting the following:

5 "Vasectomy Waiting Period Act"

6 Section 1. NEW SECTION. 146A.2 VASECTOMY -
7 WAITING PERIOD.

8 Except in the case of a medical emergency, a
9 vasectomy shall not be performed on a man in this
10 state unless the man consents to the vasectomy at
11 least twenty-four hours prior to the performance of
12 the procedure."

13 2. Title page, line 1, by striking the word
14 "informed" and inserting the following: "twenty-four
15 hour prior".

16 3. Title page, lines 1 and 2, by striking the
17 words "an abortion and providing civil remedies and
18 criminal penalties" and inserting the following: "a
19 vasectomy performed on a man"."

MASCHER of Johnson

H-8386

- 1 Amend House File 2538 as follows:
 2 1. By striking page 2, line 34, through page 3,
 3 line 1.
 4 2. By striking page 5, line 26, through page 6,
 5 line 22.
 6 3. Title page, by striking lines 5 and 6 and
 7 inserting the following: "road fund, and".
 8 4. By renumbering as necessary.

MURPHY of Dubuque

H-8387

- 1 Amend House File 2427 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. NEW SECTION. 708.2D ASSAULT AGAINST
 5 A SPORTS OFFICIAL.
 6 1. A person who commits an assault, as defined in
 7 section 708.1, against a sports official, within the
 8 confines or immediate area of the athletic facility or
 9 field at which an athletic contest is being or has
 10 recently been held in which the sports official took
 11 an active officiating role, is guilty of a serious
 12 misdemeanor.
 13 2. For purposes of this section, a "sports
 14 official" means any person who serves as a referee,
 15 umpire, linesman, or other similar official at any
 16 athletic contest, and who is a registered member of a
 17 local, state, regional, or national organization which
 18 is engaged, in part, in providing education and
 19 training related to officiating such athletic
 20 contests."
 21 2. By renumbering as necessary.

DOLECHECK of Ringgold

H-8388

- 1 Amend the amendment, H-8343, to Senate File 2111,
 2 as passed by the Senate, as follows:
 3 1. Page 1, by inserting after line 4 the
 4 following:
 5 "Sec. ____ Section 257.1, subsection 2, unnumbered
 6 paragraph 3, Code Supplement 1999, is amended to read
 7 as follows:
 8 For the budget year commencing July 1, 1999 2000,
 9 the department of management shall add the amount of
 10 the additional budget adjustment computed in section
 11 257.14, subsection 1, to the combined foundation

12 base."
 13 2. Page 1, by striking lines 36 through 45 and
 14 inserting the following:
 15 "1. For the budget years commencing July 1, 1997,
 16 July 1, 1998, and July 1, 1999, and July 1, 2000, if
 17 the department of management determines that the
 18 regular program district cost of a school district for
 19 a budget year is less than the total of the regular
 20 program district cost plus any adjustment added under
 21 this section for the base year for that school
 22 district, the department of management shall provide a
 23 budget adjustment for that district for that budget
 24 year that is equal to the difference." "

FREVERT of Palo Alto

H-8392

1 Amend House File 2545 as follows:
 2 1. Page 11, line 29, by striking the figure
 3 "2,390,188" and inserting the following: "2,493,539".
 4 2. Page 11, by inserting after line 30 the
 5 following:
 6 "Of the funds appropriated in this subsection,
 7 \$43,151 shall be used for the investigation of
 8 complaints at certified nursing facilities and \$60,200
 9 shall be used for ongoing maintenance of the single
 10 contact repository."
 11 3. Page 11, line 35, by striking the figure
 12 "634,488" and inserting the following: "844,004".
 13 4. Page 12, line 1, by striking the figure
 14 "12.00" and inserting the following: "15.00".

MURPHY of Dubuque

H-8394

1 Amend House File 2545 as follows:
 2 1. Page 28, by striking line 7 and inserting the
 3 following:
 4\$ 806,749"
 5 2. Page 28, line 10, by striking the figure
 6 "20,000" and inserting the following: "50,000".

O'BRIEN of Boone

H-8395

1 Amend Senate File 2325, as passed by the Senate, as
 2 follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:

5 "Section 1. Section 713.6A, Code 1999, is amended
6 to read as follows:

7 713.6A BURGLARY IN THE THIRD DEGREE.

8 1. All burglary which is not burglary in the first
9 degree or burglary in the second degree is burglary in
10 the third degree. Burglary in the third degree is a
11 class "D" felony.

12 2. A person convicted of burglary in the third
13 degree involving a burglary of a motor vehicle or
14 motor truck as defined in section 321.1, or a vessel
15 defined in section 462A.2, shall be sentenced as
16 provided in subsection 3.

17 3. Notwithstanding any other provision of the Code
18 to the contrary, a person may be sentenced to a level
19 or any combination of any intermediate criminal
20 sanction level or sublevel under section 901B.1,
21 subsection 1. If a person is sentenced to prison, the
22 maximum indeterminate term may be less than the
23 maximum term provided for class "D" felonies under
24 section 902.9 or 903.1, if the facts and circumstances
25 warrant a reduction in the maximum term."

26 2. Title page, by striking the words "crimes of
27 burglary and forgery" and inserting the following:
28 "crime of burglary".

Committee on Judiciary

H-8396

1 Amend Senate File 2327, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 23 the
4 following:

5 "Sec. ____ Section 478.2, unnumbered paragraph 6,
6 Code 1999, is amended to read as follows:

7 No person, company, or corporation seeking rights
8 under this chapter shall negotiate or purchase any
9 easements or other interests in land in any county
10 known to be affected by the proposed project prior to
11 the informational meeting. The person seeking rights
12 under this chapter shall deliver in person the
13 statement of individual rights required by section
14 6B.2B to any landowner who did not attend the
15 informational meeting."

16 2. Page 3, by inserting after line 29 the
17 following:

18 "Sec. ____ Section 479.5, unnumbered paragraph 7,
19 Code 1999, is amended to read as follows:

20 A pipeline company seeking rights under this
21 chapter shall not negotiate or purchase any easements
22 or other interests in land in any county known to be
23 affected by the proposed project prior to the

24 informational meeting. The person seeking rights
 25 under this chapter shall deliver in person the
 26 statement of individual rights required by section
 27 6B.2B to any landowner who did not attend the
 28 informational meeting."
 29 3. By renumbering as necessary.

Committee on Local Government

H-8397

1 Amend House File 2503 as follows:
 2 1. Page 11, line 26, by inserting after the word
 3 "city." the following: "In addition, if municipal
 4 services are not provided to territory involuntarily
 5 annexed within three years after the annexation
 6 process is completed, the city shall reimburse each
 7 property owner within the annexed territory the total
 8 amount of the difference between what was paid in
 9 property taxes during the annexation period and what
 10 would have been paid during that period of time if the
 11 territory had not been annexed."

BLODGETT of Cerro Gordo

H-8402

1 Amend Senate File 2367, as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 14 through 17, and
 4 inserting the following:
 5 "c. The maternal health services region of the
 6 Iowa department of public health, as designated as of
 7 July 1, 1997, in which the patient resides."

Committee on Human Resources

H-8406

1 Amend House File 2545 as follows:
 2 1. Page 3, by inserting after line 16 the
 3 following:
 4 "A member of the general assembly may donate the
 5 laptop computer assigned to the member to the banking
 6 division of the department of commerce. Upon written
 7 request of a legislator, the chief clerk of the house
 8 or secretary of the senate, as applicable, shall
 9 provide for the transfer of the laptop computer as
 10 requested."

CORMACK of Webster

H-8407

1 Amend Senate File 2338, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 1, line 12, by striking the word
4 "involve" and inserting the following: "allow up to".
5 2. Page 3, by striking lines 6 through 13 and
6 inserting the following: "education by September 1,
7 2001. The department shall select up to a total of
8 six public schools, from school districts with varying
9 enrollment sizes. Of the public schools selected for
10 participation in the pilot program, up to two schools
11 shall be located in a school district with an actual
12 enrollment of under two thousand pupils, up to two
13 schools shall be located in a school district with an
14 actual enrollment of between two thousand and four
15 thousand nine hundred ninety-nine pupils, and up to
16 two schools shall be located in a school district with
17 an actual enrollment of five thousand or more pupils,
18 respectively. The department shall notify all
19 applicant".
20 3. Page 3, by striking lines 20 and 21 and
21 inserting the following: "school districts conforms
22 to the school district enrollment size requirements of
23 this subsection."
24 4. Page 3, line 23, by striking the word
25 "program" and inserting the following: "project".
26 5. Page 3, line 25, by striking the word
27 "program" and inserting the following: "project".

Committee on Education

H-8408

1 Amend Senate File 2318, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "PILOT CHARTER SCHOOL PROGRAM
6 Section 1. NEW SECTION. 256F.1 FINDINGS AND
7 INTENT.
8 The general assembly finds that the restrictions
9 and requirements of state laws and regulations often
10 prevent public schools from achieving effective
11 education reform. To determine whether allowing
12 public schools to operate under a charter can help a
13 public school more effectively achieve the goal of
14 education reform, the general assembly finds that a
15 pilot program should be enacted allowing public
16 schools to specify their own duties, responsibilities,
17 and operations. The ultimate goal of a charter school
18 shall be to improve student performance.

19 Sec. 2. NEW SECTION. 256F.2 DEFINITIONS.

20 1. "Department" means the department of education,
21 for purposes of this chapter.

22 2. "Pilot charter school", for purposes of this
23 division, means a state public school or a school
24 district operated as a pilot charter school program,
25 as indicated by the context which is operating under a
26 contract with the state board in accordance with this
27 chapter.

28 3. "State board" means the state board of
29 education, for purposes of this chapter.

30 Sec. 3. NEW SECTION. 256F.3 PILOT PROGRAM.

31 1. Commencing with the school year beginning July
32 1, 2001, the state board of education shall initiate a
33 pilot program to test the effectiveness of charter
34 schools. The purpose of the pilot charter school
35 program is to encourage public schools and school
36 districts to determine creative ways to achieve
37 improved educational outcomes. A school district
38 approved as a pilot program for a state public charter
39 school shall be counted as one program under this
40 section. To receive approval to establish a pilot
41 charter school, the board of directors of a school
42 district shall submit an application to the state
43 board in accordance with section 256F.5. The state
44 board shall approve only those applications that meet
45 the qualifications specified in section 256F.4. The
46 state board shall adopt rules in accordance with
47 chapter 17A for the implementation of this chapter.

48 2. When considering applications, state board
49 approval shall also be based on whether the
50 applications provide for geographical distribution of

Page 2

1 pilot programs across the state and ensures
2 distribution to small, medium, and large school
3 districts.

4 3. The approval by the state board of an
5 application shall not be conditioned upon the
6 bargaining unit status of the employees of the charter
7 school.

8 4. A school board may, by majority vote, submit
9 the question of whether to operate the entire school
10 district as a state public charter school to the
11 eligible electors of the school district at any
12 regular school election or at a special election
13 called specifically for this purpose. The school
14 board shall submit an application to the state board
15 for approval of the state public charter school as a
16 pilot program only if a majority of the eligible
17 electors voting in an election called pursuant to this

18 subsection vote in favor of the question.

19 5. If federal rules or regulations are adopted
20 relating to the distribution or utilization of funds
21 allocated to the state department of education
22 pursuant to this section which are inconsistent with
23 the provisions of this section, the state department
24 of education shall adopt rules to comply with the
25 requirements of the federal rules or regulations.
26 Sec. 4. NEW SECTION. 256F.4 GENERAL OPERATING
27 REQUIREMENTS.

28 1. A pilot charter school is a public school and
29 is part of the state's system of public education.
30 Although a pilot charter school may elect to comply
31 with one or more provisions of statute or
32 administrative rule, a pilot charter school is exempt
33 from all statutes and rules applicable to a school, a
34 school board, or a district, except the pilot charter
35 school shall do the following:
36 a. Meet all applicable federal, state, and local
37 health and safety requirements and laws prohibiting
38 discrimination on the basis of race, creed, color,
39 sex, national origin, religion, ancestry, or
40 disability. A charter school shall be subject to any
41 court-ordered desegregation plan in effect for the
42 school district at the time the school's charter
43 application is approved.
44 b. Operate as a nonsectarian, nonreligious public
45 school.
46 c. Be free of tuition and application fees to Iowa
47 resident students between the ages of five and twenty-
48 one years.
49 d. Be subject to and shall comply with chapters
50 216 and 216A relating to civil and human rights.

Page 3

1 e. Be considered a school district for purposes of
2 tort liability under chapter 670.
3 f. Receive state moneys or be eligible to receive
4 state moneys as provided in chapters 256D, 256E, 257,
5 285, 294A, and 295, as if it did not operate under a
6 charter. A pilot charter school district may levy
7 taxes and issue bonds as provided in chapters 73A, 75,
8 76, 257, 279, 295, 296, and 298, as if it did not
9 operate under a charter. The enrollment of the pilot
10 charter school shall be included in the actual
11 enrollment of the school district in which the pilot
12 charter school is located except as provided in
13 paragraph "g". A pilot charter school district shall
14 be liable for timely payment on its bonded
15 indebtedness and subject to the same bonded
16 indebtedness limitations as if it did not operate

17 under a charter.

18 g. Operate within the same geographic district
19 boundaries that existed prior to its becoming a pilot
20 charter school or district. The enrollment of the
21 pilot charter school or district shall be calculated
22 and submitted as provided in chapter 257 as if it did
23 not operate under a charter.

24 h. Provide special education services in
25 accordance with chapter 256B. However, the school
26 district of residence shall be responsible for the
27 difference between the state moneys received pursuant
28 to the weighting plan under section 256B.9, and the
29 pilot charter school's extraordinary costs of
30 instruction of children requiring special education.

31 i. Be subject to the same financial audits, audit
32 procedures, and audit requirements as a school
33 district. The audit shall be consistent with the
34 requirements of sections 11.6, 11.14, 11.19, 256.9,
35 subsection 19, and section 279.29, except to the
36 extent deviations are necessary because of the program
37 at the school. The department, the auditor of state,
38 or the legislative fiscal bureau may conduct
39 financial, program, or compliance audits.

40 3. A pilot charter school shall not discriminate
41 in its student admissions policies or practices on the
42 basis of intellectual or athletic ability, measures of
43 achievement or aptitude, status as a person with a
44 disability, or any other basis that would be illegal
45 if practiced by a school district. However, a pilot
46 charter school may limit admission to students who are
47 within a particular range of age or grade level or on
48 any other basis that would be legal if initiated by a
49 school district. Enrollment priority shall be given
50 to the siblings of students enrolled in a pilot

Page 4

1 charter school.

2 4. A pilot charter school shall enroll an eligible
3 student who submits a timely application, unless the
4 number of applications exceeds the capacity of a
5 program, class, grade level, or building. In this
6 case, students must be accepted by lot. A pilot
7 charter school shall be subject to section 282.18 as
8 if it did not operate under a charter, except as
9 provided in this chapter.

10 5. A bargaining unit formed by employees of a
11 pilot charter school shall be separate from a school
12 district bargaining unit, unless the entire school
13 district is approved as a pilot charter school.

14 6. A pilot charter school shall provide
15 instruction for at least the number of days required

16 by section 279.10, subsection 1, unless the school
17 provides instruction throughout the year according to
18 section 256.20 or section 279.10, subsection 3.

19 7. Notwithstanding section 256F.4, subsection 1, a
20 pilot charter school shall meet the requirements of
21 section 256.7, subsection 21.

22 Sec. 5. NEW SECTION. 256F.5 APPLICATION –
23 DEFINITION.

24 1. An application for the approval of a pilot
25 charter school shall include, but shall not be limited
26 to, a description of the following:

27 a. The method for admission to a pilot charter
28 school.

29 b. The mission, purpose, innovation, and
30 specialized focus of the pilot charter school.

31 c. Performance goals and objectives in addition to
32 those required under section 256.7, subsection 21, by
33 which the school's student achievement shall be
34 judged, the measures to be used to assess progress,
35 and the current baseline status with respect to the
36 goals.

37 d. Procedures for teacher evaluation and
38 professional development for teachers and
39 administrators.

40 e. The pilot charter school governance and bylaws.

41 f. The financial plan for the operation of the
42 school.

43 g. The educational program, instructional
44 methodology, and services to be offered to students.

45 h. The number and qualifications of teachers and
46 administrators to be employed.

47 i. The organization of the school in terms of ages
48 of students or grades to be taught along with an
49 estimate of the total enrollment of the school.

50 j. The provision of school facilities and public

Page 5

1 transportation.

2 k. A statement indicating how the pilot charter
3 school will meet the requirements of section 256F.4,
4 subsection 1, paragraph "a" and section 256F.4,
5 subsection 3.

6 l. Assurance of the assumption of liability by the
7 pilot charter school.

8 m. The types and amounts of insurance coverage to
9 be obtained by the pilot charter school.

10 n. A plan of operation to be implemented if the
11 state public charter school revokes or fails to renew
12 its contract.

13 2. If an attendance center located within a
14 district submits an application to a school district,

15 the board of directors of the school district shall
16 notify the applicant of its decision to deny or
17 approve the application within ninety days of
18 receiving the application. If the board denies the
19 application, or fails to notify the applicant of its
20 decision in a timely manner, the applicant may apply
21 to the state board. If the state board approves the
22 application, the state board shall notify the board of
23 directors of the school district in which the
24 attendance center is located, and the school board
25 shall become the authorizing body for the pilot
26 charter school, shall issue a contract with the pilot
27 charter school, and shall otherwise comply with the
28 provisions of the chapter. The decision of the state
29 board is final.

30 3. A school district seeking approval for a pilot
31 charter school shall also submit with the application
32 evidence of broad-based support among parents,
33 teachers, and pupils within the school district for
34 the formation of a pilot charter school by way of a
35 petition, public opinion survey, or other similar,
36 reliable indicator of public opinion.

37 4. The state board and a pilot charter school may
38 freely negotiate which state statutes and
39 administrative rules apply to the pilot charter
40 school.

41 Sec. 6. NEW SECTION. 256F.6 CONTRACT.

42 1. An approved pilot charter school application
43 shall constitute an agreement, the terms of which
44 shall be the terms of a four-year renewable contract
45 between the pilot charter school and the state board.
46 The contract shall reflect all agreements regarding
47 the operation of the pilot charter school. The terms
48 of the contract may be revised at any time with the
49 approval of both the state board and the pilot charter
50 school, whether or not the stated provisions of the

Page 6

1 contract are being fulfilled.

2 2. The state board of education shall provide by
3 rule for the ongoing review of a pilot charter
4 school's compliance with a contract entered into in
5 accordance with this chapter.

6 3. The department shall visit a pilot charter
7 school district at least once annually to determine
8 the status and progress toward the goals of its
9 contract.

10 Sec. 7. NEW SECTION. 256F.7 INSTRUCTIONAL AND
11 NONINSTRUCTIONAL STAFF.

12 1. Employees of a pilot charter school may, if
13 otherwise eligible, organize under chapter 20 and

14 comply with its provisions as if it did not operate
15 under a charter.

16 2. Practitioners employed by pilot charter schools
17 shall be licensed in accordance with chapter 272
18 except as follows:

19 a. Up to fifteen percent of the teachers employed
20 by pilot charter schools shall not be required to be
21 licensed under chapter 272.

22 b. A person may be employed as an administrator if
23 the person is pursuing a course of study leading to
24 the completion of all requirements for licensure as an
25 administrator.

26 3. Practitioners employed in a pilot charter
27 school shall be public school employees for purposes
28 of chapter 97B.

29 Sec. 8. NEW SECTION. 256F.8 PROCEDURES FOR
30 REVOCATION OR NONRENEWAL OF CONTRACT.

31 1. A contract for the establishment of a state
32 public pilot charter school may be revoked either by
33 the state board, in accordance with section 256F.6,
34 subsection 2, in the case of a school district, or, in
35 the case of a school only, the school board that
36 established the pilot charter school if the
37 appropriate board determines that one or more of the
38 following occurred:

39 a. Failure of the pilot charter school or district
40 to abide by and meet the educational goals set forth
41 in the contract.

42 b. Failure of the pilot charter school or district
43 to comply with all applicable law.

44 c. Failure of the pilot charter school or district
45 to meet generally accepted public sector accounting
46 principles.

47 d. The existence of one or more other grounds for
48 revocation as specified in the contract.

49 2. The decision by a school board to revoke or to
50 fail to take action to renew a pilot charter school

Page 7

1 contract is subject to appeal under section 290.1.
2 3. If the state board determines that a pilot
3 charter school district is in substantial violation of
4 the terms of the contract entered into in accordance
5 with section 256F.6, the state board shall assume
6 temporary oversight authority, operational authority,
7 or both oversight and operational authority, and
8 notify the pilot charter school district of its
9 intention to revoke the contract at least sixty days
10 prior to revoking a contract. The notice shall state
11 the grounds for the proposed action in writing and in
12 reasonable detail. The school district may request in

13 writing an informal hearing before the state board
14 within fourteen days of receiving notice of revocation
15 of the contract. Upon receiving a timely written
16 request for a hearing, the state board shall give
17 reasonable notice to the school board of the hearing
18 date. The state board shall conduct an informal
19 hearing before taking final action. The school board
20 shall take final action to revoke or approve
21 continuation of a contract by the last day of classes
22 in the school year. If the final action to revoke a
23 contract under this section occurs prior to the last
24 day of classes in the school year, a pilot charter
25 school student may enroll in the resident district or
26 another district as provided in section 256F.9,
27 subsection 2.

28 4. The decision of the state board to revoke a
29 contract under this section is solely within the
30 discretion of the state board and is final.

31 5. A board revoking a contract or a school board
32 which fails to renew a contract under this chapter is
33 not liable for that action to the pilot charter
34 school, a student enrolled in the pilot charter school
35 or the student's parent or guardian, or any other
36 person.

37 Sec. 9. NEW SECTION. 256F.9 PROCEDURES AFTER
38 REVOCATION – STUDENT ENROLLMENT.

39 1. If the contract for a pilot charter school
40 district is revoked in accordance with section 256F.8,
41 the state board shall merge the territory of the
42 school district with one or more contiguous school
43 districts at the end of the school year. Division of
44 assets and liabilities of the school district shall be
45 as provided in sections 275.29 through 275.31. Until
46 the merger is completed, and subject to a decision by
47 the state board of education, the pilot charter school
48 district shall pay tuition for its resident students
49 to an accredited school district under section 282.24.
50 However, in lieu of merger and payment of tuition by a

Page 8

1 pilot charter school district, the state board may
2 place the district under receivership for the
3 remainder of the school year or until the district
4 meets the accreditation requirements of section 256.11
5 or the terms of the contract entered into pursuant to
6 section 256F.6. The receivership shall be under the
7 direct supervision and authority of the director of
8 the department of education. The decision of whether
9 to merge the school district and require payment of
10 tuition for the district's students or to place the
11 district under receivership shall be based upon a

12 determination by the state board of the best interests
13 of the students, parents, residents of the community,
14 teachers, administrators, and board members of the
15 district and the recommendations of the director of
16 the department of education. If the state board
17 revokes a contract, the revocation shall take effect
18 on the date established by the resolution of the state
19 board, which shall be no later than the end of the
20 school year in which the contract is revoked.

21 2. If a pilot charter school contract is revoked
22 in accordance with this chapter, a student who
23 attended the school, siblings of the student, or
24 another student who resides in the same place as the
25 student may enroll in the resident district or may
26 submit an application to a nonresident district
27 according to section 282.18 at any time. Applications
28 and notices required by section 282.18 shall be
29 processed and provided in a prompt manner. The
30 application and notice deadlines in section 282.18 do
31 not apply under these circumstances.

32 Sec. 10. NEW SECTION. 256F.10 REPORTS.

33 Notwithstanding section 256F.4, subsection 1, not
34 later than December 1, 2001, and annually thereafter,
35 the state board shall submit a comprehensive report,
36 with findings and recommendations, to the senate and
37 house standing committees on education. The report
38 shall evaluate pilot charter school programs
39 generally, including but not limited to, an evaluation
40 of whether the pilot programs are fulfilling the
41 purposes set forth in section 256F.5, subsection 1.
42 The report also shall contain, for each pilot charter
43 school, a copy of the pilot charter school's mission
44 statement, attendance statistics and dropout rate,
45 aggregate assessment test scores, projections of
46 financial stability, and number of and comments on
47 supervisory visits by the department of education.

48 Sec. 11. EMERGENCY RULES. The state board of
49 education may adopt emergency rules under section
50 17A.4, subsection 2, and section 17A.5, subsection 2,

Page 9

1 paragraph "b", to implement this Act and the rules
2 shall be effective immediately upon filing unless a
3 later date is specified in the rules. Any rules
4 adopted in accordance with this section shall also be
5 published as a notice of intended action as provided
6 in section 17A.4."

H-8410

- 1 Amend the amendment, H-8387, to House File 2427 as
2 follows:
3 1. Page 1, line 16, by inserting after the words
4 "who is" the following: "a volunteer, or an official
5 who is compensated in any manner or,".
6 2. By renumbering as necessary.

SCHERRMAN of Dubuque

H-8413

- 1 Amend House File 2545 as follows:
2 1. Page 17, by striking lines 22 through 24 and
3 inserting the following: "retirement system division
4 shall develop and implement a defined contribution
5 system by January 8, 2001, for members of the Iowa
6 public employees' retirement system".
7 2. Page 17, line 28, by inserting after the word
8 "system." the following: "The division shall work
9 with the legislative oversight committee of the
10 legislative council in establishing its policies
11 related to a defined contribution system for elected
12 officials."

DIX of Butler
BRUNKHORST of Bremer

H-8417

- 1 Amend Senate File 2364, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking line 4 through 7 and
4 inserting the following: "city in which they the
5 employees are employed, but they the employees shall
6 become a resident of the state at the time such when
7 the appointment or employment begins and shall remain
8 a resident of the state during employment. However,
9 an employee may reside in another state if the
10 employee is employed by a city located in a
11 metropolitan statistical area as designated by the
12 bureau of census, United States department of
13 commerce, and resides within the metropolitan
14 statistical area of the hiring city. Cities may set
15 reasonable maximum".

Committee on Local Government

H-8418

- 1 Amend House File 2545 as follows:

- 2 1. Page 14, by striking lines 5 through 8 and
 3 inserting the following:
 4 "2. IOWA 2010 PROJECT
 5 For the expenses related to the Iowa 2010 project:"
 6 2. Page 14, line 14, by striking the word
 7 "appropriated" and inserting the following:
 8 "transferred".

FALCK of Fayette

H-8421

- 1 Amend Senate File 2276, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, by striking lines 28 and 29 and
 4 inserting the following:
 5 "Sec. __. Section 903A.5, Code Supplement 1999,
 6 is amended to read as follows:
 7 903A.5 TIME TO BE SERVED – CREDIT."
 8 2. Page 5, by inserting after line 26 the
 9 following:
 10 "An inmate shall not receive credit upon the
 11 inmate's sentence for time spent in custody in another
 12 state resisting return to Iowa following an escape, or
 13 for time served. However, an inmate may receive
 14 credit upon the inmate's sentence while incarcerated
 15 in an institution or jail of another jurisdiction
 16 during any period of time the person is receiving
 17 credit upon a sentence of that other jurisdiction, if
 18 ordered by the court at the time of the inmate's
 19 sentence."
 20 3. By renumbering as necessary.

Committee on Judiciary

H-8424

- 1 Amend House File 2538 as follows:
 2 1. Page 5, by inserting after line 25 the
 3 following:
 4 "Sec. __. Section 321.20B, subsection 6, Code
 5 Supplement 1999, is amended to read as follows:
 6 6. This section does not apply to a motor vehicle
 7 driven upon a highway in conformance with the
 8 provisions of this chapter relating to manufacturers,
 9 transporters, or dealers, or a motor vehicle
 10 identified in section 321.18, subsections 4 2 through
 11 6, and subsection 8."
 12 2. Page 6, by inserting after line 5 the
 13 following:
 14 "Sec. __. Section 321.194, subsection 1,
 15 paragraph a, subparagraph (1), Code 1999, is amended

16 to read as follows:

17 (1) During the hours of 6 a.m. to 10 p.m. over the
 18 most direct and accessible route between the following
 19 locations for the purpose of attending duly scheduled
 20 courses of instruction and duly scheduled
 21 extracurricular activities at the designated
 22 locations:

23 (a) The licensee's residence and schools of
 24 enrollment and between schools.

25 b. Schools of enrollment for the purpose of
 26 attending duly scheduled courses of instruction and
 27 extracurricular activities within the school district.

28 (c) The licensee's residence or schools of
 29 enrollment and off-campus locations within the school
 30 district of enrollment.

31 Sec. __. Section 321.218, subsections 1, 3, and
 32 4, Code Supplement 1999, are amended to read as
 33 follows:

34 1. A person whose driver's license or operating
 35 privilege has been denied, canceled, suspended, or
 36 revoked as provided in this chapter or as provided in
 37 section 252J.8 or 261.126 or section 901.5, subsection
 38 10, and who operates a motor vehicle upon the highways
 39 of this state while the license or privilege is
 40 denied, canceled, suspended, or revoked, commits a
 41 simple misdemeanor. In addition to any other
 42 penalties, the punishment imposed for a violation of
 43 this subsection shall include assessment of a fine of
 44 not less than two hundred fifty dollars nor more than
 45 one thousand five hundred dollars.

46 3. The department, upon receiving the record of
 47 the conviction of a person under this section upon a
 48 charge of operating a motor vehicle while the license
 49 of the person is suspended or revoked, shall, except
 50 for licenses suspended under section 252J.8, 261.126,

Page 2

1 321.210, subsection 1, paragraph "c", section
 2 321.210A, 321.210B, or 321.513, extend the period of
 3 suspension or revocation for an additional like
 4 period, and the department shall not issue a new
 5 driver's license to the person during the additional
 6 period.

7 If the department receives a record of a conviction
 8 of a person under this section but the person's
 9 driving record does not indicate what the original
 10 grounds of suspension were, the period of suspension
 11 under this subsection shall be for a period not to
 12 exceed six months.

13 4. A person who operates a commercial motor
 14 vehicle upon the highways of this state when

15 disqualified from operating the commercial motor
16 vehicle under section 321.208 commits a serious simple
17 misdemeanor if a commercial driver's license is
18 required for the person to operate the commercial
19 motor vehicle.

20 Sec. __. Section 321.302, Code 1999, is amended
21 to read as follows:

22 321.302 OVERTAKING ON THE RIGHT.

23 1. The Unless otherwise prohibited by law the
24 driver of a vehicle may overtake and pass upon the
25 right of another vehicle which is making or about to
26 make a left turn on a roadway with unobstructed
27 pavement of sufficient width for two or more lines of
28 traffic moving in the same direction as the vehicle
29 being passed when such movement can be made in safety.

30 2. The driver of a vehicle may overtake and,
31 allowing sufficient clearance, pass another vehicle
32 proceeding in the same direction either upon the left
33 or upon the right on a roadway with unobstructed
34 pavement of sufficient width for four or more lines of
35 moving traffic when such movement can be made in
36 safety.

37 3. No A person shall not drive off the paveme nt,
38 or upon the shoulder of the roadway, or upon the apron
39 or roadway of an intersecting highway in overtaking or
40 passing on the right.

41 Sec. __. Section 321.423, subsection 6, Code
42 1999, is amended to read as follows:

43 6. AMBER FLASHING LIGHT. A farm tractor, farm
44 tractor with towed equipment, self-propelled implement
45 of husbandry, road construction or maintenance
46 vehicle, road grader, or other vehicle principally
47 designed for use off the highway which, when operated
48 on a primary or secondary road, is operated at a speed
49 of ~~twenty-five~~ thirty-five miles an hour or less,
50 shall be equipped with and display an amber flashing

Page 3

1 light visible from the rear at any time from sunset to
2 sunrise. If the amber flashing light is obstructed by
3 the towed equipment, the towed equipment shall also be
4 equipped with and display an amber flashing light as
5 required under this subsection. All vehicles
6 specified in this subsection which are manufactured
7 for sale or sold in this state shall be equipped with
8 an amber flashing light in accordance with the
9 standards of the American society of agricultural
10 engineers.

11 Sec. __. Section 327F.39, Code 1999, is amended
12 by adding the following new subsection:

13 NEW SUBSECTION. 5A. HOURS OF SERVICE FOR DRIVERS.

14 The director shall adopt rules relating to the maximum
15 number of hours of service which can be provided by
16 persons providing transportation for railroad workers
17 to and from their places of employment or during the
18 course of their employment."

19 3. Title page, line 5, by inserting after the
20 word "including" the following: "motor vehicle
21 regulation, hours of service for certain drivers,
22 and".

23 4. By renumbering as necessary.

BLODGETT of Cerro Gordo

H-8425

1 Amend Senate File 2411, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 52, by inserting after line 12 the
4 following:

5 "Sec. ___. Section 97B.74, subsection 2, Code
6 1999, is amended to read as follows:

7 2. The contributions required to be made for
8 purposes of this section shall be determined as
9 follows:

10 a. For a member making contributions for a
11 purchase of additional service prior to July 1, 1999,
12 the contributions to be repaid by the member for such
13 service shall be equal to the accumulated
14 contributions, as defined in section 97B.1A,
15 subsection 2, received by the member for the
16 applicable period of membership service, plus interest
17 on the accumulated contributions for the applicable
18 period, from the date of receipt by the member to the
19 date of repayment, at the interest rate provided in
20 section 97B.70 applicable for each year compounded as
21 provided in section 97B.70.

22 b. For a member making contributions for a
23 purchase of additional service on or after July 1,
24 1999, except as provided in paragraph "c", the member
25 shall make contributions in an amount equal to the
26 actuarial cost of the service purchase. For purposes
27 of this paragraph, the actuarial cost of the service
28 purchase is an amount determined by the department in
29 accordance with actuarial tables, as reported to the
30 department by the system's actuary, which reflects the
31 actuarial cost necessary to fund an increased
32 retirement allowance resulting from the purchase of
33 additional service.

- 34 c. For a member making contributions for a
 35 purchase of additional service on or after July 1,
 36 2000, who is employed as a teacher by a school
 37 corporation or educational institution, the
 38 contributions to be repaid by the member for such
 39 service shall be equal to the refund received by the
 40 member for the applicable period of membership
 41 service, plus interest for the applicable period, from
 42 the date of receipt of a refund by the member to the
 43 date of repayment, at the interest rate provided in
 44 section 97B.70 applicable for each year compounded as
 45 provided in section 97B.70."
 46 2. By renumbering as necessary.

GREIMANN of Story

H-8427

- 1 Amend House File 2530 as follows:
 2 1. Page 39, line 9, by inserting after the word
 3 "service" the following: "more than once".

OSTERHAUS of Jackson

H-8430

- 1 Amend Senate File 2303, as passed by the Senate, as
 2 follows:
 3 1. By striking page 1, line 1, through page 3,
 4 line 30.
 5 2. By renumbering as necessary.

KREIMAN of Davis

H-8431

- 1 Amend the amendment, H-8343, to Senate File 2111,
 2 as passed by the Senate, as follows:
 3 1. Page 1, by striking lines 5 through 33 and
 4 inserting the following:
 5 "Section 1. Section 257.13, subsections 1 and 3,
 6 Code Supplement 1999, are amended to read as follows:
 7 1. For the school budget year beginning July 1,
 8 ~~1999~~ 2000, if a district's actual enrollment for the
 9 budget year, determined under section 257.6, is
 10 greater than its budget enrollment for the budget
 11 year, the district may submit a request to the school
 12 budget review committee for on-time funding for new
 13 students. The school budget review committee shall
 14 consider the relative increase in enrollment on a

15 district-by-district basis, in determining whether to
16 approve the request, and shall determine the amount of
17 additional funding to be provided if the request is
18 granted. An application for on-time funding pursuant
19 to this subsection must be received by the department
20 of education by November 1. Written notice of the
21 committee's decision shall be given through the
22 department of education to the school board for a
23 district.

24 3. There is appropriated for the fiscal year
25 beginning July 1, ~~1999~~ 2000, and ending June 30, ~~2000~~
26 2001, from the general fund of the state to the
27 department of education up to four million dollars to
28 pay additional funding authorized under this section,
29 which shall be paid to school districts in the same
30 manner as other state aids payable under section
31 257.16. If the requests approved by the school budget
32 review committee exceed the appropriation in this
33 subsection, the payments to school districts receiving
34 approval for on-time funding shall be prorated such
35 that each school district approved for on-time funding
36 shall receive an amount of on-time funding equal to
37 the percentage that the on-time funding to be provided
38 to the district bears to the total amount of on-time
39 funding to be provided to all districts receiving
40 approval." "

RICHARDSON of Warren

H-8432

1 Amend House File 2530 as follows:

2 1. Page 155, by striking lines 14 through 28 and
3 inserting the following: "impact of such workforce
4 reduction on its employees. An electric company shall
5 develop a workforce reduction plan not less than one
6 hundred and twenty days in advance of any planned
7 reduction in force caused by restructuring during the
8 period. The workforce reduction plan shall include
9 provisions for lump sum severance, lump sum early
10 retirement, lump sum reimbursements for medical
11 insurance, and lump sum tuition reimbursements which
12 are equivalent to the prevailing industry standard for
13 workforce reduction plans at the time the electric
14 company announces a workforce reduction. If the
15 employees are represented by a labor organization, the
16 electric utility shall negotiate in good faith with
17 the representatives of the affected workforce. If the
18 parties fail to reach an acceptable agreement, either
19 party may request binding arbitration. If the

20 employees are not represented by a labor organization
 21 and will involuntarily lose employment, the electric
 22 utility shall develop a workforce reduction plan
 23 consistent with the requirements of this subsection
 24 and to the satisfaction of the electric utility's
 25 board of directors, if the electric utility is an
 26 electric company, or its governing body, if the
 27 electric utility is a consumer-owned utility. A
 28 workforce reduction shall not occur unless the
 29 electric utility complies with this subsection. For
 30 the purpose of this section, the term".

CHIODO of Polk

H-8446

1 Amend Senate File 2241, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. NEW SECTION. 216.10A UNFAIR
 6 PRACTICES – WEARING APPAREL.
 7 It shall be unfair or a discriminatory practice for
 8 any owner, lessee, sublessee, proprietor, manager,
 9 agent, or any employee of any public accommodation, to
 10 refuse or deny access to any public accommodation or
 11 service, to any person based upon the brand name of a
 12 person's wearing apparel."
 13 2. Title page, by striking lines 2 and 3, and
 14 inserting the following: "and relating to expanding
 15 the Iowa civil rights Act."
 16 3. By renumbering as necessary.

FORD of Polk

H-8447

1 Amend Senate File 2241, as passed by the Senate, as
 2 follows:
 3 1. Page 3, by inserting after line 18 the
 4 following:
 5 "Sec. ____ NEW SECTION. 708.2D ASSAULT – CHOKE
 6 HOLD – PENALTY.
 7 A person who commits an assault which is in
 8 violation of section 708.2, subsection 5, by applying
 9 a choke hold around the throat of a person is guilty
 10 of a serious misdemeanor."
 11 2. Title page, by striking lines 2 and 3, and
 12 inserting the following: "and enhancing a penalty for
 13 certain assaults."
 14 3. By renumbering as necessary.

FORD of Polk

H-8448

1 Amend Senate File 2241, as passed by the Senate, as
2 follows:

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

5 "Section 1. NEW SECTION. 80B.18 TRAINING AND
6 CERTIFICATION OF DESIGNATED SECURITY EMPLOYEE.

7 The academy shall develop a program to train and
8 certify a designated security employee as defined in
9 section 123.1. The academy may teach the program, or
10 may certify private organizations or other agencies to
11 teach the program. The program shall not exceed six
12 hours of training and shall include but is not limited
13 to teaching mediation techniques, providing awareness
14 of individual civil rights, and providing instruction
15 on the use of proper restraints against a person who
16 has become combative. The academy, private
17 organization, or other agency may charge a reasonable
18 fee to cover the cost of training, subject to the
19 approval of the council.

20 Sec. ____ Section 123.3, Code 1999, is amended by
21 adding the following new subsection:

22 NEW SUBSECTION. 12A. "Designated security
23 employee" means an agent or employee of a licensee or
24 permittee who is primarily employed for security
25 purposes.

26 Sec. ____ Section 123.31, Code 1999, is amended by
27 adding the following new subsection:

28 NEW SUBSECTION. 6A. A statement whether all
29 designated security employees have received training
30 and certification as provided in section 80B.18."

31 2. Title page, by striking lines 2 and 3, and
32 inserting the following: "and to security employee
33 training and to the issuance of a liquor license or
34 permit and establishing a fee."

35 3. By renumbering as necessary.

FORD of Polk

H-8451

1 Amend House File 2545 as follows:

2 1. Page 14, line 3, by striking the figure
3 "1,980,914" and inserting the following: "2,055,914".

4 2. Page 14, by inserting after line 4 the
5 following:

6 "Of the amount appropriated in this subsection,
7 \$75,000 shall be transferred to the department of

8 revenue and finance for statewide property tax
9 administration."

CATALDO of Polk

H-8453

1 Amend House File 2530 as follows:
2 1. Page 27, by inserting after line 35 the
3 following:
4 "() The billing unit and the price per billing
5 unit.
6 () The usage for the billing period, and the
7 monthly usage if the billing period is not monthly."
8 2. By renumbering as necessary.

WISE of Lee

H-8456

1 Amend the Senate amendment, H-8444, to House File
2 2172, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, line 10, by striking the word "and"
5 and inserting the following: "or".

BAUDLER of Adair

H-8457

1 Amend the amendment, H-8342, to Senate File 419, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by inserting after line 12 the
5 following:
6 " ____ Page 1, line 14, by inserting before the
7 word "This" the following: "Certification fees
8 established by the board shall be collected and
9 retained by the department of agriculture and land
10 stewardship, deposited into a veterinary clinic
11 certification fund created in the state treasury under
12 the authority of the department, and appropriated to
13 the department to implement the provisions of this
14 subsection. Amounts deposited in the fund shall not
15 be transferred, used, obligated, appropriated, or
16 otherwise encumbered except as provided in this
17 section. Notwithstanding section 12C.7, subsection 2,
18 interest or earnings on moneys deposited into the fund
19 shall be credited to the fund. Amounts deposited in
20 the fund that remain unexpended or unencumbered at the
21 close of the fiscal year shall remain in the fund for

22 utilization as provided in this subsection for the
23 following fiscal year."

THOMAS of Clayton
GREINER of Washington

H-8459

- 1 Amend House File 2530 as follows:
- 2 1. Page 123, line 10, by striking the word
- 3 "fifty" and inserting the following: "ten".
- 4 2. Page 123, line 11, by striking the word
- 5 "fifty" and inserting the following: "ninety".

HOLVECK of Polk

H-8460

- 1 Amend House File 2530 as follows:
- 2 1. Page 123, line 10, by striking the word
- 3 "fifty" and inserting the following: "twenty-five".
- 4 2. Page 123, line 11, by striking the word
- 5 "fifty" and inserting the following: "seventy-five".

HOLVECK of Polk

H-8461

- 1 Amend House File 2530 as follows:
- 2 1. Page 36, line 9, by inserting after the word
- 3 "annually" the following: ", a state, county, or
- 4 local government end-use consumer regardless of annual
- 5 usage,".

HOLVECK of Polk

H-8464

- 1 Amend House File 2545 as follows:
- 2 1. Page 14, by inserting after line 20 the
- 3 following:
- 4 " _____. In addition to the moneys appropriated to
- 5 the department of management in subsections 1 and 2,
- 6 there is appropriated from the general fund of the
- 7 state to the department of management for the fiscal
- 8 year beginning July 1, 2000, and ending June 30, 2001,
- 9 the following amount, or so much thereof as is
- 10 necessary, to be used to pay expenses related to the
- 11 Iowa 2010 project:
- 12 \$ 47,328"

13 2. By renumbering as necessary.

FALCK of Fayette

H-8466

1 Amend House File 2530 as follows:
 2 1. By striking page 41, line 27, through page 42,
 3 line 11, and inserting the following:
 4 "e. The board may approve a mechanism for
 5 equalizing the generation component of individual zone
 6 rates and charges of an incumbent provider on a
 7 revenue neutral basis, if the board determines it to
 8 be in the public interest. The equalization shall
 9 occur over a period determined by the board to be just
 10 and reasonable, but in no event shall the equalization
 11 period be less than five years. The board, in its
 12 discretion, may consider the electric operations of
 13 affiliated incumbent providers to be a single
 14 operation for purposes of equalizing zone prices."

HOLVECK of Polk

H-8467

1 Amend Senate File 2245, as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 7, by inserting after line 27 the
 4 following:
 5 "Sec. 301. NEW SECTION. 909A.1 DEFINITIONS.
 6 As used in this chapter, unless the context
 7 otherwise requires:
 8 1. "Agreement" means a structured fines pilot
 9 program agreement which is entered into between the
 10 division and a participating entity.
 11 2. "Division" means the division of criminal and
 12 juvenile justice planning of the department of human
 13 rights.
 14 3. "General fund" means the general fund of the
 15 state.
 16 4. "Participating entity" means a county or a
 17 judicial district which has entered into a structured
 18 fines pilot program agreement with the division.
 19 5. "Pilot program" means the structured fines
 20 pilot program established under section 909A.2.
 21 6. "Structured fine" means a structured criminal
 22 fine imposed under chapter 909, a criminal penalty
 23 surcharge imposed under chapter 911 for a structured
 24 criminal fine, a structured civil penalty imposed
 25 pursuant to this chapter, a structured civil penalty
 26 surcharge imposed pursuant to this chapter, indigent
 27 defense fees assessed as restitution pursuant to

28 chapter 910 for a case in which a structured criminal
29 fine or a structured civil penalty was imposed, and
30 court costs assessed pursuant to chapter 602 for a
31 case in which a structured criminal fine or a
32 structured civil penalty is imposed.

33 Sec. 302. NEW SECTION. 909A.2 STRUCTURED FINES
34 PILOT PROGRAM ESTABLISHED – DURATION.

35 The division may establish a pilot program to
36 provide for the use of the structured fines concept in
37 counties and judicial districts wishing to participate
38 in the pilot program. This chapter shall apply only
39 to those counties which have previously contracted
40 with the division to operate a structured fines pilot
41 project, and in those counties and judicial districts
42 with whom the division has entered into an agreement
43 regarding participation in the pilot program on or
44 after the effective date of this Act.

45 The division shall enter into agreements with
46 interested entities, to the extent that start-up
47 funding is available, and shall choose participating
48 entities following an open and competitive selection
49 process involving selection criteria adopted by the
50 division. To become a participating entity, the

Page 2

1 interested entity must ensure the involvement and
2 cooperation of the entity's county attorney; court
3 officials, including but not limited to the clerk of
4 the district court; the appropriate judicial district
5 department of correctional services; and any other
6 agency or official which is or will be affected by
7 pilot program activities.

8 Sec. 303. NEW SECTION. 909A.3 STRUCTURED FINE –
9 AMOUNT.

10 1. If the district court in a county which is or
11 is part of a participating entity orders a structured
12 fine, to be paid in installments or at a fixed date in
13 the future, the court shall do all of the following:
14 a. Impose a time payment fee in the amount of
15 twenty-five dollars.
16 b. Impose interest charges on the unsatisfied
17 judgment from the date of sentencing or imposition of
18 penalty at the rate provided in section 535.3 for
19 court judgments.

20 2. Notwithstanding any other provision of law to
21 the contrary, when a deferred judgment or deferred
22 sentence is entered by the court pursuant to chapter
23 907, the court may impose a structured civil penalty
24 that is subject to the same maximum dollar amount
25 limitations as the applicable structured criminal
26 fine. The structured civil penalty shall be subject

27 to a structured civil penalty surcharge equal to the
28 applicable criminal penalty surcharge under section
29 911.2. The structured civil penalty and the
30 structured civil penalty surcharge shall be disbursed
31 in the manner provided for in section 909A.5,
32 subsection 2.

33 Sec. 304. NEW SECTION. 909A.4 STRUCTURED FINE –
34 MINIMUM AMOUNT.

35 Notwithstanding any other provision of law, a
36 structured fine imposed pursuant to this chapter shall
37 not be subject to any requirements as to minimum
38 amount.

39 Sec. 305. NEW SECTION. 909A.5 STRUCTURED FINE –
40 ACCOUNTING.

41 1. Upon receipt of a time payment fee, the clerk
42 of the district court shall remit the fee, together
43 with all other time payment fees collected, on the
44 fifteenth day of the month following payment, to the
45 governmental entity designated by the participating
46 entity as having overall responsibility for the
47 operation of the pilot program in the county. Upon
48 receipt of payment of interest charges, the clerk of
49 the district court shall remit all charges collected
50 by the fifteenth day of the month following payment to

Page 3

1 the treasurer of state. The treasurer of state shall
2 deposit the funds in the general fund.

3 2. Notwithstanding any other contrary provision of
4 law, the clerk of the district court for a county
5 participating in the pilot program shall remit, by the
6 fifteenth day of the month following payment, fifteen
7 percent of all structured fines, excluding any payment
8 of pecuniary damages for a victim as defined under
9 section 910.1 ordered in a case in which a structured
10 fine was imposed, to the governmental entity
11 designated by the participating entity as having
12 overall responsibility for the operation of a pilot
13 program within the county. The remaining eighty-five
14 percent of the moneys shall be remitted to the
15 treasurer of state for deposit in the general fund.

16 3. The governmental entity designated by the
17 participating entity as having overall responsibility
18 for the operation of the pilot program within the
19 county and receiving moneys from the clerk of the
20 district court under this section shall do all of the
21 following:

22 a. Establish a separate accounting or bank
23 account, which shall be used exclusively for the
24 recording or deposit of moneys received from the clerk
25 of the district court under this section. The

26 accounting or bank account shall include a system
27 which provides adequate accountability to ensure that
28 structured fine moneys received from the clerk of the
29 district court are accounted for separately from other
30 funds. Structured fine moneys shall only be used to
31 pay the costs of the pilot program operations.

32 b. Ensure that the balance in the structured fines
33 separate accounting or bank account does not exceed,
34 at the end of the fiscal year, the total amount of
35 structured fine moneys received from the clerk of the
36 district court within the preceding three calendar
37 months. For purposes of complying with the provisions
38 of this paragraph, moneys expended or obligated by the
39 end of the fiscal year, or moneys budgeted for
40 expenditure during the first quarter of the next
41 fiscal year, shall be considered to have reduced the
42 structured fines separate accounting or bank account
43 whether or not actually charged by the bank or
44 credited to the accounting records. Any excess moneys
45 in the separate accounting or bank account at the end
46 of the fiscal year balance shall be remitted to the
47 treasurer of state for deposit in the general fund.

48 c. Ensure that, upon termination of a pilot
49 program agreement within a county, all unexpended and
50 unobligated moneys contained in the structured fines

Page 4

1 separate accounting or bank account are remitted
2 within sixty days of the termination of the pilot
3 program agreement to the treasurer of state for
4 deposit in the general fund.

5 4. A pilot program agreement shall terminate
6 within sixty days of notice from the chief judge of
7 the judicial district which is or contains the
8 participating entity, that it is the intent of the
9 court to cease ordering structured fines. The notice
10 shall be submitted to the governmental entity
11 designated by the participating entity as having
12 overall responsibility for the operation of the pilot
13 program, the division, and the legislative fiscal
14 bureau.

15 5. Structured fine moneys shall only be used to
16 pay the costs of the pilot program operations.

17 Sec. 306. NEW SECTION. 909A.6 STRUCTURED FINE -
18 NOTICE AND JUDGMENT.

19 If a court has imposed a structured fine on a
20 defendant, the order shall include a statement
21 specifying the amount of any structured criminal fine
22 or structured civil penalty assessed, the amount of
23 the criminal penalty surcharge or structured civil
24 penalty surcharge assessed, the amount of indigent

25 defense fees assessed as restitution, and the type and
 26 amount of any other applicable fees assessed in the
 27 case. At the time of imposing sentence or a penalty,
 28 the court shall inform the defendant of the nature of
 29 the judgment against the defendant and the total
 30 amount of the assessments imposed. The court shall
 31 also inform the defendant of the duty to pay the
 32 judgment in a timely manner.

33 The law relating to judgment liens, executions, and
 34 other process, available to creditors for the
 35 collection of debts shall be applicable to such
 36 judgments.

37 Sec. 307. NEW SECTION. 909A.7 REPEAL.

38 This chapter is repealed July 1, 2005.

39 Sec. ____ EFFECTIVE DATE. Sections 301 through
 40 307 of this Act, being deemed of immediate importance,
 41 take effect upon enactment, for offenses committed on
 42 or after the effective date of sections 301 through
 43 307 of this Act."

44 2. Title page, line 1, by inserting after the
 45 word "ordinances", the following: ", structured
 46 fines,".

47 3. Title page, line 2, by inserting after the
 48 word "violations" the following: "and providing an
 49 effective date".

50 4. By renumbering as necessary.

HOLVECK of Polk

H-8468

1 Amend House File 2530 as follows:

2 1. Page 39, line 15, by striking the word "At"
 3 and inserting the following: "(1) At".

4 2. Page 39, by striking line 33, and inserting
 5 the following: "and nondiscriminatory. The rates and
 6 charges shall be adjusted to avoid duplicate recovery
 7 of costs to be recovered under section 476B.15,
 8 subsection 3, costs to be recovered under section
 9 476B.16, and the costs projected to be offset by
 10 section 476B.13.

11 (2) Upon determining the initial standard offer
 12 service rates and charges under subparagraph (1), the
 13 board shall further reduce such rates and charges by
 14 five percent.

15 (3) An electric company, to the extent it".

WISE of Lee
 FOEGE of Linn
 LARKIN of Lee

O'BRIEN of Boone
 THOMAS of Clayton

BUKTA of Clinton
 HUSER of Polk

MAY of Worth
 STEVENS of Dickinson

H-8469

1 Amend the amendment, H-8413, to House File 2545 as
2 follows:

3 1. Page 1, by striking lines 2 through 12 and
4 inserting the following:

5 " _____. Page 17, by striking lines 19 through 32
6 and inserting the following:

7 " _____. IOWA PUBLIC EMPLOYEES, RETIREMENT SYSTEM -
8 DEFINED CONTRIBUTION PLAN STUDY.

9 For expenses related to a study of alternatives for
10 establishing a defined contribution option as provided
11 in this subsection:

12 \$ 70,000

13 The Iowa public employees' retirement system
14 division shall conduct a study on the alternatives for
15 establishing a defined contribution option for members
16 of the Iowa public employees' retirement system who
17 are elected officials, other state officers and
18 employees of the Iowa public employees' retirement
19 system. On or before January 1, 2001, the Iowa public
20 employees' retirement system division shall file a
21 report with the joint appropriations subcommittee on
22 administration and regulation, the committees on state
23 government, and the public retirement systems
24 committee established in section 97D.4.""

25 2. By renumbering as necessary.

LARKIN of Lee

H-8470

1 Amend House File 2545 as follows:

2 1. Page 5, by inserting after line 3 the
3 following:

4 "Notwithstanding any contrary provision of section
5 477C.7, subsection 3, of the moneys credited to the
6 special fund established pursuant to section 477C.7,
7 the following amount, or so much thereof as is
8 necessary, shall be used to assist the department for
9 the blind in matching federal funding for the
10 initiation and maintenance of a newslines for the
11 blind, a universal system of providing newspapers over
12 the telephone furnished by the national federation of
13 the blind:

14 For the establishment of access to newslines for the
15 blind:

16 \$ 25,000

17 This funding shall permit access to blind and
18 visually impaired individuals throughout the state to
19 the newslines service. The service shall be limited to
20 persons residing in the state who are eligible for the

21 books for blind and physically handicapped program of
22 the library of congress."

23 2. Page 31, by inserting after line 29 the
24 following:

25 "Sec. ____ Section 477C.2, subsections 2, 4, and
26 5, Code 1999, are amended to read as follows:

27 2. "Communication impairment" means the inability
28 to use the telephone for communication without a
29 telecommunications device for the deaf or blind.

30 4. "Dual party relay service" or "relay service"
31 means a communication service which provides
32 communication-impaired persons access to the telephone
33 system functionally equivalent to or using the access
34 available to persons not communication-impaired.

35 5. "Telecommunications device for the deaf or
36 blind" means any specialized or supplemental telephone
37 equipment used by communication-impaired persons to
38 provide access to the telephone system.

39 Sec. ____ Section 477C.4, Code 1999, is amended to
40 read as follows:

41 477C.4 TELECOMMUNICATIONS DEVICES FOR THE DEAF.

42 With the advice of the council, the board may plan,
43 establish, administer, and promote a program to
44 secure, finance, and distribute telecommunications
45 devices for the deaf or blind. The board may
46 establish eligibility criteria for persons to receive
47 telecommunications devices for the deaf or blind,
48 including, but not limited to, requiring certification
49 that the recipient cannot use the telephone for
50 communication without a telecommunications device for

Page 2

1 the deaf or blind."

CARROLL of Poweshiek

H-8471

1 Amend the committee amendment, H-8417, to Senate
2 File 2364, as passed by the Senate, as follows:

3 1. Page 1, line 8, by inserting after the word
4 "However," the following: "a city may allow".

5 2. Page 1, line 9, by striking the word "may" and
6 inserting the following: "to".

ALONS of Sioux

H-8475

1 Amend Senate File 2411, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 30, line 4, by striking the word and
4 figure "July 1" and inserting the following: "October
5 1".
- 6 2. Page 30, line 21, by striking the word and
7 figure "July 1" and inserting the following: "October
8 1".
- 9 3. Page 31, line 18, by striking the word and
10 figure "July 1" and inserting the following: "October
11 1".
- 12 4. Page 37, line 21, by striking the word and
13 figure "July 1" and inserting the following: "October
14 1".
- 15 5. Page 37, line 22, by striking the word and
16 figure "July 1" and inserting the following: "October
17 1".
- 18 6. Page 37, line 23, by striking the word and
19 figure "June 30" and inserting the following:
20 "September 30".

MARTIN of Scott

H-8478

- 1 Amend Senate File 2371, as amended, passed, and
2 reprinted by the Senate, as follows:
 - 3 1. Page 1, by inserting after line 27 the
4 following:
5 "Sec. . NEW SECTION. 466.2B ADOPT-A-STREAM
6 PROGRAM.
7 1. The department of natural resources shall
8 establish and administer an adopt-a-stream program for
9 purposes of organizing concerned citizens dedicated to
10 the stewardship of the rivers and streams in the state
11 and certifying sponsors under the program.
12 2. A person may submit an application to the
13 department of natural resources for purposes of
14 sponsoring a specific portion of a river or stream in
15 order to conduct conservation programs, projects, or
16 activities involving the river or stream. The
17 application shall include, at a minimum, the location
18 of the sponsored portion of a river or stream, a
19 contact person for the sponsor, and the types of
20 programs, projects, or activities that the sponsor
21 proposes to pursue. A sponsor shall receive and file
22 with the application written consent to conduct
23 programs, projects, or activities from property owners
24 located adjacent to the sponsored river or stream.
25 The consent shall include all information required by
26 the department of natural resources.
27 3. Upon approval of the application by the
28 department of natural resources, the sponsor shall
29 sign a sponsorship agreement with the department. The

30 agreement shall designate the terms necessary for
 31 receiving a completion certificate recognizing the
 32 completion of the programs, projects, or activities
 33 conducted by the sponsor. The department of natural
 34 resources shall provide the sponsor with a completion
 35 certificate when the department determines that the
 36 terms of the sponsorship agreement have been met.

37 4. Programs, projects, or activities conducted by
 38 a sponsor in the program shall include, but not be
 39 limited to, river and stream cleanup, riverbank and
 40 streambank stabilization, river and stream habitat
 41 improvement, tree and grass planting, water quality
 42 monitoring, river and stream access improvement, trail
 43 development, and educational programs.

44 5. All rivers and streams in the state are
 45 eligible to be sponsored under the program.

46 6. The department of natural resources may
 47 terminate a sponsorship if the department determines
 48 that a sponsor is not attempting to fulfill the terms
 49 and conditions of the sponsorship agreement."

WEIGEL of Chickasaw
 FALLON of Polk

H-8482

1 Amend House File 2530 as follows:

2 1. Page 37, by inserting after line 4 the
 3 following:

4 "(v) The market price for generation services is
 5 equal to or less than the cost of generation services
 6 included in the standard offer service rates and
 7 charges."

WEIGEL of Chickasaw

H-8483

1 Amend House File 2530 as follows:

2 1. Page 42, by striking lines 12 through 22, and
 3 inserting the following:
 4 "f. If the board does not allow the termination of
 5 standard offer service in a relevant market pursuant
 6 to paragraph "a", the incumbent provider shall
 7 continue to offer standard offer service at rates and
 8 charges then in effect until new rates and charges are
 9 approved by the board to reflect overall changes in
 10 revenues, expenses, and investments that have occurred
 11 since standard offer service rates and charges were
 12 last approved by the board. An application to
 13 increase standard offer service rates and charges may
 14 be filed prior to October 1, 2006, in accordance with

15 rules adopted by the board. However, in no event
16 shall changes in standard offer service rates and
17 charges implemented pursuant to this paragraph become
18 effective prior to October 1, 2006. An application to
19 increase standard offer service rates and charges made
20 pursuant to this paragraph shall be subject to the
21 requirements of section 476B.9, subsection 5."

WEIGEL of Chickasaw

H-8484

1 Amend House File 2530 as follows:
2 1. Page 41, line 10, by inserting after the
3 figure "5" the following: ", so long as the increase
4 in its unbundled distribution service rates is not
5 offset by decreases in other costs or increases in
6 revenues due to sales increases".
7 2. Page 41, line 14, by inserting after the word
8 "jurisdiction" the following: ", so long as the
9 increase in its unbundled distribution service rates
10 is not offset by decreases in other costs or increases
11 in revenues due to sales increases".

WEIGEL of Chickasaw

H-8485

1 Amend House File 2530 as follows:
2 1. Page 42, line 16, by striking the words
3 "market. The" and inserting the following: "market
4 if the market price for such competitive power supply
5 services is less than the price for such services
6 embedded in the standard offer service rate. If the
7 board determines that the market price for competitive
8 power supply services that an affected end-use
9 consumer would pay in the relevant competitive market
10 is less than the price for such services embedded in
11 the standard offer service rate, the".
12 2. Page 42, line 19, by inserting after the word
13 "shall" the following: "then".

WEIGEL of Chickasaw

H-8487

1 Amend House File 2530 as follows:
2 1. Page 46, by striking lines 29 and 30 and
3 inserting the following: "residential end-use
4 consumers who have been determined to qualify for

5 assistance under the low-income affordability program
6 under section 476B.13,".

METCALF of Polk

H-8491

1 Amend House File 2530 as follows:
2 1. By striking page 41, line 27, through page 42,
3 line 11.
4 2. By relettering and correcting internal
5 references as necessary.

GREINER of Washington
ARNOLD of Lucas
HEATON of Henry

VAN ENGELENHOVEN of Mahaska
HOUSER of Pottawattamie

H-8495

1 Amend the amendment, H-8470, to House File 2545 as
2 follows:
3 1. Page 1, line 13, by inserting after the word
4 "blind" the following: "and for the Iowa reading
5 information service (IRIS), a service that allows
6 blind persons to access newspapers".
7 2. Page 1, line 15, by inserting after the word
8 "blind" the following: "and the Iowa radio reading
9 information service for the blind".
10 3. Page 1, line 16, by striking the figure
11 "25,000" and inserting the following: "50,000".
12 4. Page 1, line 19, by inserting after the word
13 "newline service" the following: "and the Iowa radio
14 reading information service".

BLODGETT of Cerro Gordo

H-8499

1 Amend the amendment, H-8404, to Senate File 2411,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking line 17.
5 2. Page 1, by inserting after line 33 the
6 following:
7 " . Page 21, by inserting after line 24 the
8 following:
9 "(1A) For each active or inactive retired member
10 retiring prior to July 1, 1996, the applicable
11 percentage for that member plus, if applicable, and
12 notwithstanding any provision of this chapter to the
13 contrary, an additional one-fourth of one percentage
14 point for each additional calendar quarter of eligible

15 service beyond twenty-five years of service for the
 16 member, not to exceed a total of five additional
 17 percentage points effective with each monthly payment
 18 of a retirement benefit allowance for the member on or
 19 after July 1, 2000."

20 ____ Page 23, by inserting after line 12 the
 21 following:

22 "Sec. ____ Section 97B.49C, subsection 1,
 23 paragraph b, Code 1999, is amended by adding the
 24 following new subparagraph:

25 NEW SUBPARAGRAPH. (1A) For each active or
 26 inactive retired member retiring prior to July 1,
 27 1998, the applicable percentage for that member plus,
 28 if applicable, and notwithstanding any provision of
 29 this chapter to the contrary, an additional three-
 30 eighths of one percentage point for each additional
 31 calendar quarter of eligible service beyond twenty-two
 32 years of service for the member, not to exceed a total
 33 of twelve additional percentage points effective with
 34 each monthly payment of a retirement benefit allowance
 35 for the member on or after July 1, 2000."

36 3. Page 3, by inserting after line 48 the
 37 following:

38 "____ Page 64, by inserting after line 14 the
 39 following:

40 "(3A) Commencing July 1, 2000, for a member who
 41 terminated service, other than by death or disability,
 42 before July 1, 1998, and who did not withdraw the
 43 member's contributions pursuant to section 411.23,
 44 subparagraphs (1) through (3) shall not apply and
 45 there shall be added one and one-half percent of the
 46 member's average final compensation for each year of
 47 service over twenty-two years effective with each
 48 monthly payment of a service retirement allowance on
 49 or after July 1, 2000. However, this subparagraph
 50 does not apply to more than eight additional years of

Page 2

1 service."

FOEGE of Linn

H-8502

1 Amend the amendment, H-8409, to Senate File 2267,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

- 4 1. Page 1, by striking lines 5 through 32.
- 5 2. Page 1, line 35, by striking the figure "1."
- 6 3. Page 1, by striking lines 39 through 41 and
- 7 inserting the following: "reading proficiency. By

- 8 the".
 9 4. By striking page 1, line 45 through page 2,
 10 line 26.
 11 5. By renumbering as necessary.

FREVERT of Palo Alto

H-8505

- 1 Amend House File 2530 as follows:
 2 1. Page 45, by striking line 18 and inserting the
 3 following: "review and approval by the board. Until
 4 the termination of standard offer service."
 5 2. Page 45, by striking line 33 and inserting the
 6 following: "effective October 1, 2002. Upon the
 7 termination of standard offer service".

MURPHY of Dubuque

H-8509

- 1 Amend Senate File 2079, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting before line 1, the
 4 following:
 5 "Section 1. Section 421B.4, Code 1999, is amended
 6 to read as follows:
 7 421B.4 COMBINATION SALES.
 8 In all offers for sale or sales involving
 9 cigarettes and any other item at a combined price, and
 10 ~~in all offers for sale, or sales, involving the giving~~
 11 ~~of any gift or concession of any kind whatsoever~~
 12 ~~(whether it be coupons or otherwise), the wholesaler's~~
 13 ~~or retailer's combined selling price shall not be~~
 14 ~~below the cost to the wholesaler or the cost to the~~
 15 ~~retailer, respectively, of the total of all articles,~~
 16 ~~products, commodities, gifts and concessions included~~
 17 ~~in such transactions: If any such articles, products,~~
 18 ~~commodities, gifts or concessions, shall not be~~
 19 ~~cigarettes, the basic cost thereof shall be determined~~
 20 ~~in like manner as provided in section 421B.2,~~
 21 ~~subsection 8."~~
 22 2. Page 1, by inserting after line 7 the
 23 following:
 24 "Sec. ____ Section 453A.39, Code 1999, is amended
 25 by striking the section and inserting in lieu thereof
 26 the following:
 27 453A.39 TOBACCO PRODUCTS, CIGARETTES, GIFTS, AND
 28 PAYMENTS FOR DISPLAYING CIGARETTES - PROHIBITIONS.
 29 1. Unless authorized under subsection 3, a
 30 manufacturer, distributor, wholesaler, retailer, or
 31 distributing agent or agent thereof shall not give

32 away cigarettes or tobacco products at any time in
 33 connection with the manufacturer's, distributor's,
 34 wholesaler's, retailer's, or distributing agent's
 35 business or for promotion of the business or product.
 36 2. Unless authorized by subsection 3, a
 37 manufacturer, distributor, wholesaler, retailer, or
 38 distributing agent shall not provide free articles,
 39 products, commodities, gifts, or concessions in an
 40 offer for sale or sale involving cigarettes or tobacco
 41 products.
 42 3. The prohibitions in this section do not apply
 43 to transactions between manufacturers, distributors,
 44 or wholesalers."
 45 3. Title page, line 1 by inserting after the word
 46 "of" the following: "certain practices including
 47 the".
 48 4. Title page, line 5, by inserting after the
 49 word "states," the following: "and including the
 50 prohibition of the giving away of certain cigarettes

Page 2

1 and tobacco products."

SHOULTZ of Black Hawk

H-8516

1 Amend Senate File 2366, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 2, line 33, through page 3,
 4 line 31, and inserting the following: "hours of
 5 community service."

WEIGEL of Chickasaw
 PARMENTER of Story

H-8518

1 Amend Senate File 2302, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 13 the
 4 following:
 5 "Sec. __. Section 124.204, subsection 4, Code
 6 1999, is amended by adding the following new
 7 paragraphs:
 8 NEW PARAGRAPH. ad. Alpha-ethyltryptamine. Some
 9 trade or other names: etryptamine; Monase; a-ethyl-
 10 1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; alpha-
 11 ET; and AET.
 12 NEW PARAGRAPH. ae. 4-Bromo-2,5-
 13 dimethoxyphenethylamine. Some trade or other names:

- 14 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-
 15 desmethyl DOB; 2C-B, Nexus.
- 16 Sec. ____ Section 124.204, subsection 6, Code
 17 1999, is amended by adding the following new
 18 paragraphs:
- 19 NEW PARAGRAPH. f. Aminorex. Some other names:
 20 aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-
 21 dihydro-5-phenyl-2-oxazolamine.
- 22 NEW PARAGRAPH. g. Methcathinone. Some other
 23 names: 2-(methylamino)-propiofenone; alpha-
 24 (methylamino)propiofenone; 2-(methylamino)-1-
 25 phenylpropan-1-one; alpha-N-methylaminopropiofenone;
 26 monomethylpropion; ephedrone; N-methylcathinone;
 27 methylcathinone; AL-464; AL-422; AL-463; and UR1432.
- 28 Sec. ____ Section 124.204, subsection 9,
 29 paragraphs c, d, and e, Code 1999, are amended by
 30 striking the paragraphs.
- 31 Sec. ____ Section 124.206, subsection 2, paragraph
 32 a, unnumbered paragraph 1, Code 1999, is amended to
 33 read as follows:
- 34 Opium and opiate, and any salt, compound,
 35 derivative, or preparation of opium or opiate,
 36 excluding apomorphine, ~~dextrophan~~ thebaine-derived
 37 butorphanol, dextrorphan, nalbuphine, nalmefene,
 38 naloxone, and naltrexone, and their respective salts,
 39 but including the following:
- 40 Sec. ____ Section 124.206, subsection 3, Code
 41 1999, is amended by adding the following new
 42 paragraph:
- 43 NEW PARAGRAPH. aa. Remifentanil.
- 44 Sec. ____ Section 124.206, subsection 7, paragraph
 45 b, Code 1999, is amended by striking the paragraph.
- 46 Sec. ____ Section 124.208, subsection 3, Code
 47 1999, is amended by adding the following new
 48 paragraph:
- 49 NEW PARAGRAPH. 1. Ketamine, its salts, isomers,
 50 and salts of isomers. Some other names for ketamine:

Page 2

- 1 (+)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone.
 2 Sec. ____ Section 124.208, subsection 6,
 3 paragraphs b, e, and i, Code 1999, are amended to read
 4 as follows:
- 5 b. Chlorotestosterone (4-chlortestosterone).
 6 e. Dihydrotestosterone (4-dihydrotestosterone).
 7 i. ~~Formebolone~~ Formebolone (formebolone).
- 8 Sec. ____ Section 124.208, Code 1999, is amended
 9 by adding the following new subsection:
 10 NEW SUBSECTION. 8. HALLUCINOGENIC SUBSTANCES.
 11 Dronabinol (synthetic) in sesame oil and encapsulated
 12 in a soft gelatin capsule in a United States Food and

13 Drug Administration approved product. Some other
14 names for dronabinol: (6aR-trans)-6a, 7, 8, 10a-
15 tetrahydro-6, 6, 9-trimethyl-3-pentyl-6H-dibenzo [b,d]
16 pyran-1-ol, or (-)-delta-9-(trans)-
17 tetrahydrocannabinol.

18 Sec. __. Section 124.210, subsection 2, paragraph
19 b, Code 1999, is amended to read as follows:

20 b. Dextropropoxyphene (~~alpha-(+)-4-~~
21 ~~dimethylamindiphendiphenyl-3-methyl-2-~~
22 ~~propionoxybutane~~) (alpha-(+)-4-dimethylamino-1,2-
23 diphenyl-3-methyl-2-propionoxybutane).

24 Sec. __. Section 124.210, subsection 3, Code
25 1999, is amended by adding the following new
26 paragraph:

27 NEW PARAGRAPH. aw. Zaleplon.

28 Sec. __. Section 124.210, subsection 5, Code
29 1999, is amended by adding the following new
30 paragraphs:

31 NEW PARAGRAPH. k. Modafinil.

32 NEW PARAGRAPH. l. Sibutramine.

33 Sec. __. Section 124.210, subsection 6, Code
34 1999, is amended by adding the following new
35 paragraph:

36 NEW PARAGRAPH. b. Butorphanol (including its
37 optical isomers).

38 Sec. __. Section 124B.2, subsection 1, paragraphs
39 a, c, g, and i, Code 1999, are amended to read as
40 follows:

41 a. Anthranilic acid, its esters, and its salts.

42 c. Ephedrine, its salts, optical isomers, and
43 salts of optical isomers Ethylamine and its salts.

44 g. N-acetylanthranilic acid, its esters, and its
45 salts.

46 i. Phenylacetic acid, its esters, and its salts.

47 Sec. __. Section 124B.2, subsection 1, Code 1999,
48 is amended by adding the following new paragraphs:

49 NEW PARAGRAPH. m. Methylamine and its salts.

50 NEW PARAGRAPH. n. Propionic anhydride.

Page 3

1 NEW PARAGRAPH. o. Insosafrole.

2 NEW PARAGRAPH. p. Safrole.

3 NEW PARAGRAPH. q. Piperonal.

4 NEW PARAGRAPH. r. N-methylephedrine, its salts,
5 optical isomers, and salts of optical isomers.

6 NEW PARAGRAPH. s. N-methylpseudoephedrine, its
7 salts, optical isomers, and salts of optical isomers.

8 NEW PARAGRAPH. t. Hydriodic acid.

9 NEW PARAGRAPH. u. Benzaldehyde.

- 10 NEW PARAGRAPH. v. Nitroethane."
 11 2. By renumbering as necessary.

NELSON-FORBES of Marshall
 DAVIS of Wapello
 OSTERHAUS of Jackson

H-8521

- 1 Amend Senate File 2366, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 6, by inserting after line 12 the
 4 following:
 5 "Sec. ____ Section 453A.39, Code 1999, is amended
 6 by striking the section and inserting in lieu thereof
 7 the following:
 8 453A.39 TOBACCO PRODUCTS, CIGARETTES, GIFTS, AND
 9 PAYMENTS FOR DISPLAYING CIGARETTES – PROHIBITIONS.
 10 1. Unless authorized under subsection 3, a
 11 manufacturer, distributor, wholesaler, retailer, or
 12 distributing agent or agent thereof shall not give
 13 away cigarettes or tobacco products at any time in
 14 connection with the manufacturer's, distributor's,
 15 wholesaler's, retailer's, or distributing agent's
 16 business or for promotion of the business or product.
 17 2. Unless authorized by subsection 3, a
 18 manufacturer, distributor, wholesaler, retailer, or
 19 distributing agent shall not provide free articles,
 20 products, commodities, gifts, or concessions in an
 21 offer for sale or sale involving cigarettes or tobacco
 22 products.
 23 3. The prohibitions in this section do not apply
 24 to transactions between manufacturers, distributors,
 25 or wholesalers."
 26 2. By renumbering as necessary.

SHOULTZ of Black Hawk

H-8522

- 1 Amend Senate File 2371, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 7, by inserting after line 16 the
 4 following:
 5 "NEW SUBSECTION. 20A. "Other volunteer" means a
 6 person who is not the department, a professional
 7 designee of the department, or a qualified volunteer."
 8 2. Page 7, by inserting after line 16 the
 9 following:
 10 "NEW SUBSECTION. 28A. "Qualified volunteer" means
 11 a person, other than the department or a professional
 12 designee of the department, who has appropriate

13 technical expertise and collects water quality-related
 14 data or information pursuant to a water monitoring
 15 plan approved in advance by the department and uses
 16 certified laboratories in accordance with section
 17 455B.113."

18 3. Page 7, by inserting after line 22 the
 19 following:

20 **"NEW SUBSECTION. 41A. "Unrefined data" means**
 21 **water quality-related data or information collected by**
 22 **any other volunteer."**

23 4. Page 7, by striking lines 28 through 30 and
 24 inserting the following: "from studies and samples
 25 collected as follows:

26 a. By the department, a professional designee of
 27 the department, or a qualified volunteer.

28 b. Pursuant to a national pollutant discharge
 29 elimination system (NPDES) permit.

30 For the purposes of this subsection,
 31 "professional".

32 5. Page 8, line 1, by inserting before the word
 33 "plan" the following: "water monitoring".

34 6. By striking page 8, line 34 through page 9,
 35 line 2 and inserting the following:

36 "2. The department may use unrefined data as the
 37 basis for taking an action pursuant to this section
 38 only when all of the following conditions are met:

39 a. The department has reviewed the unrefined data
 40 and confirmed its accuracy and appropriateness.

41 b. The department has given ninety days' public
 42 notice of its intention to act based on the unrefined
 43 data."

44 7. Page 9, line 6, by inserting after the word
 45 "information" the following: "related to water
 46 quality".

HUSER of Polk
 RICHARDSON of Warren

H-8523

1 Amend House File 2530 as follows:

2 1. Page 86, by inserting after line 14 the
 3 following:

4 **"4. RENEWABLE ENERGY PORTFOLIO REQUIREMENTS.**

5 **REQUIREMENTS. (1) Commencing with calendar**
 6 **year 2006, an amount equal to four percent of the**
 7 **annual kilowatt-hours of competitive power supply**
 8 **services sold to end-use consumers by each licensed**
 9 **competitive electric service provider and services**
 10 **sold by each service provider under section 476B.8**
 11 **shall be attributable to renewable energy or renewable**
 12 **energy credits. Commencing with calendar year 2009,**

13 the amount shall increase to six percent and,
14 commencing with calendar year 2011, the amount shall
15 increase to eight percent. These requirements shall
16 terminate after calendar year 2021.

17 (2) The renewable energy requirements under
18 subparagraph (1) may be satisfied by a service
19 provider purchasing competitively priced renewable
20 energy from a renewable energy facility receiving
21 funds under section 476B.13, subsection 4; by using
22 renewable energy credits as provided in paragraph "b";
23 or by using renewable energy from any other renewable
24 energy facility in the continental United States,
25 which use can be by displacement.

26 (3) Nothing in this subsection shall prevent the
27 service providers subject to the renewable energy
28 requirements under subparagraph (1) from electing to
29 meet those requirements by voluntarily aggregating
30 their individual purchases, sales, uses, and renewable
31 credits.

32 (4) For the purpose of this subsection 4 and
33 section 476B.13, subsection 4, the services sold
34 pursuant to section 476B.8, subsection 4, by a
35 delivery service provider that is a consumer-owned
36 utility shall not be subject to the renewable energy
37 portfolio requirements of this subsection.

38 b. RENEWABLE CREDITS. The renewable energy
39 portfolio requirements of paragraph "a" may be
40 satisfied by a service provider, in whole or in part,
41 by purchasing or otherwise acquiring renewable energy
42 credits. Such credits may be acquired after the end
43 of a calendar year to satisfy the renewable energy
44 portfolio requirements for that prior calendar year.
45 The board shall propose rules by October 1, 2001, that
46 establish the system of renewable energy credits. The
47 rules, at a minimum, shall provide for the following:

48 (1) Credits may be issued for each kilowatt-hour
49 produced by a qualifying renewable energy facility
50 located in this state or any other state in the

Page 2

1 continental United States, including such production
2 by displacement. Credits may be for more than one-
3 year duration. For purposes of this subparagraph,
4 "qualifying renewable energy facility" shall be
5 interpreted as broadly as practicable by the board.

6 (2) Credits shall be issued to any service
7 provider subject to the renewable energy portfolio
8 requirements of paragraph "a" that permits an eligible
9 end-use consumer with a qualifying small renewable
10 energy facility to use net billing. For purposes of
11 this subparagraph, "eligible end-use consumer" is

12 limited to a residential, farm, or public school
13 district end-use consumer. Net billing means that the
14 eligible end-use consumer pays the competitive
15 electric service provider or provider of services
16 under section 476B.8 only for the difference in an
17 applicable billing period between the kilowatt-hours
18 supplied to the end-use consumer by that service
19 provider and the kilowatt-hours delivered to the
20 delivery system by the eligible end-use consumer from
21 a qualifying small renewable energy facility. A
22 qualifying small renewable energy facility is a
23 facility that is no larger than one megawatt; is
24 located on the property of the school district or the
25 end-use consumer's farm or residence; serves only the
26 electric energy needs of the school district, farm, or
27 residence; and is operated in parallel with the
28 delivery system. Credits issued for such facilities
29 shall be equal to one hundred fifty percent of
30 nameplate capacity at one hundred percent
31 availability.

32 (3) The owner of renewable energy credits may
33 give, trade, or sell the credits to another person,
34 including a service provider subject to the renewable
35 energy portfolio requirements of paragraph "a".

36 (4) The board, at any time, may request and obtain
37 from service providers subject to the renewable energy
38 portfolio requirements of paragraph "a" such
39 information as the board determines is necessary to
40 monitor or enforce compliance with the renewable
41 energy credit rules adopted pursuant to this paragraph
42 "b".

43 c. REPORTS. Commencing April 1, 2007, on or
44 before April 1 of each year, a service provider
45 subject to the renewable energy portfolio requirements
46 of paragraph "a" shall file with the board a report
47 for the immediately preceding calendar year, certified
48 by a corporate officer, setting forth the total
49 kilowatt-hour sales of the service provider to end-use
50 consumers in this state and the percent of those

Page 3

1 kilowatt-hours attributable to renewable energy; the
2 description, fuel type, and location of the renewable
3 energy facilities used to satisfy the renewable energy
4 portfolio requirements; the amount of any renewable
5 energy credits that the service provider will use to
6 satisfy the renewable energy portfolio requirements; a
7 verified statement that the renewable energy and
8 renewable energy credits used to satisfy the renewable
9 energy portfolio requirements have not been used to
10 serve or otherwise claimed as applicable to renewable

11 energy sales requirements outside this state and have
12 not been provided by renewable energy for which the
13 costs have been recovered through charges provided for
14 under section 476B.15, subsection 3, during the year.
15 The board may require other pertinent information be
16 included in the report.

17 d. SHORTFALLS. The board shall propose rules by
18 October 1, 2001, establishing a reasonable method and
19 grace period after the end of a calendar year to
20 enable a service provider subject to the renewable
21 energy portfolio requirements of paragraph "a" to
22 satisfy without penalty any shortfall in meeting its
23 renewable energy portfolio requirements in the prior
24 calendar year. The board shall consider the
25 provisions of section 476B.13, subsection 4, in the
26 development of these rules. The board may impose
27 reasonable penalties pursuant to section 476B.20 after
28 the expiration of the grace period established.

29 e. WAIVERS. (1) The board may waive all or part
30 of the renewable energy portfolio requirements if the
31 board finds any of the following:

32 (a) That extraordinary circumstances are present.

33 (b) That compliance with the requirements would
34 limit the development of a competitive electric market
35 in this state.

36 (c) That transaction costs associated with
37 delivery of renewable energy, including but not
38 limited to scheduling, nominating, balancing,
39 dispatch, and financial settlement, make compliance
40 with the requirements unreasonably uneconomic.

41 (d) That a consumer-owned utility has demonstrated
42 that a statute or a contract in effect as of January
43 1, 2000, precludes compliance.

44 For purposes of this subparagraph (1),
45 "extraordinary circumstances" includes, but is not
46 limited to, a demonstration that a competitive
47 electric service provider will serve a limited market
48 by providing back-up power to end-use consumers
49 receiving competitive power supply services from a
50 different competitive electric service provider. A

Page 4

1 waiver of the renewable energy portfolio requirements
2 granted by the board shall be for no more than four
3 years, but may be renewed by the board upon the
4 expiration of the waiver. In addition to other
5 persons entitled to service by statute or rules, a
6 person filing a request for a waiver or a renewal of a
7 waiver shall serve a copy of the filing on the energy
8 and geological resources division of the department of
9 natural resources or its successor.

10 (2) The board shall reduce the amount of the
 11 renewable energy portfolio requirements in a specific
 12 year to the extent that the department of natural
 13 resources through the renewable energy and emissions
 14 reduction fund created by section 476B.13, subsection
 15 4, fails in that year to satisfy the mandates of that
 16 subsection. Such reduction shall apply to all service
 17 providers that are subject to the renewable energy
 18 portfolio requirements of paragraph "a".
 19 f. LEGISLATIVE REVIEW. The general assembly shall
 20 review the requirements of this subsection if a
 21 federal renewable energy sales requirement becomes
 22 law."
 23 2. Page 100, by striking lines 10 and 11 and
 24 inserting the following:
 25 "4. ENVIRONMENTAL FUND.
 26 a. PURPOSE. An environmental".
 27 3. Page 100, line 13, by striking the words "Iowa
 28 department of economic development" and inserting the
 29 following: "department of natural resources".
 30 4. Page 100, by inserting after line 14 the
 31 following:
 32 "(OA) Create a source of competitively priced
 33 renewable energy in an amount sufficient to satisfy or
 34 exceed the annual renewable energy portfolio
 35 requirements of all service providers subject to the
 36 renewable energy portfolio requirements of section
 37 476B.10, subsection 4."
 38 5. Page 100, line 15, by striking the words
 39 "Encourage investment in and development of" and
 40 inserting the following: "Subsidize investment in".
 41 6. Page 100, line 18, by striking the word
 42 "Enable" and inserting the following: "Subsidize".
 43 7. Page 100, by striking lines 19 through 23 and
 44 inserting the following: "an extent sufficient to
 45 enable such facilities to sell renewable energy at
 46 prices competitive with other forms of electric
 47 generation.
 48 (3) Subsidize investment in existing or proposed
 49 fossil-fueled generation facilities and in associated
 50 equipment in this state that will reduce emissions,

Page 5

1 including carbon dioxide emissions, utilizing
 2 techniques which may include co-firing of agricultural
 3 waste and crops in existing plants."
 4 8. By striking page 100, line 24, through page
 5 101, line 12, and inserting the following:
 6 "b. MANDATED REQUIREMENTS. (1) The department of
 7 natural resources, utilizing the funding provided by
 8 this subsection, shall subsidize and otherwise ensure

9 the development of Iowa-based renewable energy
10 facilities that will offer renewable energy for
11 purchase by service providers subject to the renewable
12 energy portfolio requirements of section 476B.10,
13 subsection 4, in an amount equal to four percent of
14 all kilowatt-hours sold to end-use consumers in each
15 of the calendar years 2006 through 2008, six percent
16 of all kilowatt-hours sold to end-use consumers in
17 each of the calendar years 2009 and 2010, and eight
18 percent of all kilowatt-hours sold to end-use
19 consumers in each of the calendar years 2011 through
20 2021. In determining the amount of incremental
21 kilowatt-hours of renewable energy needed to satisfy
22 the requirements of this paragraph, the department of
23 natural resources shall assume that seven hundred
24 seventeen million three hundred forty-nine thousand
25 kilowatt-hours will be available from renewable energy
26 facilities in existence prior to the effective date of
27 this Act. The department shall also utilize the
28 funding provided by this subsection to subsidize and
29 achieve quantifiable reductions in air emissions
30 reported to the United States environmental protection
31 agency and other government agencies for fossil-fueled
32 generation in this state.

33 (2) An applicant awarded a grant, loan, incentive,
34 or other subsidy under this subsection for the
35 construction, expansion, repowering, or fuel
36 substitution of a renewable energy facility must offer
37 the resultant renewable energy first to service
38 provider subject to the renewable energy portfolio
39 requirements of section 476B.10, subsection 4, at
40 prices competitive with the market prices for fossil-
41 fueled generation to enable each service provider to
42 satisfy such renewable energy portfolio requirements.
43 The board shall propose rules by October 1, 2001,
44 establishing the process governing offers and sales of
45 such renewable energy to be used by applicants and
46 those service providers subject to the renewable
47 energy portfolio requirements of section 476B.10,
48 subsection 4. In overseeing the pricing of the
49 renewable energy, the board shall recognize such
50 factors as the time differentiation of prices, the

Page 6

1 delivery point into the integrated system, and the
2 degrees of firmness of production and delivery. The
3 rules shall ensure that each such service provider has
4 a reasonable opportunity to satisfy its renewable
5 energy portfolio requirements entirely from renewable
6 energy facilities receiving subsidies from the fund,
7 if the service provider so chooses. The oversight

8 responsibility of the board and the obligation of an
9 applicant awarded a grant, loan, incentive, or other
10 subsidy to offer renewable energy at prices
11 competitive with the market prices for fossil-fueled
12 generation under this subparagraph (2) shall terminate
13 upon a finding by the board that such oversight
14 responsibility and obligations are not necessary to
15 protect the interests of consumers.

16 (3) In any year that service providers subject to
17 the renewable energy portfolio requirements of section
18 476B.10, subsection 4, do not purchase all of the
19 renewable energy offered by an applicant awarded a
20 grant, loan, incentive, or other subsidy under this
21 subsection, the applicant may sell the excess in the
22 wholesale market or, if the applicant is a licensed
23 competitive electric service provider, in the retail
24 market.

25 (4) In any year that the total renewable energy
26 kilowatt-hours made available under subparagraph (1)
27 are insufficient to satisfy the mandated requirements
28 of that subparagraph, the board shall reduce the
29 renewable energy portfolio requirements of section
30 476B.10, subsection 4, to the extent of the
31 insufficiency. The reduction shall apply to all
32 service providers subject to the renewable energy
33 portfolio requirements. The department of natural
34 resources shall include in its annual report required
35 by paragraph "g" for that year an identification of
36 the amount of the renewable energy insufficiency, the
37 reasons for the insufficiency, and a detailed plan for
38 avoiding a recurrence of an insufficiency utilizing
39 the available funding.

40 (5) The board and the department of natural
41 resources shall adopt rules as necessary for the
42 implementation of the respective duties of the board
43 and department."

44 9. Page 101, by striking lines 14 and 15 and
45 inserting the following: "be made available by the
46 department of natural resources in the form of grants,
47 loans, incentives, and other subsidies,".

48 10. Page 101, line 18, by striking the words
49 "Investment in and" and inserting the following:
50 "Subsidizing investment in and ensuring".

Page 7

1 11. Page 101, by striking lines 22 through 26 and
2 inserting the following:

3 "() Subsidizing investment in and ensuring
4 development of wind energy".

5 12. Page 101, line 29, by striking the words
6 "Investment in and" and inserting the following:

- 7 "Subsidizing investment in and encouraging".
8 13. Page 101, line 33, by inserting after the
9 word "levels" the following: "from fossil-fueled
10 electric generating facilities or reduce fossil-fueled
11 emissions of carbon dioxide from fossil-fueled
12 facilities. Co-firing of agricultural waste and crops
13 qualify as a permissible investment under this
14 subsection".
15 14. Page 101, line 34, by striking the words
16 "Investment in and" and inserting the following:
17 "Subsidizing investment in and encouraging".
18 15. Page 102, line 1, by inserting after the word
19 "state" the following: "than would result from the
20 use of fossil-fueled generation in existence as of the
21 effective date of this Act".
22 16. Page 102, line 2, by striking the words "Iowa
23 department of economic development" and inserting the
24 following: "department of natural resources".
25 17. Page 102, by striking lines 5 through 7 and
26 inserting the following: "loans, incentives, and
27 other subsidies from the fund. The rules shall
28 provide for a competitive process requiring the
29 submission of a proposal by an applicant seeking a
30 grant, loan, incentive, or other subsidy. The rules
31 shall specify the criteria that will be used to select
32 the successful applicants. The rules shall address
33 performance guarantees including, but not limited to,
34 conditioning payment of any such subsidies upon making
35 the resultant renewable energy available to service
36 providers subject to the renewable energy portfolio
37 requirements of section 476B.10, subsection 4. The
38 rules shall not discriminate against incumbent
39 providers and their affiliates and shall not
40 unreasonably favor any person, class of applicant, or
41 type of renewable energy facility, except as provided
42 in subparagraph (3).
43 (3) The department of natural resources, by
44 October 1, 2001, shall adopt rules".
45 18. Page 102, by striking line 10 and inserting
46 the following: "and mandated requirements of this
47 subsection. At least three and seven-tenths percent
48 of the".
49 19. Page 102, line 16, by striking the word "ten"
50 and inserting the following: "four and one-half".

Page 8

- 1 20. By striking page 102, line 21, through page
2 103, line 34, and inserting the following:
3 "(4) The department of natural resources may enter
4 into an agreement with an independent qualified person
5 for the administration and implementation of

6 paragraphs "a" and "b" and this paragraph "c".

7 d. ADMINISTRATIVE EXPENSE. The reasonable costs
8 incurred in administering this subsection shall be
9 reimbursed from moneys in the fund but shall not in
10 any twelve-month period exceed five percent of the
11 annual collections under paragraph "j". Reasonable
12 costs include the expenses of the department of
13 natural resources, as well as the expenses of the
14 board and the independent qualified person who has
15 entered into an agreement with the department of
16 natural resources, incurred in administering and
17 implementing paragraphs "b", "c", and "k".

18 e. OVERSIGHT. In addition to the annual report
19 required under paragraph "g", the department of
20 natural resources shall report quarterly to the
21 legislative fiscal committee regarding the
22 administration of the fund. The legislative fiscal
23 committee shall have oversight responsibility for the
24 fund expenditures.

25 f. INTERAGENCY COOPERATION. The department of
26 natural resources shall solicit assistance and advice
27 from the board, the Iowa energy center, and the Iowa
28 department of economic development, as appropriate.

29 g. ANNUAL REPORT. The department of natural
30 resources shall prepare an annual report concerning
31 the status of the fund, the amount of administrative
32 expenses incurred in the governance of the fund, the
33 progress toward achieving the purposes and mandated
34 requirements in the prior year and since the inception
35 of the fund, the amount of funding used for energy
36 efficiency programs under subsection 5 during the
37 prior year, and any recommendations for legislation to
38 encourage the development of additional renewable
39 energy resources and investments in fossil-fueled
40 generation and associated equipment to reduce air
41 emissions without increasing the charges under
42 paragraph "j". The report shall be submitted to the
43 governor and to the general assembly by April 1 of
44 each year, commencing in 2003 and concluding in 2022.

45 h. INDEPENDENT AUDIT. The department of natural
46 resources, every three years commencing in 2004, shall
47 cause an audit of the fund's collections and
48 disbursements, including administrative expenses, to
49 be conducted by an independent accounting firm. A
50 copy of the audit shall be included with the annual

Page 9

1 report required under paragraph "g".

2 i. INTERIM FUNDING. (1) An incumbent provider
3 that is an electric company shall begin collecting
4 funds for remittance to the renewable energy and

5 emissions reduction fund as of the date the incumbent
6 provider has fully recovered accumulated deferred
7 costs associated with electric energy efficiency plans
8 pursuant to section 476.6, subsection 19. From the
9 date such accumulated deferred costs have been fully
10 recovered until October 1, 2002, the amount collected
11 shall equal the amount of accumulated deferred costs
12 included in each electric company's rates and charges
13 prior to the date of full recovery and shall be
14 apportioned to customers on a monthly basis in the
15 same manner as those deferred electric energy
16 efficiency costs. All moneys collected pursuant to
17 this paragraph shall be remitted monthly to the
18 treasurer of state and deposited in the renewable
19 energy and emissions reduction fund. The moneys
20 deposited in the fund are appropriated for the
21 purposes of this subsection and subsection 5. The
22 treasurer of state shall make disbursements from the
23 fund as directed by the department of natural
24 resources or the board, and in accordance with this
25 paragraph.

26 (2) The board may direct all incumbent providers
27 that are electric companies to advance to the
28 treasurer of state, on an as needed basis, a maximum
29 of two million five hundred thousand dollars to fund
30 the needs assessment required under subsection 5. The
31 board may direct all or a portion of these amounts to
32 be advanced at any time after the effective date of
33 this Act. An electric company advancing funds for the
34 needs assessment shall be reimbursed from funds
35 collected pursuant to this paragraph, and interest
36 shall be paid on any funds advanced at the rate of
37 twelve percent per annum.

38 Moneys deposited in the fund pursuant to this
39 paragraph "i" may be used for the following purposes:

40 (a) A maximum of three million dollars to the
41 department of natural resources and the board for a
42 needs assessment and for reimbursement with interest
43 of funds advanced by electric companies.

44 (b) A maximum of ten percent of the moneys in the
45 fund for administrative expenses of the department of
46 natural resources related to the development of the
47 programs required by this subsection and programs
48 under subsection 5.

49 (c) A maximum of thirty percent of the moneys in
50 the fund to the department of natural resources for

Page 10

1 pilot electric energy efficiency programs and other
2 cost-effective electric energy efficiency programs for
3 residential and nonresidential consumers, customized

4 electric energy efficiency programs for nonresidential
5 consumers, community-based electric energy efficiency
6 programs, and public sector electric energy efficiency
7 programs developed by the department and approved by
8 the advisory committee established in subsection 5.
9 These programs shall be limited to the assigned
10 service areas of electric companies.

11 (d) A maximum of seven million dollars to the
12 board for reimbursement with interest of funds
13 advanced by incumbent providers that are electric
14 companies for the consumer education program.

15 (e) A maximum of one million two hundred forty
16 thousand dollars to the division of community action
17 agencies in the department of human rights for low-
18 income energy efficiency and energy affordability
19 assistance and for administrative expenses related to
20 the development of low-income energy efficiency
21 programs.

22 (f) A maximum of two million one hundred thousand
23 dollars for the intervenor fund created in section
24 476B.26.

25 j. LONG-TERM FUNDING. (1) The renewable energy
26 and emissions".

27 21. Page 104, by striking lines 7 and 8 and
28 inserting the following: "average collection over the
29 life of the fund of fifty-three million five hundred
30 thousand dollars per year. Except as provided in
31 subsection 5, any surcharge amounts collected that are
32 not required to satisfy the purposes and mandated
33 requirements of this subsection shall be used by the
34 department of natural resources for energy efficiency
35 programs under subsection 5. The monthly".

36 22. Page 104, line 15, by striking the word
37 "Eighty-seven" and inserting the following: "One
38 dollar and sixty-five".

39 23. Page 104, line 16, by striking the word
40 "Forty-eight" and inserting the following: "Ninety-
41 one".

42 24. Page 104, line 19, by striking the words
43 "Three dollars and fifty-one" and inserting the
44 following: "Six dollars and sixty-seven".

45 25. Page 104, line 23, by striking the words
46 "Fourteen dollars and sixty-nine" and inserting the
47 following: "Twenty-seven dollars and eighty-eight".

48 26. Page 104, line 27, by striking the words
49 "Sixty-three dollars and eighty-two" and inserting the
50 following: "One hundred twenty-one dollars and

Page 11

1 fifteen".

2 27. Page 104, line 31, by striking the words "Two

- 3 hundred fifty-one dollars and thirty-three" and
4 inserting the following: "Four hundred seventy-seven
5 dollars and eleven".
- 6 28. Page 104, line 35, by striking the words "Two
7 thousand three hundred nineteen" and inserting the
8 following: "Four thousand four hundred two".
- 9 29. Page 105, line 1, by striking the word
10 "twenty-one" and inserting the following: "fifty-
11 six".
- 12 30. Page 105, line 7, by striking the word
13 "Twenty-three" and inserting the following: "Twenty-
14 two".
- 15 31. Page 105, line 11, by striking the word
16 "twenty-seven" and inserting the following: "twenty-
17 four".
- 18 32. Page 105, line 15, by striking the word
19 "thirty" and inserting the following: "eighteen".
- 20 33. Page 105, line 19, by striking the words
21 "Twenty-three dollars and three" and inserting the
22 following: "Twenty-two dollars and fifty-one".
- 23 34. Page 105, line 23, by striking the words
24 "Ninety dollars and seventy-one" and inserting the
25 following: "Eighty-eight dollars and sixty-six".
- 26 35. Page 105, line 27, by striking the words
27 "Eight hundred thirty-seven dollars and six" and
28 inserting the following: "Eight hundred eighteen
29 dollars and fourteen".
- 30 36. Page 105, line 31, by striking the words
31 "Iowa energy center" and inserting the following:
32 "board".
- 33 37. Page 106, line 1, by striking the word "All"
34 and inserting the following: "Except as provided in
35 subsection 5, all".
- 36 38. Page 106, line 4, by inserting after the word
37 "fund" the following: "and, as provided in
38 subparagraph (1), for the purpose of funding energy
39 efficiency programs".
- 40 39. Page 106, line 6, by striking the words "Iowa
41 energy center" and inserting the following:
42 "department of natural resources".
- 43 40. Page 106, lines 11 and 12, by striking the
44 words "electric energy efficiency" and inserting the
45 following: "renewable energy and emissions
46 reduction".
- 47 41. Page 106, by striking lines 15 and 16 and
48 inserting the following: "selected by the department
49 of natural resources to do all of the".
- 50 42. Page 106, line 21, by striking the word

- 2 requirements".
- 3 43. Page 106, line 24, by striking the word
4 "goals" and inserting the following: "mandated
5 requirements".
- 6 44. Page 106, line 28, by striking the words
7 "FUND AND".
- 8 45. Page 106, by striking lines 29 through 31 and
9 inserting the following:
10 "a. PURPOSE. For purposes of this".
- 11 46. Page 106, line 34, by striking the words "The
12 purpose of the fund is" and inserting the following:
13 "To the extent that amounts collected pursuant to
14 subsection 4 are not required to achieve the purposes
15 and mandated requirements of that subsection, the
16 division shall use the amounts available".
- 17 47. Page 107, by striking lines 14 through 19 and
18 inserting the following:
19 "() One person representing the state board of
20 regents, appointed by the governor.
21 () One person representing the Iowa department
22 of economic development, appointed by the governor."
- 23 48. By striking page 108, line 26, through page
24 110, line 30.
- 25 49. Page 110, by striking line 31 and inserting
26 the following:
27 "c. ELECTRIC ENERGY EFFICIENCY PROGRAMS AND".
- 28 50. Page 110, line 34, by striking the letter
29 "e" and inserting the following: "d".
- 30 51. Page 110, line 35, by striking the letter
31 "m" and inserting the following: "j".
- 32 52. Page 111, by striking line 1 and inserting
33 the following: "available for electric energy
34 efficiency programs may be used".
- 35 53. Page 111, by striking line 4 and inserting
36 the following: "consumer. Moneys in the fund may
37 also be used for tree planting programs."
- 38 54. Page 111, by striking lines 7 and 8 and
39 inserting the following: "programs, establishing
40 criteria for use of any moneys made available for
41 electric energy efficiency programs, and providing for
42 the equitable".
- 43 55. Page 111, line 10, by striking the letter
44 "d" and inserting the following: "e".
- 45 56. Page 111, line 16, by inserting after the
46 word "local" the following: "electric energy
47 efficiency".
- 48 57. Page 111, line 18, by striking the word
49 "ninety" and inserting the following: "forty".
- 50 58. Page 111, line 19, by striking the word and

Page 13

- 1 letter "paragraph "f"" and inserting the following:
 2 "subsection 4, paragraph "j";".
- 3 59. Page 111, by striking lines 21 through 25,
 4 and inserting the following: "provider is unable to
 5 spend the total amount it retains for electric energy
 6 efficiency programs, the remaining balance shall be
 7 remitted to the treasurer of state for deposit in the
 8 renewable energy and emissions reduction fund. No
 9 more than ten percent of the annual collections
 10 retained by a consumer-".
- 11 60. Page 111, by striking lines 32 through 35 and
 12 inserting the following: "provider choosing to retain
 13 an annual amount of collections as provided in this
 14 paragraph is ineligible to receive any additional
 15 amounts in that year for electric energy efficiency
 16 programs in its assigned service area from the moneys
 17 made available to the division for energy efficiency
 18 programs. An end-use consumer located in the
 19 assigned".
- 20 61. Page 112, line 2, by striking the word
 21 "funds" and inserting the following: "an annual
 22 amount of collections".
- 23 62. Page 112, line 3, by striking the word
 24 "funds" and inserting the following: "amounts in that
 25 year".
- 26 63. Page 112, by striking line 4 and inserting
 27 the following: "indirectly, from the moneys made
 28 available to the division for energy efficiency
 29 programs. A".
- 30 64. Page 112, line 7, by striking the word
 31 "funds" and inserting the following: "an annual
 32 amount of collections".
- 33 65. Page 112, line 14, by striking the letter
 34 ""d"" and inserting the following: ""c"".
- 35 66. Page 112, line 17, by striking the word and
 36 letter "e. NEEDS" and inserting the following: "d.
 37 NEEDS".
- 38 67. Page 112, line 33, by striking the letter
 39 ""i"" and inserting the following: ""g"".
- 40 68. By striking page 113, line 2, through page
 41 116, line 4 and inserting the following:
 42 "e. ADMINISTRATIVE EXPENSE. The reasonable
 43 costs,".
- 44 69. Page 116, by striking lines 7 and 8 and
 45 inserting the following: "subsection shall be
 46 reimbursed from the available funds, but shall not
 47 exceed ten percent of annual available funds."
- 48 70. Page 116, line 10, by striking the words
 49 "administer the fund and".
- 50 71. By striking page 116, line 25, through page

Page 14

- 1 117, line 1.
- 2 72. Page 117, line 4, by striking the word "fund"
- 3 and inserting the following: "energy efficiency
- 4 programs".
- 5 73. Page 117, line 5, by striking the word "fund"
- 6 and inserting the following: "programs".
- 7 74. Page 117, line 9, by striking the words "the
- 8 board and".
- 9 75. Page 117, by striking line 23 and inserting
- 10 the following: "recommendations. Such
- 11 recommendations shall not include an increase in any
- 12 surcharge under subsection 4."
- 13 76. By renumbering, redesignating, and correcting
- 14 internal references as necessary.

WISE of Lee
 JENKINS of Black Hawk

H-8530

- 1 Amend Senate File 2366, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 1, through page 2,
- 4 line 4.
- 5 2. Page 2, line 5, by inserting after the figure
- 6 "453A.3," the following: "subsection 1,".
- 7 3. Page 2, by striking line 7.
- 8 4. By striking page 2, line 16, through page 5,
- 9 line 6.
- 10 5. Page 6, by striking lines 13 through 28.
- 11 6. Page 7, by striking lines 6 through 33.
- 12 7. Title page, by striking line 1, and inserting
- 13 the following: "An Act relating to".

SUKUP of Franklin

H-8532

- 1 Amend House File 2530 as follows:
- 2 1. Page 30, line 28, by inserting after the word
- 3 "of" the following: "income level,".

DODERER of Johnson

H-8533

- 1 Amend House File 2530 as follows:
- 2 1. Page 19, line 13, by inserting after the word
- 3 "of" the following: "initial".
- 4 2. Page 19, by inserting after line 14 the

5 following:
 6 "4A. ASSESSMENT. The board shall determine the
 7 amount of funding and the duration of the consumer
 8 education program necessary to provide adequate
 9 opportunity to allow end-use consumers to educate
 10 themselves regarding competitive electric services and
 11 their rights and responsibilities under this chapter."
 12 3. By renumbering as necessary.

DODERER of Johnson

H-8535

1 Amend House File 2530 as follows:
 2 1. Page 30, by inserting after line 4 the
 3 following:
 4 "y. A commitment to not make solicitation calls to
 5 a prospective end-use consumer from seven p.m. to nine
 6 a.m. Monday through Saturday, or at any time on
 7 Sunday."

SHOULTZ of Black Hawk

H-8537

1 Amend Senate File 419, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 14, by inserting before the word
 4 "This" the following: "Certification fees established
 5 by the board shall be collected and retained by the
 6 department of agriculture and land stewardship,
 7 deposited into a veterinary clinic certification fund
 8 created in the state treasury under the authority of
 9 the department, and appropriated to the department to
 10 implement the provisions of this subsection. Amounts
 11 deposited in the fund shall not be transferred, used,
 12 obligated, appropriated, or otherwise encumbered
 13 except as provided in this subsection.
 14 Notwithstanding section 12C.7, subsection 2, interest
 15 or earnings on moneys deposited into the fund shall be
 16 credited to the fund. Amounts deposited in the fund
 17 that remain unexpended or unencumbered at the close of
 18 the fiscal year shall remain in the fund for
 19 utilization as provided in this subsection for the
 20 following fiscal year."

THOMAS of Clayton
 GREINER of Washington

H-8540

1 Amend the amendment, H-8489, to Senate File 2411,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 8 the

5 following:

6 " _____. Page 56, by inserting after line 28 the

7 following:

8 "Sec. ____ IOWA PUBLIC EMPLOYEES' RETIREMENT
9 SYSTEM - HEALTH CARE BENEFIT. The Iowa public
10 employees' retirement system division shall conduct a
11 study to consider various proposals to provide persons
12 covered under the Iowa public employees' retirement
13 system a basic health insurance plan available to
14 members of the system who retire under normal
15 retirement requirements. In conducting its study, the
16 Iowa public employees' retirement system division
17 shall consider health insurance options available
18 through the Iowa public employees' retirement system
19 that would cover individuals and their spouses until
20 reaching the age of 65. The study is to include
21 recommendations including the feasibility of allowing
22 members to pay into a special fund through their Iowa
23 public employees' retirement system contributions that
24 would be accessed to pay for health insurance upon
25 retirement and before reaching the age of 65, as well
26 as whether this option would require an increase in
27 employee contributions. On or before September 1,
28 2001, the Iowa public employees' retirement system
29 division shall file a report with the legislative
30 service bureau, for distribution to the public
31 retirement systems committee established in section
32 97D.4, which contains its findings and
33 recommendations, including any proposal or proposals
34 for providing health care benefits for persons covered
35 by the Iowa public employees' retirement system. The
36 report shall also contain any applicable actuarial
37 information concerning the costs of any proposal or
38 proposals included in the report." "

MASCHER of Johnson

H-8542

1 Amend the Senate amendment, H-8412, to House File
2 620, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by striking lines 5 through 19.

5 2. Page 1, by striking lines 22 through 31.

6 3. By renumbering as necessary.

BLODGETT of Cerro Gordo

H-8543

1 Amend House File 2530 as follows:

2 1. By striking page 157, line 24, through page
3 158, line 31, and inserting the following:

4 "1. PURPOSE. An intervenor fund in the amount of
5 two million one hundred thousand dollars is created,
6 to be administered by the board. The fund shall be
7 used to reimburse qualified not-for-profit entities
8 that intervene in rulemaking proceedings before the
9 board associated with rules that are required to be
10 proposed by a specific date established by chapter
11 476B.

12 2. INTERVENOR REQUIREMENTS. In a rulemaking
13 proceeding associated with rules that are required to
14 be proposed by a specific date established by chapter
15 476B, the board may compensate an intervenor
16 participating in the rulemaking proceeding that is not
17 a delivery service provider, competitive electric
18 service provider, or other entity engaged in the
19 electric business, for some or all of the reasonable
20 costs of participation in the proceeding if the board
21 finds both of the following:

22 a. The intervenor is a not-for-profit entity
23 having at least one hundred members who are residents
24 of this state.

25 b. Participation by the intervenor is necessary to
26 provide for the record an adequate presentation of a
27 significant position in which the not-for-profit
28 entity has a substantial interest, and such an
29 adequate presentation would not be possible without a
30 grant of compensation.

31 3. INTERVENOR FINANCING. The board shall
32 compensate a qualified not-for-profit entity up to ten
33 thousand dollars for the actual, reasonable costs
34 incurred by the entity in the rulemaking proceeding.
35 However, the board shall not award amounts for
36 reimbursement in excess of one hundred thousand
37 dollars per rulemaking proceeding. A qualified not-
38 for-profit entity may join with one or more other
39 qualified not-for-profit entities to intervene in a
40 rulemaking proceeding without prejudicing the
41 eligibility of any of the entities for compensation
42 under this section. If more than ten qualified not-
43 for-profit entities request reimbursement in a
44 rulemaking proceeding and the total amount requested
45 from all qualified not-for-profit entities is greater
46 than one hundred thousand dollars, the board shall
47 determine the method for distribution of the available
48 funding.

49 4. SOURCE OF FUNDS. A total of two million one
50 hundred thousand dollars shall be provided for

Page 2

1 intervenor compensation from the interim funding
2 mechanism established under section 476B.13,
3 subsection 5, paragraph "c". The board shall request
4 up to two million one hundred thousand dollars, on an
5 as needed basis, for distribution to qualified not-
6 for-profit entities or for reimbursement of the
7 board's administrative expenses related to proceedings
8 involving such intervenors. Administrative expenses
9 shall not exceed one hundred thousand dollars in
10 total.

11 5. IMPLEMENTATION. The board shall propose rules
12 to implement this section on or before July 1, 2000."

WISE of Lee

H-8544

1 Amend the amendment, H-8523, to House File 2530, as
2 follows:

3 1. Page 4, by inserting after line 22 the
4 following:

5 " _____. By striking page 92, line 8, through page
6 94, line 30.

7 _____. By striking page 97, line 9 through page
8 100, line 9, and inserting the following:

9 "The Iowa energy center and center for global and
10 regional environmental research shall conduct
11 environmental assessments. The Iowa energy center and
12 center for global and regional environmental research
13 shall each provide a written annual report to the
14 board which describes each center's activities and the
15 results that each center has accomplished. Each
16 report shall include an explanation of initiatives and
17 projects of importance to the state." "

18 2. Page 8, line 2, by striking the word and
19 figures "103, line 34" and inserting the following:
20 "106, line 12".

21 3. By striking page 10, line 25, through page 11,
22 line 46.

23 4. Page 14, by striking line 12 and inserting the
24 following: "surcharge.

25 5A. FUNDING - NONBYPASSABLE SURCHARGE.

26 a. The programs established in this section shall
27 be funded by all end-use consumers through a
28 nonbypassable monthly surcharge on all distribution
29 services within a delivery service provider's assigned
30 service area, including service provided under rates
31 or charges pursuant to section 476B.8. The monthly
32 surcharge shall be collected by the person billing the
33 end-use consumer for the service. The monthly

34 surcharge shall commence with bills issued on October
35 1, 2002. The monthly surcharge for each customer
36 class shall be as follows:

37 (1) One dollar and fifty cents for a residential
38 electric account.

39 (2) One dollar and fifty cents for a
40 nonresidential electric account with an annual usage
41 of less than twenty-five thousand kilowatt-hours in
42 the prior calendar year.

43 (3) Ten dollars for a nonresidential electric
44 account with an annual usage of twenty-five thousand
45 kilowatt-hours to one hundred thousand kilowatt-hours
46 in the prior calendar year.

47 (4) Thirty-six dollars for a nonresidential
48 electric account with an annual usage of more than one
49 hundred thousand kilowatt-hours to four hundred
50 thousand kilowatt-hours in the prior calendar year.

Page 2

1 (5) One hundred fifty dollars for a nonresidential
2 electric account with an annual usage of more than
3 four hundred thousand kilowatt-hours to one million
4 five hundred thousand kilowatt-hours in the prior
5 calendar year.

6 (6) Seven hundred fifty dollars for a
7 nonresidential electric account with an annual usage
8 of more than one million five hundred thousand
9 kilowatt-hours to six million kilowatt-hours in the
10 prior calendar year.

11 (7) Six thousand dollars for a nonresidential
12 electric account with an annual usage of more than six
13 million kilowatt-hours in the prior calendar year.

14 b. All moneys collected pursuant to this
15 subsection shall be remitted to the treasurer of the
16 state and deposited as follows:

17 (1) Twenty-three million five hundred thousand
18 dollars in a separate account to be used for the low-
19 income affordability program and a low-income energy
20 efficiency program as provided under subsection 1.
21 The treasurer shall make disbursements from this
22 account as appropriate. Notwithstanding section 8.33,
23 the unencumbered or unobligated moneys remaining at
24 the end of any fiscal year from the allocation made in
25 this subparagraph shall not revert but shall be
26 available for expenditure during subsequent fiscal
27 years until expended for the purposes for which
28 originally appropriated. Interest or earnings on
29 investments or time deposits of the moneys in the
30 account shall be retained for the purposes designated
31 under subsection 1.

32 After the third year of the program, the board

33 shall annually adjust the levels of surcharges on
34 electric accounts under paragraph "a" based on the
35 total program budget developed by the division. When
36 determining the per account charge, the board shall
37 not substantially deviate from the cost allocation
38 among consumer groups reflected in the initial funding
39 charges. Any increase in monthly surcharges as
40 provided in this subparagraph shall not go into effect
41 without prior approval by joint resolution as adopted
42 by the general assembly.

43 (2) Two million dollars in a separate account to
44 be used for environmental assessment as provided under
45 subsection 3. Eighty-five percent of the amounts
46 allocated to this account are appropriated to the Iowa
47 energy center created in section 266.39C. Fifteen
48 percent of the amounts allocated to this account are
49 appropriated to the center for global and regional
50 environmental research established by the state board

Page 3

1 of regents. Notwithstanding section 8.33, the
2 unencumbered or unobligated moneys remaining in the
3 account at the end of any fiscal year shall not revert
4 and shall be retained by the centers for the purposes
5 designated. Notwithstanding section 12C.7, subsection
6 2, interest or earnings on investments or time
7 deposits of the moneys in the account shall be
8 retained and used for the purposes designated under
9 subsection 3.

10 The Iowa energy center and the center for global
11 and regional environmental research shall each provide
12 a report to the legislative fiscal committee on a
13 monthly basis regarding any expenditures of funds
14 associated with each center's activities under this
15 subparagraph. A monthly report shall cover a calendar
16 month and is due the tenth day of the following month.

17 (3) Fifty-three million five hundred thousand
18 dollars in the environmental fund created in
19 subsection 4. The treasurer of state shall make
20 disbursements from this fund as requested by the
21 department of natural resources. The unencumbered or
22 unobligated moneys remaining in the fund at the end of
23 any fiscal year shall not revert but shall be
24 available for expenditure during subsequent fiscal
25 years. Notwithstanding section 12C.7, subsection 2,
26 interest or earnings on investments or time deposits
27 of the moneys deposited in the environmental fund
28 shall be credited to the fund.

29 c. Amounts collected pursuant to this subsection
30 and remitted to the treasurer of state are
31 appropriated for the purposes provided in this

32 subsection and shall not be subject to appropriation
33 for any other purpose by the general assembly, but
34 shall be used only for the purposes set forth in this
35 section." "

36 5. By renumbering as necessary.

HOLMES of Scott

H-8545

1 Amend House File 2530 as follows:
2 1. Page 151, by striking lines 1 through 4 and
3 inserting the following: "licensed or is engaging in
4 conduct that may create a danger to public safety or
5 reliability of the delivery system or may lead to any
6 public injury. An emergency cease".
7 2. Page 151, by striking lines 21 through 27 and
8 inserting the following: "hearing, may impose a civil
9 penalty of no less than twenty-five thousand dollars
10 and up to fifty thousand dollars per occurrence per
11 day of outages. The board may impose additional
12 penalties for excessive numbers of delivery-related
13 outages or excessive outage durations caused by a
14 failure to undertake reasonable and prudent
15 maintenance measures to avoid such outages. The board
16 shall adopt such maintenance measures including, but
17 not limited to, inspection, repair, and replacement
18 standards for transmission and distribution systems of
19 investor-owned utilities. The board".
20 3. Page 151, line 31, by inserting after the word
21 "provider." the following: "The board shall also give
22 due consideration to the effort, or lack of effort,
23 undertaken in the restoration of service after an
24 outage occurs. The board shall adopt rules
25 establishing penalties on all outage occurrences with
26 a duration of greater than seventy-two hours no matter
27 what the cause, giving due consideration to conditions
28 beyond the control of the delivery service provider."

CHIODO of Polk

H-8546

1 Amend House File 2530 as follows:
2 1. Page 118, by striking lines 26 through 29 and
3 inserting the following:
4 "5. A competitive electric service provider,
5 delivery service provider, or generation company shall
6 not interfere with, restrain, or coerce any employee
7 or other person in the exercise of the right to
8 disclose information to the board or other
9 governmental body regarding the safety and reliability

10 of the electrical system, or a portion of such system,
 11 provided that the employee reasonably believes that
 12 such information is true. A competitive electric
 13 service provider, delivery service provider, or
 14 generation company shall not dismiss, demote,
 15 transfer, reprimand, harass, reduce the pay of,
 16 discriminate against, or otherwise retaliate against,
 17 any employee or other person because the employee or
 18 other person made such disclosure. An employee or
 19 other person may bring an action in a court of proper
 20 jurisdiction and request a jury trial. Upon a finding
 21 by a preponderance of the evidence that a competitive
 22 electric service provider, delivery service provider,
 23 or generation company has violated this subsection,
 24 the aggrieved party is entitled to reinstatement if
 25 the retaliatory action resulted in loss of employment,
 26 as well as an award for all damages incurred, court
 27 costs, and reasonable attorney fees. Punitive damages
 28 in an amount not to exceed two hundred fifty thousand
 29 dollars may also be awarded, as appropriate."

CHIODO of Polk

H-8547

- 1 Amend Senate File 2313, as passed by the Senate, as
- 2 follows:
- 3 1. Page 8, by inserting after line 3 the
- 4 following:
- 5 "Sec. ____ Section 321G.18, Code 1999, is amended
- 6 to read as follows:
- 7 321G.18 NEGLIGENCE.
- 8 The owner and operator of an all-terrain vehicle or
- 9 snowmobile are liable for any injury or damage
- 10 occasioned by the negligent operation of the all-
- 11 terrain vehicle or snowmobile. The owner of an all-
- 12 terrain or snowmobile shall be liable for any such
- 13 injury or damage only if the owner was the operator of
- 14 the all-terrain vehicle or snowmobile at the time the
- 15 injury or damage occurred or if the owner gave the
- 16 operator consent to operate the all-terrain vehicle or
- 17 snowmobile."
- 18 2. Title page, line 2, by inserting after the
- 19 word "children," the following: "owner liability for
- 20 damages,".
- 21 3. By renumbering as necessary.

HEATON of Henry

H-8548

- 1 Amend House File 2548 as follows:

2 1. Page 2, by striking lines 16 through 20 and
 3 inserting the following:
 4 "2. The department is authorized to enter into a
 5 tax refund agreement with the governing body of any
 6 federally recognized Indian settlement in Iowa
 7 providing for a mutually agreed upon amount as a
 8 refund to the governing body of any sales or excise
 9 tax paid by the total resident Indian population on or
 10 adjacent to the tribe's lands into the state treasury,
 11 notwithstanding any other law which limits the refund
 12 of taxes. The total resident Indian population on or
 13 adjacent to the tribe's lands shall be defined
 14 according to the United States department of the
 15 interior, bureau of Indian affairs, as determined and
 16 stated in its report on service population and labor
 17 force.
 18 3. The department is authorized to enter into a
 19 tax agreement with the governing body of any federally
 20 recognized Indian tribe in Iowa which provides for the
 21 state and the tribal government to share revenues
 22 generated by any taxes and fees, now imposed or
 23 hereafter authorized by the Iowa general assembly on
 24 transactions involving non-Indians on the tribe's
 25 lands, and on transactions involving members of the
 26 tribe off the tribe's lands."
 27 2. Page 2, line 21, by inserting before the word
 28 "An" the following: "4."

HORBACH of Tama

H-8549

1 Amend House File 2530 as follows:
 2 1. Page 30, by inserting after line 4 the
 3 following:
 4 "y. A commitment that if the competitive electric
 5 service provider purchases carbon emission credits,
 6 such provider shall give a preference to purchasing
 7 such credits from persons in this state engaged in
 8 farming as defined in section 9H.1.
 9 z. A commitment that if the competitive electric
 10 service provider purchases electricity generated by
 11 another person, that to the extent possible such
 12 provider shall purchase such electricity from a
 13 generator who is subject to the renewable energy
 14 requirements of this chapter and who purchases carbon
 15 emission credits from persons in this state engaged in
 16 farming as defined in section 9H.1."

DREES of Carroll

H-8550

- 1 Amend House File 2530 as follows:
- 2 1. Page 30, by inserting after line 4 the
- 3 following:
- 4 "y. A commitment to not require the use of a
- 5 prepaid meter or load limiter for any residential end-
- 6 use consumer. The board shall adopt rules prohibiting
- 7 the mandatory use of prepaid meters and load limiters
- 8 for all residential end-use consumers."
- 9 2. Page 44, line 10, by striking the word "may"
- 10 and inserting the following: "shall".
- 11 3. Page 44, line 12, by striking the words "some
- 12 or".
- 13 4. Page 44, lines 27 and 28 by striking the words
- 14 "or offered service only with the use of a prepaid
- 15 meter or load limiter,".

OSTERHAUS of Jackson

H-8551

- 1 Amend House File 2530 as follows:
- 2 1. Page 176, by inserting after line 18, the
- 3 following:
- 4 "Sec. ____ INTERIM RATES AND CHARGES.
- 5 1. Notwithstanding the provisions of this Act, the
- 6 rates and charges for electric service provided by
- 7 such provider applicable to all end-use consumers, at
- 8 the option of the incumbent provider, shall be set
- 9 pursuant to one of the following methods:
- 10 a. The rates and charges shall be reduced for each
- 11 customer class by three percent.
- 12 b. The rates and charges shall reflect cost-based
- 13 rates and charges that are based on a rate proceeding
- 14 under chapter 476.
- 15 2. Rates and charges established pursuant to this
- 16 section shall be effective January 1, 2001."
- 17 2. By renumbering as necessary.

KREIMAN of Davis

H-8552

- 1 Amend House File 2530 as follows:
- 2 1. Page 30, by inserting after line 4 the
- 3 following:
- 4 "y. A commitment to at least once annually,
- 5 provide a written statement to the competitive
- 6 electric service provider's customers of such
- 7 provider's policy regarding the sale or other
- 8 disposition of customer information to other persons.

9 The written statement shall be provided to the
 10 competitive electric service provider's customers no
 11 less than sixty days prior to any change in the
 12 policy. The written statement shall explain the
 13 change, and state the effective date of the change,
 14 and whether or not the competitive electric service
 15 provider has provided a written statement pursuant to
 16 this section within the previous year. The written
 17 statement shall provide the address and telephone
 18 number of a person whom the customer can contact to
 19 request that information regarding the customer not be
 20 sold to any other person by the competitive electric
 21 service provider. Upon the receipt of such a request,
 22 the competitive electric service provider shall not
 23 sell or otherwise provide information to any other
 24 person regarding the customer making the request.
 25 The written statement shall include the address and
 26 phone number of the board and state that a complaint
 27 regarding the sale of customer information may be made
 28 to the board. The written statement shall also state
 29 that a competitive electric service provider that
 30 sells or otherwise provides customer information to
 31 another person in violation of this section may be
 32 subject to a civil penalty of one thousand dollars.
 33 In addition to any other applicable penalty, a
 34 competitive electric service provider violating this
 35 paragraph is subject to a civil penalty of one
 36 thousand dollars for each violation."

THOMAS of Clayton

H-8553

- 1 Amend House File 2530 as follows:
 2 1. Page 26, by inserting after line 35 the
 3 following:
 4 " _____. A commitment not to engage in any
 5 telemarketing practices in violation of rules adopted
 6 by the board. The board shall adopt rules
 7 establishing restrictions on telemarketing if the
 8 board deems such restrictions to be in the best
 9 interest of the public."
 10 2. By renumbering as necessary.

JENKINS of Black Hawk

H-8554

- 1 Amend House File 2530 as follows:
 2 1. Page 176, by inserting after line 18 the
 3 following:
 4 "Sec. _____. NONBINDING REFERENDUM. Notwithstanding

5 any statutory law or administrative rules to the
 6 contrary, the secretary of state shall include on the
 7 ballot for the next general election a measure to be
 8 submitted to the people as to whether the state should
 9 proceed with the restructuring of the electric utility
 10 industry as provided in this Act, if enacted. The
 11 ballot shall include an explanation of this Act
 12 prepared by the secretary of state including that the
 13 Act restructures the electric utility industry and
 14 deregulates retail electricity rates. The referendum
 15 shall be conducted consistent with the provisions of
 16 chapter 49A and any expenses incurred shall be audited
 17 and allowed as provided in section 49A.9. The
 18 referendum shall not be binding on the general
 19 assembly."
 20 2. By renumbering as necessary.

CATALDO of Polk

H-8555

1 Amend House File 2530 as follows:
 2 1. Page 36, line 9, by inserting after the word
 3 "annually" the following: ", a state or political
 4 subdivision end-use consumer regardless of annual
 5 usage,".

HOLVECK of Polk

H-8556

1 Amend Senate File 2418, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking line 6, and inserting the
 4 following: "section 359.49, if enacted by 2000 Iowa
 5 Acts, House File 2492, fix and levy such taxes in the
 6 manner prescribed by section 359.49, subsection 8, if
 7 enacted by 2000 Iowa Acts, House File 2492."
 8 2. Page 1, by striking lines 7 through 15.
 9 3. Page 1, line 19, by striking the figure
 10 "359.17" and inserting the following: "359.49, if
 11 enacted by 2000 Iowa Acts, House File 2492,".
 12 4. Page 1, line 21, by striking the words
 13 "pursuant to that section" and inserting the
 14 following: "in the manner provided in section 359.49,
 15 subsection 8, if enacted by 2000 Iowa Acts, House File
 16 2492,".
 17 5. Page 1, by striking line 23, and inserting the
 18 following:

19 "2. Notwithstanding section 359.49, if enacted by
20 2000 Iowa Acts, House File 2492,".

HUSER of Polk

H-8557

- 1 Amend the amendment, H-8396, to Senate File 2327,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 12, by striking the words
- 5 "deliver in person" and inserting the following:
- 6 "serve".
- 7 2. Page 1, line 15, by inserting after the word
- 8 "meeting" the following: "in the same manner that
- 9 notice of the meeting was served".

FALLON of Polk

H-8558

- 1 Amend House File 2530 as follows:
- 2 1. Page 30, by inserting after line 4 the
- 3 following:
- 4 "y. A commitment to comply with the telemarketing
- 5 requirements established in section 476C.1 with
- 6 respect to the marketing of competitive electric
- 7 services to persons in this state."
- 8 2. Page 174, by inserting after line 18, the
- 9 following:
- 10 "Sec. __. NEW SECTION. 476C.1 TELEPHONE
- 11 SOLICITATION RESTRICTIONS.
- 12 1. As used in this section, unless the context
- 13 otherwise requires:
- 14 a. "Board" means the utilities board created in
- 15 section 474.1.
- 16 b. "Consumer" means an actual or prospective
- 17 purchaser, lessee, or recipient of a consumer good or
- 18 service.
- 19 c. "Consumer good or service" means any real
- 20 property or any tangible or intangible personal
- 21 property which is normally used for personal, family,
- 22 or household purposes, including, without limitation,
- 23 any such property intended to be attached to or
- 24 installed in any real property without regard to
- 25 whether it is so attached or installed, as well as
- 26 cemetery lots and timeshare estates, and any service
- 27 related to such property.
- 28 d. "Division" means the utilities division of the
- 29 department of commerce.
- 30 e. "Doing business in this state" means a business
- 31 which conducts telephone solicitations from a location

32 in this state or from other states or nations to
33 consumers located in this state.

34 f. "Merchant" means a person who, directly or
35 indirectly, offers or makes available to a consumer
36 any consumer good or service.

37 g. "Telephone solicitation" means any voice
38 communication over a telephone for the purpose of
39 encouraging the purchase or rental of, or investment
40 in, property, goods, services, wherever originated,
41 and includes any of the following purposes:

42 (1) To solicit a sale of a consumer good or
43 service.

44 (2) To offer an extension of credit for a consumer
45 good or service.

46 (3) To obtain information that will or may be used
47 for the direct solicitation of a sale of a consumer
48 good or service or an offer of extension of credit for
49 such purpose.

50 h. "Telephone solicitor" means a person doing

Page 2

1 business in this state, who makes or causes to be made
2 a telephone solicitation, including, but not limited
3 to, calls made by use of automatic dialing-announcing
4 device equipment.

5 i. "Unsolicited telephone solicitation" means a
6 telephone solicitation other than a call made as
7 follows:

8 (1) In response to an express request of the
9 person called.

10 (2) Primarily in connection with an existing debt
11 or contract, payment, or performance of which has not
12 been completed at the time of such call.

13 (3) To a person with whom the telephone solicitor
14 has a prior or existing business relationship.

15 (4) To a residential subscriber if the telephone
16 solicitation is made on behalf of a not-for-profit
17 organization exempt from paying taxes under section
18 501(c) of the Internal Revenue Code, and if a bona
19 fide member of the exempt organization makes such
20 communication.

21 2. a. A telephone solicitor who makes an
22 unsolicited telephone solicitation to a residential,
23 mobile, or telephonic paging device telephone number
24 shall identify the telephone solicitor's self by the
25 telephone solicitor's true first and last name, and
26 the business on whose behalf the telephone solicitor
27 is making the unsolicited telephone solicitation,
28 immediately upon making contact by telephone with the
29 person who is the object of the unsolicited telephone
30 solicitation.

31 b. (1) The division shall establish and maintain
32 a "no telephone solicitation calls" listing as
33 provided in this subsection. The division may enter
34 into an agreement with another person to maintain the
35 "no telephone solicitation calls" listing, as deemed
36 appropriate by the division. A consumer who is a
37 residential, mobile, or telephonic paging device
38 telephone subscriber desiring to be placed on a "no
39 telephone solicitation calls" listing indicating that
40 the consumer does not wish to receive unsolicited
41 telephone solicitations shall notify the division and
42 be placed on that listing upon receipt by the division
43 of a ten dollar initial listing fee. The inclusion of
44 a consumer on the listing may be renewed by such
45 consumer annually upon submitting a renewal request to
46 the division accompanied by a five dollar renewal fee.
47 (2) The division shall update its "no telephone
48 solicitation calls" listing on a quarterly basis,
49 including initial listing and renewal requests
50 submitted by consumers to the division during the

Page 3

1 calendar quarter immediately preceding the date of
2 such updating. The division, upon request, shall
3 provide a copy of the most current quarterly listing
4 for a fee as established by the division to a
5 telephone solicitor requesting such list, in either a
6 printed or electronic form.

7 (3) A fee imposed and collected under this section
8 shall be deposited in the general fund of the state
9 and is appropriated to the division, limited to an
10 amount which is sufficient for the administration of
11 this section.

12 (4) If, pursuant to 47 U.S.C. § 227(c)(3), the
13 federal communications commission establishes a single
14 national database of telephone numbers of consumers
15 who object to receiving telephone solicitations, the
16 commission shall include the portion of such national
17 database including consumer telephone numbers located
18 in this state in the "no telephone solicitation calls"
19 listing established and maintained by the division.

20 c. A telephone solicitor shall not make or cause
21 to be made any unsolicited telephone solicitations to
22 any residential, mobile, or telephonic paging device
23 telephone number if the number for that telephone
24 appears in the current quarterly listing provided by
25 the division. A telephone solicitor or person who
26 offers for sale consumer information which includes
27 residential, mobile, or telephonic paging device
28 telephone numbers, except directory assistance and
29 telephone directories sold by a telephone company or

30 an organization exempt under section 501(c) of the
31 Internal Revenue Code, shall screen and exclude those
32 numbers which appear on the division's current "no
33 telephone solicitation calls" list from any consumer
34 information offer or sold. This subsection does not
35 apply to a person licensed pursuant to chapter 543B
36 who calls an actual or prospective seller or lessor of
37 real property if such call is made in response to a
38 yard sign or other form of real estate sales
39 advertisement placed by the seller or lessor.
40 d. Upon a determination by the board, after a
41 hearing conducted pursuant to chapter 17A, that a
42 person has violated a provision of this subsection,
43 the board shall reduce the findings of the hearing to
44 writing and deliver a copy of the findings to the
45 person, may issue an order requiring the person to
46 cease and desist from engaging in the conduct
47 resulting in the violation, and may assess a civil
48 penalty of not more than ten thousand dollars against
49 the person.
50 e. The board, by rule, shall ensure that

Page 4

1 telecommunications providers inform their customers of
2 the customers' rights under this section. The
3 notification shall be made by both of the following:
4 (1) Annual inserts in the billing statements
5 mailed to such customers.
6 (2) Conspicuous publication of the notice in the
7 consumer information pages of local telephone
8 directories.
9 3. a. A contract made pursuant to a telephone
10 solicitation is not valid and enforceable against a
11 consumer unless made in compliance with this
12 subsection.
13 b. A contract made pursuant to a telephone
14 solicitation must satisfy all of the following:
15 (1) The contract must be reduced to writing and
16 signed by the consumer.
17 (2) The contract must comply with all other
18 applicable laws and rules.
19 (3) The contract must match the description of
20 goods or services as principally used in the telephone
21 solicitation.
22 (4) The contract must contain the name, address,
23 and telephone number of the seller, the total price of
24 the contract, and a detailed description of the goods
25 or services being sold.
26 (5) The contract must contain, in bold,
27 conspicuous type, immediately preceding the signature,
28 the following statement:

29 "You are not obligated to pay any money unless you
30 sign this contract and return it to the seller."

31 (6) The contract must not exclude from its terms
32 any oral or written representations made by the
33 telephone solicitor to the consumer in connection with
34 the transaction.

35 c. This subsection does not apply to contractual
36 sales specifically regulated under chapter 714D or
37 other law, or to the sale of financial services,
38 security sales, or sales transacted by insurance
39 companies or their wholly owned subsidiaries or
40 agents, or to the sale of cable television services to
41 a franchised cable television operator's existing
42 subscribers within that cable television operator's
43 franchise area, or to any sales where no prior payment
44 is made to the merchant and an invoice accompanies the
45 goods or services allowing the consumer no less than
46 seven days to cancel or return the goods or services
47 without obligation for any payment.

48 4. a. A merchant who engages a telephone
49 solicitor to make or cause to be made a telephone
50 solicitation shall not make or submit any charge to a

Page 5

1 consumer's credit card account or make or cause to be
2 made any electronic transfer of funds until after the
3 merchant receives from the consumer a copy of the
4 contract, signed by the consumer, which complies with
5 this section.

6 b. This subsection does not apply to chapter 714D
7 or to any of the following:

8 (1) A transaction made pursuant to prior
9 negotiations in the course of a visit by the consumer
10 to a merchant operating a retail business
11 establishment which has a fixed permanent location and
12 where consumer goods are displayed or offered for sale
13 on a continuing basis.

14 (2) A transaction in which the consumer may obtain
15 a full refund for the return of undamaged and unused
16 goods or a cancellation of services notice to the
17 seller within seven days after receipt by the
18 consumer, and the seller will process the refund
19 within thirty days after receipt of the returned
20 merchandise by the consumer.

21 (3) A transaction in which the consumer purchases
22 goods or services pursuant to an examination of a
23 television, radio, or print advertisement or a sample,
24 brochure, or catalog of the merchant that contains all
25 of the following:

26 (a) The name, address, and telephone number of the
27 merchant.

- 28 (b) A description of the goods or services being
29 sold.
- 30 (c) Any limitations or restrictions that apply to
31 the offer.
- 32 (4) A transaction in which the merchant is a bona
33 fide charitable organization or a newspaper.
- 34 5. A violation of subsection 3 or 4 is a violation
35 of section 714.16, subsection 2, paragraph "a". The
36 remedies and penalties provided by section 714.16,
37 including but not limited to injunctive relief and
38 civil penalties, apply to violations of this section.
- 39 6. A consumer who receives more than one telephone
40 solicitation within any twelve-month period by or on
41 behalf of the same person in violation of this section
42 may do one or both of the following:
- 43 a. Bring an action to enjoin further violations.
44 b. Bring an action to recover the greater of the
45 following:
- 46 (1) Actual monetary damages incurred by the
47 consumer as a result of a violation of this section.
48 (2) Not less than one hundred dollars but not more
49 than two thousand dollars for each violation of this
50 section.

Page 6

- 1 7. In a civil action resulting from a transaction
2 involving a violation of this section, a prevailing
3 plaintiff, after judgment in the trial court and
4 exhaustion of all appeals, if any, is entitled to
5 costs and reasonable attorney fees."
6 3. By renumbering as necessary.

THOMAS of Clayton

H-8561

- 1 Amend Senate File 2395, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
4 clause and inserting the following:
- 5 "Section 1. LEGISLATIVE FINDINGS. The general
6 assembly finds and declares all of the following:
- 7 1. Information technology resources in state
8 government are valuable strategic assets belonging to
9 the citizens of Iowa and must be managed accordingly.
- 10 2. State agencies independently acquire
11 duplicative information technologies that would be
12 more appropriately acquired as part of a coordinated
13 effort for maximum cost-effectiveness, maximized
14 service, and efficiency.
- 15 3. Considerations of both cost and the need for

16 the transfer of information among the various agencies
17 and branches of state government in the most timely
18 and useful form possible require a uniform policy and
19 coordinated system for the use and acquisition of
20 communication and information technologies.

21 4. The appropriate use of information technology
22 by the state can improve operational productivity,
23 reduce the cost of government, enhance service to the
24 citizens of Iowa, and make government more accessible
25 to the public.

26 5. The use of information technology to provide
27 government services directly to citizens can be a
28 cost-effective method of delivering such services.

29 6. Planning, investment, protection, and direction
30 for information technology resources must be enacted
31 to accomplish all of the following:

32 a. Ensure the effective application of information
33 technology on state business operations.

34 b. Ensure the quality, security, and integrity of
35 state business operations.

36 c. Enhance privacy to the citizens of the state.

37 7. The state must provide information technology
38 infrastructure, technical directions, and a proficient
39 organizational management structure to facilitate the
40 productive application of information technology and
41 resources to accomplish the missions and goals of
42 state government.

43 8. Oversight of large-scale systems or projects is
44 necessary to protect the state's investment and to
45 ensure appropriate integration with existing or
46 planned systems.

47 9. Appropriate public-private partnerships to
48 supplement existing resources must be developed as a
49 strategy for the state to comprehensively meet its
50 information technology needs.

Page 2

1 10. Establishment of an information technology
2 department is necessary to achieve the goals
3 identified in this section, to effectively plan for,
4 develop, and manage information technology and related
5 resources, and to assure that the needs of the
6 citizens of this state, as well as the state's needs,
7 are met.

8 Sec. 2. Section 7E.5, subsection 1, Code 1999, is
9 amended by adding the following new paragraph:

10 **NEW PARAGRAPH.** x. The information technology
11 department, created in chapter 14B, which has primary
12 responsibility for the development and application of
13 information technology in state government and the
14 operation of the Iowa communications network.

15 Sec. 3. NEW SECTION. 14B.101 DEFINITIONS.

16 As used in this chapter, unless the context
17 otherwise requires:

- 18 1. "Acquire" means to procure, obtain, purchase,
19 lease-purchase, or lease information technology.
- 20 2. "Agency" means a unit of state government,
21 which is an authority, board, commission, committee,
22 council, department, examining board, or independent
23 agency as defined in section 7E.4, including but not
24 limited to each principal central department
25 enumerated in section 7E.5. However, "agency" does
26 not mean any of the following:
 - 27 a. The office of the governor.
 - 28 b. The general assembly, or any office or unit
29 under its administrative authority.
 - 30 c. The judicial branch, as provided in section
31 602.1102.
 - 32 d. A political subdivision of the state or its
33 offices or units, including but not limited to a
34 county, city, or community college.
- 35 3. "Director" means the director of the
36 information technology department appointed as
37 provided in section 14B.103.
- 38 4. "Governmental entity" means any unit of
39 government in the executive, legislative, or judicial
40 branches of government; an agency or political
41 subdivision; any unit of another state government,
42 including its political subdivisions; and any unit of
43 the United States government.
- 44 5. "Information technology" means computing,
45 electronics, and telecommunications technologies used
46 to process and distribute information in digital and
47 other forms and includes information technology
48 devices and information technology services.
- 49 6. "Information technology council" means the
50 information technology council established in section

Page 3

1 14B.104.

- 2 7. "Information technology device" means equipment
3 or associated software, including programs, languages,
4 procedures, or associated documentation, used in
5 operating the equipment which is designed for
6 utilizing information stored in an electronic format.
- 7 "Information technology devices" includes but is not
8 limited to computer systems, computer networks, and
9 equipment used for input, output, processing, storage,
10 display, communication, video transmission, scanning,
11 and printing.
- 12 8. "Information technology services" means
13 services designed to do any of the following:

- 14 a. Facilitate the acquisition of information
 15 technology devices.
- 16 b. Provide functions, maintenance, and support of
 17 information technology devices.
- 18 c. Provide services including, but not limited to,
 19 any of the following:
- 20 (1) Computer systems application development and
 21 maintenance.
- 22 (2) Systems integration and interoperability.
- 23 (3) Operating systems maintenance and design.
- 24 (4) Computer systems programming.
- 25 (5) Computer systems software support.
- 26 (6) Planning and security relating to information
 27 technology devices.
- 28 (7) Data management consultation.
- 29 (8) Information technology education and
 30 consulting.
- 31 (9) Information technology planning and standards.
- 32 (10) Establishment of local area network and
 33 workstation management standards.
- 34 9. "Participating agency" means any agency other
 35 than any of the following:
- 36 a. The state board of regents and institutions
 37 operated under the authority of the state board of
 38 regents.
- 39 b. The public broadcasting division of the
 40 department of education.
- 41 c. The state department of transportation mobile
 42 radio network.
- 43 d. The department of public safety law enforcement
 44 communications systems.
- 45 10. "Public records" means the same as defined in
 46 section 22.1.
- 47 Sec. 4. NEW SECTION. 14B.102 DEPARTMENT
 48 ESTABLISHED -- MISSION -- POWERS AND DUTIES.
- 49 1. DEPARTMENT ESTABLISHED. The information
 50 technology department is established as a state

Page 4

- 1 department. The mission of the department is to
 2 foster the development and application of information
 3 technology to improve the lives of Iowans.
- 4 2. POWERS AND DUTIES OF DEPARTMENT. The powers
 5 and duties of the department shall include, but are
 6 not limited to, all of the following:
- 7 a. Providing information technology to
 8 participating agencies and other governmental entities
 9 as provided in this chapter.
- 10 b. Implementing the strategic information
 11 technology plan as prepared and updated by the
 12 information technology council.

- 13 c. Developing and implementing a business
14 continuity plan, as the director determines is
15 appropriate, to be used if a disruption occurs in the
16 provision of information technology to participating
17 agencies and other governmental entities.
- 18 d. Developing and implementing standards for
19 information technology, including but not limited to
20 system design and systems integration and
21 interoperability, which when implemented shall apply
22 to all participating agencies except as otherwise
23 provided in this chapter.
- 24 e. *Developing and maintaining an information*
25 *technology architecture consistent with standards*
26 *established by the information technology council.*
- 27 f. Developing and maintaining security policies
28 and systems to ensure the integrity of the state's
29 information resources and to prevent the disclosure of
30 confidential records.
- 31 g. Coordinating the use of information technology
32 among participating agencies and other governmental
33 entities, to ensure that all components of information
34 technology are compatible to the extent deemed
35 necessary by the information technology council.
- 36 h. Developing and implementing effective and
37 efficient strategies for the use and provision of
38 information technology for participating agencies and
39 other governmental entities.
- 40 i. Acquiring any information technology device
41 necessary for participating agencies.
- 42 j. Acquiring or assisting with the acquisition of
43 information technology for governmental entities other
44 than participating agencies, if requested by such
45 entities, and upon entering into an agreement to
46 provide such information technology.
- 47 k. Establishing criteria by which agencies obtain
48 information technology services from the department.
- 49 l. Selling or otherwise disposing of information
50 technology devices not needed by the department.

Page 5

- 1 m. Entering into agreements pursuant to chapter
2 28D or 28E, or memorandums of understanding or other
3 agreements as necessary and appropriate to administer
4 this chapter.
- 5 n. Establishing and maintaining, in cooperation
6 with the department of revenue and finance and the
7 department of general services, an inventory of
8 information technology devices used by participating
9 agencies and other governmental entities using the
10 department's services. The information technology
11 department may request a participating agency to

12 provide such information as is necessary to establish
13 and maintain an inventory as required under this
14 paragraph, and such participating agency shall provide
15 such information to the department in a timely manner.

16 3. FEES. The department may charge a reasonable
17 and necessary fee to a participating agency or other
18 governmental entity for information technology
19 provided by the department to such agency or entity.
20 Fees charged pursuant to this subsection shall be
21 deposited in the Iowa information technology fund
22 created in section 14B.111.

23 4. DISPUTE RESOLUTION. If a dispute arises
24 between the department or information technology
25 council and an agency for which the department
26 provides or refuses to provide information technology,
27 the dispute shall be resolved as provided in section
28 679A.19.

29 Sec. 5. NEW SECTION. 14B.103 DIRECTOR – POWERS
30 AND DUTIES.

31 1. DIRECTOR APPOINTED. The chief administrative
32 officer of the department is the director. The
33 director shall be appointed by the governor, subject
34 to confirmation by the senate. The director shall
35 serve at the pleasure of the governor. The governor
36 shall set the salary of the director within the
37 applicable salary range established by the general
38 assembly. The director shall be selected on the
39 ability to administer the duties and functions granted
40 to the director and the department and shall devote
41 full time to the duties of the director. If the
42 office of director becomes vacant, the vacancy shall
43 be filled in the same manner as the original
44 appointment was made.

45 The director shall also serve as the chief
46 information officer for the state.

47 2. POWER AND DUTIES. The director of the
48 department shall do all of the following:

49 a. Plan, direct, coordinate, and execute the
50 functions necessary to carry out the duties of the

Page 6

1 department.

2 b. Provide overall supervision, direction, and
3 coordination of functions of the department.

4 c. Employ personnel as necessary to carry out the
5 functions vested in the department consistent with
6 chapter 19A and enhance the recruitment, retention,
7 and training of professional staff.

8 d. Supervise and manage employees of the
9 department, and provide for the internal organization
10 of the department and for the allocation of functions

11 within the department consistent with section 7E.2.
 12 e. Appoint advisory committees as appropriate to
 13 assist the director in developing strategies for the
 14 use and provision of information technology and
 15 establish other advisory committees as necessary to
 16 assist the director in carrying out the director's
 17 duties under this chapter. The number of advisory
 18 committees and advisory committee membership shall be
 19 determined by the director to assure that the public
 20 and agencies and other governmental entities have an
 21 opportunity to comment on the services provided and
 22 the service goals and objectives of the department.
 23 f. Recommend to the information technology council
 24 an annual budget for the department.
 25 g. Recommend to the information technology council
 26 rules deemed necessary for the implementation of this
 27 chapter and proper administration of the department.
 28 h. Recommend to the information technology council
 29 information technology standards.
 30 i. Develop and implement operational policies of
 31 the department and be responsible for the day-to-day
 32 operations of the department.
 33 j. Develop and recommend to the information
 34 technology council legislative proposals deemed
 35 necessary for the continued efficiency of department
 36 functions, and review legislative proposals generated
 37 outside of the department which are related to matters
 38 within the department's purview.
 39 k. Provide advice to the governor on issues
 40 related to information technology.
 41 l. Consult with agencies and other governmental
 42 entities on issues relating to information technology.
 43 m. Work with all governmental entities in an
 44 effort to achieve the information technology goals
 45 established by the information technology council.
 46 3. WAIVER. The director, when such authority is
 47 delegated by the information technology council under
 48 section 14B.104, may grant a waiver from a requirement
 49 otherwise applicable to a participating agency in the
 50 same manner as provided for the information technology

Page 7

1 council under section 14B.104.
 2 4. DELEGATION OF POWERS AND DUTIES. Powers and
 3 duties vested in the director may be delegated by the
 4 director to an employee of the department, but the
 5 director retains the responsibility for an employee's
 6 acts within the scope of the delegation.
 7 5. APPEAL OF DIRECTOR'S DECISION. A decision by
 8 the director may be appealed to the information
 9 technology council, if such decision relates to

10 anything which is a responsibility of or is subject to
11 the authority of the information technology council.
12 A person aggrieved by such decision of the director
13 shall provided notice of such appeal to the
14 information technology council within thirty calendar
15 days of the decision of the director. An appeal of a
16 decision of the director shall be treated as a
17 contested case under chapter 17A.

18 Any other decision of the director is a final
19 agency action as provided under chapter 17A.

20 Sec. 6. NEW SECTION. 14B.104 INFORMATION

21 TECHNOLOGY COUNCIL – MEMBERS – POWERS AND DUTIES.

22 1. MEMBERSHIP.

23 a. An information technology council is
24 established with the authority to oversee information
25 technology activities of participating agencies as
26 provided in this chapter. The information technology
27 council is composed of nineteen members including the
28 following:

29 (1) The director of the information technology
30 department who shall be an ex officio, nonvoting
31 member and chairperson.

32 (2) The administrator of the public broadcasting
33 division of the department of education.

34 (3) The chairperson of the information technology
35 management council established in section 14B.109, or
36 the chairperson's designee.

37 (4) The chairperson of the IowAccess board
38 established in section 14B.201, or the chairperson's
39 designee.

40 (5) The chairperson of the federal executive
41 board, or the chairperson's designee.

42 (6) Two executive branch department heads
43 appointed by the governor.

44 (7) Two persons representing education, including
45 the chairperson of the education telecommunications
46 council and one person appointed by the governor. An
47 appointment made pursuant to this subparagraph shall
48 be made so that one person represents kindergarten
49 through grade twelve and one person represents higher
50 education.

Page 8

1 (8) Five persons appointed by the governor who are
2 knowledgeable in information technology matters, and
3 who shall also serve as members of the information
4 technology council citizen subcommittee.

5 (9) One person representing the judicial branch
6 appointed by the chief justice of the supreme court
7 who shall serve in an ex officio, nonvoting capacity.

8 (10) Four members of the general assembly with not

9 more than one member from each chamber being from the
10 same political party. The two senators shall be
11 designated by the president of the senate after
12 consultation with the majority and minority leaders of
13 the senate, and with the approval of the majority
14 party appointee by the majority leader and the
15 approval of the minority party appointee by the
16 minority leader. The two representatives shall be
17 designated by the speaker of the house of
18 representatives after consultation with the majority
19 and minority leaders of the house of representatives,
20 and with the approval of the majority party appointee
21 by the majority leader and the approval of the
22 minority party appointee by the minority leader.
23 Legislative members shall serve in an ex officio,
24 nonvoting capacity. A legislative member is eligible
25 for per diem and expenses as provided in section 2.10.
26 b. The members appointed by the governor pursuant
27 to paragraph "a", subparagraphs (6) through (8), shall
28 serve three-year staggered terms as designated by the
29 governor and appointments to the information
30 technology council are subject to the requirements of
31 sections 69.16A and 69.19. Members appointed by the
32 governor pursuant to paragraph "a", subparagraphs (6)
33 through (8), shall not serve consecutive three-year
34 terms. Members appointed by the governor are subject
35 to senate confirmation and shall be reimbursed for
36 actual and necessary expenses incurred in performance
37 of their duties. Such members may also be eligible to
38 receive compensation as provided in section 7E.6.
39 2. DUTIES. The information technology council
40 shall do all of the following:
41 a. Adopt rules in accordance with chapter 17A
42 which are necessary for the exercise of the powers and
43 duties granted by this chapter and the proper
44 administration of the department.
45 b. Establish, by rule, information technology
46 standards which shall be adhered to in the procurement
47 of information technology for participating agencies,
48 and, as applicable, which shall be adhered to by all
49 participating agencies, unless waived pursuant to
50 section 14B.103 or 14B.104.

Page 9

1 c. Appoint advisory committees as appropriate to
2 assist the information technology council in
3 developing strategies for the use and provision of
4 information technology and establishing other advisory
5 committees as necessary to assist the information
6 technology council in carrying out its duties under
7 this chapter. The number of advisory committees and

8 their membership shall be determined by the
 9 information technology council to assure that the
 10 public and agencies and other governmental entities
 11 have an opportunity to comment on the services
 12 provided and the service goals and objectives of the
 13 department.

14 d. Prepare and annually update a strategic
 15 information technology plan for the use of information
 16 technology throughout state government. The plan
 17 shall promote participation in cooperative projects
 18 with other governmental entities. The plan shall
 19 establish a mission, goals, and objectives for the use
 20 of information technology, including goals for
 21 electronic access to government records, information,
 22 and services. The plan shall be submitted annually to
 23 the governor and the general assembly.

24 e. Review and recommend to the general assembly,
 25 as deemed appropriate by the information technology
 26 council, legislative proposals recommended by the
 27 director, or other legislative proposals as developed
 28 and deemed necessary by the information technology
 29 council.

30 f. Review and approve, as deemed appropriate by
 31 the information technology council, the annual budget
 32 recommendation for the department as proposed by the
 33 director.

34 3. WAIVER. The information technology council,
 35 upon the written request of a participating agency and
 36 for good cause shown, may grant a waiver from a
 37 requirement otherwise applicable to a participating
 38 agency relating to an information technology standard
 39 established by the information technology council.
 40 The information technology council may delegate its
 41 authority to waive a requirement under this subsection
 42 to the director.

43 4. FINAL AGENCY ACTION. A decision by the council
 44 is a final agency action as provided under chapter 17A
 45 and an appeal of the decision shall be made directly
 46 to the district court. Any party to a contested case
 47 may appeal the decision to the district court.

48 Sec. 7. NEW SECTION. 14B.105 DIVISIONS OF THE
 49 DEPARTMENT - RESPONSIBILITIES.

50 The department shall initially include the

Page 10

1 following divisions:

2 1. A policy and planning division which is
 3 responsible for the integration of information
 4 technology into all business aspects of state
 5 government.

6 2. An operations division which is responsible for

- 7 providing all of the following:
- 8 a. Server systems, including mainframe and other
 - 9 server operations.
 - 10 b. Telecommunications.
 - 11 c. Desktop support.
 - 12 d. Applications integration.
- 13 3. A customer support division which is
- 14 responsible for providing applications development and
- 15 support, and advice and assistance in developing and
- 16 supporting business applications.
- 17 4. An administration division which is responsible
- 18 for the financial, personnel, and other administrative
- 19 functions of the department. The administration
- 20 division is also responsible for all information
- 21 technology purchasing and contract administration.
- 22 Sec. 8. NEW SECTION. 14B.106 OFFICE OF
- 23 INFORMATION TECHNOLOGY INNOVATION.
- 24 1. An office of information technology innovation,
 - 25 is established within the department which shall be
 - 26 headed by an administrator appointed by the director.
 - 27 2. The office is responsible for fostering
 - 28 research and development activities and innovation in
 - 29 the application and use of information technology in
 - 30 state government.
 - 31 3. The office shall provide staff support for the
 - 32 information technology innovation advisory board.
 - 33 4. The office may do any of the following:
 - 34 a. Evaluate internet technologies for use by
 - 35 agencies, including, but not limited to, systems for
 - 36 internet access, security, and privacy protection.
 - 37 b. Establish pilot projects for developing and
 - 38 evaluating information technology applications for use
 - 39 by agencies and for use in intergovernmental
 - 40 applications.
 - 41 c. Promote collaborative systems development with
 - 42 the private sector.
 - 43 d. Foster the creation of projects developing new
 - 44 applications.
 - 45 e. Promote experimental collaborative educational
 - 46 opportunities with emerging technologies for
 - 47 information technology professionals in state
 - 48 government.
 - 49 f. Other activities as deemed necessary and
 - 50 appropriate by the director.

Page 11

- 1 Sec. 9. NEW SECTION. 14B.107 INFORMATION
- 2 TECHNOLOGY INNOVATION ADVISORY BOARD – FUND.
- 3 1. BOARD ESTABLISHED. An information technology
 - 4 innovation advisory board is established to advise the
 - 5 director concerning expenditures of funds from, and

6 the administration of, the information technology
 7 innovation fund created in subsection 2. The board
 8 shall be comprised of no less than four members
 9 including the director of the information technology
 10 department, the director of the department of
 11 management, the chairperson of the IowaAccess board,
 12 and the chairperson of the information technology
 13 management council. The information technology
 14 council may also appoint additional members to this
 15 board as deemed appropriate.

16 2. FUND CREATED – PURPOSE.

17 a. An information technology innovation fund is
 18 created within the state treasury under the control of
 19 the department. The fund shall consist of any money
 20 appropriated by the general assembly and any other
 21 moneys available to and obtained or accepted by the
 22 department from the federal government or private
 23 sources for placement in the fund. The assets of the
 24 fund shall be used by the department only for carrying
 25 out the purposes of this section.

26 b. The information technology innovation advisory
 27 board may award grants from the fund as appropriate
 28 and consistent with rules adopted by the information
 29 technology council. The rules shall provide that
 30 moneys in the fund be used primarily for research and
 31 development efforts directly related to information
 32 technology and the applications of such technology.

33 Sec. 10. NEW SECTION. 14B.108 OFFICE OF DIGITAL
 34 GOVERNMENT.

35 1. An office of digital government is established
 36 which shall be headed by an administrator appointed by
 37 the director.

38 2. The office is responsible for initiating and
 39 supporting the development of electronic commerce,
 40 electronic government, and internet applications
 41 across participating agencies and in cooperation with
 42 other governmental agencies.

43 3. The office shall do all of the following:

44 a. Recommend standards to the information
 45 technology council, consistent with other state law,
 46 for the implementation of electronic commerce,
 47 including standards for digital signatures, electronic
 48 currency, and other items associated with electronic
 49 commerce.

50 b. Recommend guidelines to the information

Page 12

1 technology council for the appearance and functioning
 2 of applications.
 3 c. Recommend standards to the information
 4 technology council for the integration of electronic

5 data across state agencies.

6 d. Foster joint development of electronic commerce
7 and electronic government involving the public and
8 private sectors.

9 e. Develop customer surveys and citizen outreach
10 and education programs and material, and provide for
11 citizen input regarding the state's electronic
12 commerce and electronic government applications.

13 f. Provide staff support for the lowAccess board.

14 Sec. 11. NEW SECTION. 14B.109 INFORMATION
15 TECHNOLOGY MANAGEMENT COUNCIL.

16 1. An information technology management council is
17 established to promote policies and practices that
18 will foster the effective use and management of
19 governmental information technology resources. The
20 council may assist government employees responsible
21 for achieving the efficient use of such resources by
22 providing leadership and fostering collaboration
23 regarding information technology and information
24 management among all governmental entities.

25 2. The information technology management council
26 shall consist of representatives of governmental
27 entities who choose to participate in the council.
28 Each governmental entity shall be permitted one vote
29 for the purposes of any action taken by the council
30 necessitating a vote. The head of each governmental
31 entity shall designate such governmental entity's
32 representative. A person designated as a
33 representative to the council should be knowledgeable
34 concerning the information technology and information
35 system needs of the designee's governmental entity.

36 3. The information technology management council
37 shall be chaired by a person appointed by the
38 governor. An individual appointed as chairperson
39 shall serve for a period of no more than two years
40 without being reappointed. A vice chairperson shall
41 be selected by a vote of the voting members of the
42 council. The council may elect such other officers as
43 deemed necessary by the council.

44 4. The information technology management council
45 shall do all of the following:

46 a. Promote the exchange of information among
47 governmental entities to facilitate the development of
48 technical knowledge and understanding regarding
49 information technology and information management.

50 b. Develop guidelines and foster the continued

Page 13

1 expansion of projects that result in the sharing of
2 information technology resources that facilitate
3 information technology transfer and systems

4 integration within this state.

5 c. Promote research, development, evaluation, and
6 use of advanced information technologies appropriate
7 to state government in cooperation with the
8 information technology innovation advisory board
9 established under section 14B.107.

10 d. Maintain active contact with private
11 organizations having demonstrated expertise relevant
12 to the use and management of information technology
13 resources.

14 e. Promote education and training in management of
15 information technologies and resources as essential
16 components of professional development of the state
17 work force.

18 f. Advise the information technology council
19 regarding the operation and activities of the
20 department.

21 Sec. 12. NEW SECTION. 14B.110 INFORMATION
22 TECHNOLOGY STANDARDS – PROCUREMENT.

23 1. Notwithstanding the provisions of this section,
24 the information technology department and the
25 department of general services shall enter into an
26 interagency agreement regarding the division of
27 responsibilities between the departments associated
28 with the procurement of information technology which
29 is acceptable to both departments. The interagency
30 agreement shall be subject to renegotiation at least
31 every two years, unless an earlier time is provided
32 for in the interagency agreement. If the departments
33 are unable to agree on the terms of an interagency
34 agreement or upon a failure of either department to
35 satisfy the terms of the agreement, the departments
36 shall inform the department of management that an
37 agreement has not been reached or that one of the
38 departments has failed to satisfy the terms of the
39 agreement. The department of management, upon receipt
40 and review of such information, may direct the
41 information technology department to proceed with the
42 procurement of information technology as provided in
43 subsections 2 through 5.

44 2. a. Standards established by the council,
45 unless waived pursuant to section 14B.103 or 14B.104,
46 shall apply to all information technology procurements
47 for participating agencies.

48 b. A participating agency shall submit a request
49 to the department for the procurement of any
50 information technology. The department, prior to any

3 technology complies with the information technology
4 standards established by the information technology
5 council. If a determination is made that the
6 information technology complies with such standards,
7 the department shall procure the information
8 technology. If a determination is made that the
9 information technology does not comply with such
10 standards, the department shall disapprove the request
11 and such information technology shall not be procured
12 unless a waiver is granted pursuant to section 14B.103
13 or 14B.104.

14 The information technology department, at the
15 request of a participating agency other than the state
16 department of transportation, the department for the
17 blind, or the lottery division of the department of
18 revenue and finance, shall acquire the information
19 technology for the participating agency requesting
20 such information technology if it is determined to be
21 compliant with the standards established by the
22 information technology council.

23 The state department of transportation, the
24 department for the blind, or the lottery division of
25 the department of revenue and finance, upon a
26 determination by the information technology department
27 that a proposed information technology acquisition
28 complies with the information technology standards
29 established by the information technology council, may
30 proceed with such acquisition. The information
31 technology department shall provide advice to such
32 participating agency regarding the procurement of such
33 information technology, including any opportunity to
34 aggregate such purchases with other participating
35 agencies.

36 3. The information technology department, by rule,
37 may implement a prequalification procedure for
38 contractors which the department has entered or
39 intends to enter into agreements regarding the
40 procurement of information technology.

41 4. Notwithstanding the provisions of chapter 18,
42 the department may procure information technology as
43 provided in this section. The department may
44 cooperate with other governmental entities in the
45 procurement of information technology in an effort to
46 make such procurements in a cost-effective, efficient
47 manner as provided in this section. The department,
48 as deemed appropriate and cost-effective, may procure
49 information technology using any of the following
50 methods:

Page 15

1 a. Cooperative procurement agreement. The

2 department may enter into a cooperative procurement
3 agreement with another governmental entity for the
4 purpose of pooling funds for the purchase of
5 information technology, whether such information
6 technology is for the use of the department or
7 multiple governmental entities. The cooperative
8 procurement agreement shall clearly specify the
9 purpose of the agreement and the method by which such
10 purpose will be accomplished. Any power exercised
11 under such agreement shall not exceed the power
12 granted to any party to the agreement.

13 b. Negotiated contract. The department may enter
14 into an agreement for the purchase of information
15 technology if any of the following applies:

16 (1) The contract price, terms, and conditions are
17 pursuant to the current federal supply contract, and
18 the purchase order adequately identifies the federal
19 supply contract under which the procurement is to be
20 made.

21 (2) The contract price, terms, and conditions are
22 no less favorable than the contractor's current
23 federal supply contract price, terms, and conditions;
24 the contractor has indicated in writing a willingness
25 to extend such price, terms, and conditions to the
26 department; and the purchase order adequately
27 identifies the contract relied upon.

28 (3) The contract is with a vendor which has a
29 current exclusive or nonexclusive price agreement with
30 the state for the information technology to be
31 procured, and such information technology meets the
32 same standards and specifications as the items to be
33 procured and both of the following apply:

34 (a) The quantity purchased does not exceed the
35 quantity which may be purchased under the applicable
36 price agreement.

37 (b) The purchase order adequately identifies the
38 price agreement relied upon.

39 c. Contracts let by another government entity.
40 The department, on its own behalf or on the behalf of
41 another participating agency, may procure information
42 technology under a contract let by another state
43 agency or political subdivision of this state, or
44 approve such procurement in the same manner by a
45 participating agency.

46 d. Reverse auction.

47 (1) The department may enter into an agreement for
48 the purchase of information technology utilizing a
49 reverse auction process. Such process shall result in
50 the purchase of information technology from the vendor

Page 16

1 submitting the lowest responsible bid amount for the
2 information technology to be acquired. The
3 department, in establishing a reverse auction process
4 shall do all of the following:

5 (a) Determine the specifications and requirements
6 of the information technology to be acquired.
7 (b) Identify and provide notice to potential
8 vendors concerning the proposed acquisition.
9 (c) Establish prequalification requirements to be
10 met by a vendor to be eligible to participate in the
11 reverse auction.
12 (d) Conduct the reverse auction in a manner as
13 deemed appropriate by the department, and consistent
14 with rules adopted by the department.

15 (2) Prior to conducting a reverse auction, the
16 department shall establish a threshold amount which
17 shall be the maximum amount which the department is
18 willing to pay for the information technology to be
19 acquired.

20 (3) The department shall enter into an agreement
21 with a vendor who is the lowest responsible bidder
22 which meets the specifications or description of the
23 information technology to be procured, or the
24 department may reject all bids and begin the process
25 again. In determining the lowest responsible bidder,
26 the department may consider various factors,
27 including, but not limited to, the past performance of
28 the vendor relative to quality of product or service,
29 the past experience of the department in relation to
30 the product or service, the relative quality of
31 products or services, the proposed terms of delivery,
32 and the best interest of the state.

33 e. Competitive bidding. The department may enter
34 into an agreement for the purchase of information
35 technology in the same manner as provided under
36 section 18.6, with respect to the department of
37 general services.

38 f. In addition to the competitive bidding
39 procedure provided for under paragraph "e", the
40 information technology department may enter into an
41 agreement for the purchase, disposal, or other
42 disposition of information technology in any other
43 manner provided under chapter 18, in the same manner
44 and subject to the same limitations as the department
45 of general services. The information technology
46 department, by rule, shall provide for such
47 procedures.

48 5. The department shall adopt rules pursuant to
49 chapter 17A to implement the procurement methods
50 provided for in subsections 2 through 4.

Page 17

1 Sec. 13. **NEW SECTION. 14B.111 IOWA INFORMATION**
2 **TECHNOLOGY REVOLVING FUND – APPROPRIATION.**

3 An Iowa information technology revolving fund is
4 created in the state treasury under the control of the
5 department. The revolving fund shall consist of
6 moneys appropriated by the general assembly and any
7 other moneys obtained or accepted by the department
8 for deposit in the revolving fund. Moneys in the
9 revolving fund are appropriated to the department for
10 purposes as may be necessary to provide for
11 appropriate information technology as provided in this
12 chapter. The department shall submit an annual report
13 not later than January 31, to the members of the
14 general assembly and the legislative fiscal bureau, of
15 the activities funded and expenditures made from the
16 revolving fund during the preceding fiscal year.
17 Section 8.33 does not apply to any moneys in the
18 revolving fund and, notwithstanding section 12C.7,
19 subsection 2, earnings or interest on moneys deposited
20 in the revolving fund shall be credited to the
21 revolving fund.

22 Sec. 14. **NEW SECTION. 14B.112 INFORMATION**
23 **TECHNOLOGY PURCHASES BY GOVERNMENTAL ENTITIES HAVING**
24 **INDEPENDENT PURCHASING AUTHORITY.**

25 1. The state department of transportation, the
26 department for the blind, or the lottery division of
27 the department of revenue and finance may utilize
28 contracts established by the information technology
29 department for the acquisition of information
30 technology, request the assistance of the information
31 technology department, or acquire information
32 technology for and on its own behalf in accordance
33 with the authority granted to such agency. However,
34 the proposed acquisition of the information technology
35 must comply with the standards established by the
36 information technology department, unless waived
37 pursuant to section 14B.103 or 14B.104.

38 2. A governmental entity other than a
39 participating agency or an agency subject to
40 subsection 1 may utilize contracts established by the
41 information technology department for the acquisition
42 of information technology or request the assistance of
43 the information technology department in making such
44 acquisition. A proposed acquisition of information
45 technology under this subsection is not subject to the
46 standards established by the information technology
47 council. Such acquisition or assistance is subject to
48 the fee schedule of the department with respect to
49 such services in the same manner as a participating
50 agency.

Page 18

- 1 Sec. 15. NEW SECTION. 14B.201 IOWACCESS BOARD
2 ESTABLISHED – DUTIES – MEMBERSHIP.
- 3 1. BOARD ESTABLISHED. An IowAccess board is
4 established for the purpose of creating and providing
5 a service to the citizens of this state that is the
6 gateway for one-stop electronic access to government
7 information and transactions, whether federal, state,
8 or local.
- 9 2. DUTIES.
- 10 a. The board shall do all of the following:
- 11 (1) Recommend to the information technology
12 council citizen subcommittee rates to be charged for
13 access to and for value-added services performed
14 through IowAccess.
- 15 (2) Recommend to the director and the information
16 technology council the priority of projects associated
17 with IowAccess.
- 18 (3) Recommend to the director and the information
19 technology council expected outcomes and effects of
20 the use of IowAccess and determine the manner in which
21 such outcomes are to be measured and evaluated.
- 22 (4) Review and recommend to the director and the
23 information technology council the IowAccess total
24 budget request and ensure that such request reflects
25 the priorities and goals of IowAccess as established
26 by the board.
- 27 (5) Review and recommend to the director and the
28 information technology council all rules to be adopted
29 by the information technology council that are related
30 to IowAccess.
- 31 (6) Advocate for access to government information
32 and services through IowAccess and for data privacy
33 protection, information ethics, accuracy, and security
34 in IowAccess programs and services.
- 35 (7) Receive status and operations reports
36 associated with IowAccess.
- 37 (8) Other duties as assigned by the director or
38 the information technology council.
- 39 b. The board shall also advise the governor and
40 the director with respect to the operation of
41 IowAccess and encourage and implementing access to
42 government and its public records by the citizens of
43 this state.
- 44 c. The board shall serve as a link between the
45 users of public records, the lawful custodians of such
46 public records, and the citizens of this state who are
47 the owners of such public records.
- 48 d. The board shall ensure that IowAccess gives
49 priority to serving the needs of the citizens of this
50 state.

Page 19

1 3. MEMBERSHIP.

2 a. The board shall be composed of nineteen members
3 including the following:

4 (1) Five persons appointed by the governor
5 representing the primary customers of lowAccess.

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

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

15 (b) One person representing the judicial branch as
16 designated by the chief justice of the supreme court.

17 (c) One person representing the executive branch
18 as designated by the governor.

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

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

25 (f) One person to be appointed by the governor
26 representing the federal government.

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

30 (4) Four members of the general assembly, two from
31 the senate and two from the house of representatives,
32 with not more than one member from each chamber being
33 from the same political party. The two senators shall
34 be designated by the president of the senate after
35 consultation with the majority and minority leaders of
36 the senate, and with the approval of the majority
37 party appointee by the majority leader and the
38 approval of the minority party appointee by the
39 minority leader. The two representatives shall be
40 designated by the speaker of the house of
41 representatives after consultation with the majority
42 and minority leaders of the house of representatives,
43 and with the approval of the majority party appointee
44 by the majority leader and the approval of the
45 minority party appointee by the minority leader.

46 Legislative members shall serve in an ex officio,
47 nonvoting capacity. A legislative member is eligible
48 for per diem and expenses as provided in section 2.10.

49 b. Members appointed by the governor are subject
50 to confirmation by the senate and shall serve three-

Page 20

1 year staggered terms as designated by the governor.
2 The governor shall appoint a member as the chairperson
3 of the board from the voting members of the board,
4 subject to confirmation by the senate. Members
5 appointed by the governor are subject to the
6 requirements of sections 69.16, 69.16A, and 69.19.
7 Members appointed by the governor shall be reimbursed
8 for actual and necessary expenses incurred in
9 performance of their duties. Such members may also be
10 eligible to receive compensation as provided in
11 section 7E.6.

12 Sec. 16. **NEW SECTION.** 14B.301 INFORMATION
13 TECHNOLOGY COUNCIL CITIZEN SUBCOMMITTEE – DUTIES.

14 1. An information technology council citizen
15 subcommittee is established comprised of the five
16 members of the information technology council
17 appointed pursuant to section 14B.104, subsection 1,
18 paragraph "a", subparagraph (8).

19 Members of the citizen subcommittee shall not serve
20 in any manner or be employed by an authorized user of
21 the network or by an entity seeking to do or doing
22 business with the network. The governor shall appoint
23 a member as the chairperson of the citizen
24 subcommittee from the five members appointed by the
25 governor, subject to confirmation by the senate..

26 Members of the citizen subcommittee shall be
27 reimbursed for all actual and necessary expenses
28 incurred in the performance of duties as members.
29 Meetings of the citizen subcommittee shall be held at
30 the call of the chairperson of the citizen
31 subcommittee or by a majority of the members of the
32 citizen subcommittee. In addition to the members
33 appointed by the governor, the auditor of state or the
34 auditor's designee shall serve as a nonvoting, ex
35 officio member of the citizen subcommittee.

36 Beginning July 1, 2002, members of the citizen
37 subcommittee shall be paid a salary as determined by
38 the general assembly. It is the intent of the general
39 assembly that the salary paid to the members of the
40 citizen subcommittee, beginning July 1, 2002, be
41 commensurate with the salary which would have been
42 paid at that time to members of the Iowa
43 telecommunications and technology commission if such
44 commission were to continue to exist on and after July
45 1, 2002.

46 2. Beginning July 1, 2000, the citizen
47 subcommittee shall establish all rates to be charged
48 for access to and for value-added services performed
49 through IowAccess.

50 3. On July 1, 2002, the citizen subcommittee shall

Page 21

- 1 do all of the following:
- 2 a. Adopt rules pursuant to chapter 17A as deemed
- 3 appropriate and necessary, and directly related to the
- 4 implementation and administration of the duties of the
- 5 citizen subcommittee under this subchapter.
- 6 b. Establish an appeal process for review by the
- 7 citizen subcommittee of a scheduling conflict
- 8 decision, including a scheduling conflict involving an
- 9 educational user, or the establishment of a fee
- 10 associated with the network upon the request of a
- 11 person affected by such decision or fee. An appeal of
- 12 a fee associated with the network shall be pursuant to
- 13 a contested case proceeding pursuant to chapter 17A.
- 14 The citizen subcommittee shall issue a written
- 15 decision including findings of fact and conclusions of
- 16 law. A determination made by the citizen subcommittee
- 17 pursuant to this paragraph shall be final.
- 18 c. Review and approve for adoption, rules as
- 19 proposed and submitted by an authorized user group
- 20 necessary for the authorized user group's access and
- 21 use of the network. The citizen subcommittee may
- 22 refuse to approve and adopt a proposed rule, and upon
- 23 such refusal, shall return the proposed rule to the
- 24 respective authorized user group proposing the rule
- 25 with a statement indicating the citizen subcommittee's
- 26 reason for refusing to approve and adopt the rule.
- 27 d. Establish mechanisms to encourage and receive
- 28 citizen input regarding the operation of the network
- 29 and other issues associated with the duties of the
- 30 citizen subcommittee.
- 31 e. Make recommendations to the department to
- 32 ensure that rural communities have access to
- 33 comparable services to the services provided in urban
- 34 areas resulting from any plans to construct, install,
- 35 repair, or maintain any part of the network.
- 36 f. Annually prepare a written five-year financial
- 37 plan for the network which shall be provided to the
- 38 information technology council who shall deliver the
- 39 plan to the general assembly and the governor no later
- 40 than January 15 of each year. The plan shall include
- 41 estimates for income and expenses for the network for
- 42 the five-year period and the actual income and
- 43 expenses for the preceding fiscal year.
- 44 g. (1) Evaluate existing and projected rates for
- 45 use of the system and ensure that rates are sufficient
- 46 to pay for the operation of the system, excluding the
- 47 cost of construction and lease costs for Parts I, II,
- 48 and III. The citizen subcommittee shall establish all
- 49 hourly rates to be charged to all authorized users for
- 50 the use of the network. A fee established by the

Page 22

1 citizen subcommittee to be charged to a hospital
2 licensed pursuant to chapter 135B, a physician clinic,
3 or the federal government shall be at an appropriate
4 rate so that, at a minimum, there is no state subsidy
5 related to the costs of the connection or use of the
6 network related to such user.

7 (2) It is the intent of the general assembly that
8 the guidelines and policies to be used by the citizen
9 subcommittee in establishing a rate-setting
10 methodology for the network be established by law by
11 no later than July 1, 2002.

12 h. Make recommendations to the information
13 technology council and the department, as deemed
14 appropriate by the citizen subcommittee, concerning
15 the operation of the network and other issues as
16 deemed appropriate by the citizen subcommittee, or as
17 requested by the information technology council or the
18 department.

19 Sec. 17. NEW SECTION. 14B.302 NETWORK RATES –
20 APPEAL PROCESS.

21 1. A rate or fee established by the citizen
22 subcommittee pursuant to section 14B.301, subsection
23 3, paragraph "g", shall be subject to appeal by any
24 person adversely affected with respect to such rate or
25 fee.

26 2. A person who intends to appeal a rate or fee
27 pursuant to this section shall file a written notice
28 of appeal with the utilities board, with the written
29 decision of the citizen subcommittee attached, within
30 thirty days of the final action of the citizen
31 subcommittee establishing the rate or fee which is the
32 subject of the appeal. The utilities board, upon
33 receipt of the notice of appeal, shall forward a copy
34 of such notice to the citizen subcommittee. The
35 utilities board shall set times for transmittal of the
36 record, filing of exceptions and briefs, and, with the
37 consent of the utilities board, oral arguments. The
38 utilities board shall notify the parties of such
39 deadlines. The utilities board shall issue a final
40 ruling on the appeal within ninety days of receipt of
41 the notice of appeal. The utilities board, in
42 conducting such appeal, shall hear the case on the
43 evidentiary record made in a contested case
44 proceeding, and not de novo. The utilities board
45 shall review only the cost analysis and justifications
46 for the rates or fees appealed, and make its ruling
47 solely on whether the rates or fees have been
48 established consistent with applicable law and the
49 rules adopted for establishing such rates or fees.
50 The utilities board shall either uphold the action of

Page 23

1 the citizen subcommittee with respect to such rate or
2 fee, or direct the rate or fee back to the citizen
3 subcommittee for further consideration.

4 3. The utilities board, by rule, shall establish a
5 review procedure for the hearing of such appeals.

6 Sec. 18. Section 8D.2, Code 1999, is amended to
7 read as follows:

8 8D.2 DEFINITIONS.

9 When used in this ~~chapter~~ subchapter, unless the
10 context otherwise requires:

11 1. "Citizen subcommittee" means the information
12 technology council citizen subcommittee appointed by
13 the governor pursuant to section 14B.104.

14 ~~1. 2.~~ "Commission" means the Iowa
15 telecommunications and technology commission
16 established in section 8D.3.

17 ~~2. "Director" means the executive director~~
18 ~~appointed pursuant to section 8D.4.~~

19 3. "Network" means the Iowa or state
20 communications network.

21 4. "Private agency" means an accredited nonpublic
22 school, a nonprofit institution of higher education
23 eligible for tuition grants, or a hospital licensed
24 pursuant to chapter 135B or a physician clinic to the
25 extent provided in section 8D.13, subsection 16.

26 5. "Public agency" means a state agency, an
27 institution under the control of the board of regents,
28 the judicial branch as provided in section 8D.13,
29 subsection 17, a school corporation, a city library, a
30 regional library as provided in chapter 256, a county
31 library as provided in chapter 336, or a judicial
32 district department of correctional services
33 established in section 905.2, to the extent provided
34 in section 8D.13, subsection 15, an agency of the
35 federal government, or a United States post office
36 which receives a federal grant for pilot and
37 demonstration projects.

38 6. "State communications" refers to the
39 transmission of voice, data, video, the written word
40 or other visual signals by electronic means but does
41 not include radio and television facilities and other
42 educational telecommunications systems and services
43 including narrowcast and broadcast systems under the
44 public broadcasting division of the department of
45 education, department of transportation distributed
46 data processing and mobile radio network, or law
47 enforcement communications systems.

48 Sec. 19. Section 8D.3, subsections 1 and 3, Code
49 Supplement 1999, are amended to read as follows:

50 1. COMMISSION ESTABLISHED. A telecommunications

Page 24

1 and technology commission is established with the sole
2 authority to supervise the management, development,
3 and operation of the network and ensure that all
4 components of the network are technically compatible
5 to establish policies and rates and to resolve
6 disputes as provided in this subchapter. The
7 commission shall ensure that the network operates in
8 an efficient and responsible manner consistent with
9 the provisions of this chapter for the purpose of
10 providing the best economic service attainable to the
11 network users consistent with the state's financial
12 capacity. The commission and the director shall
13 ensure that educational users and the use, design, and
14 implementation for educational applications be given
15 the highest priority concerning use of the network.
16 The commission shall provide for the centralized,
17 coordinated use and control of the network. Effective
18 July 1, 2002, the telecommunications and technology
19 commission established in this section shall be
20 disbanded and the powers and duties of the commission
21 under this section shall be transferred to the
22 information technology council citizen subcommittee
23 established under section 14B.301.

24 3. DUTIES. The commission shall do all of the
25 following:

26 a. ~~Enter into agreements pursuant to chapter 28E~~
27 ~~as necessary and appropriate for the purposes of the~~
28 ~~commission. However, the commission shall not enter~~
29 ~~into an agreement with an unauthorized user or any~~
30 ~~other person pursuant to chapter 28E for the purpose~~
31 ~~of providing such user or person access to the~~
32 ~~network.~~

33 b. a. Adopt rules pursuant to chapter 17A as
34 deemed appropriate and necessary, and directly related
35 to the implementation and administration of the duties
36 of the commission under this subchapter. The
37 commission, in consultation with the department of
38 general services, shall also adopt and provide for
39 standard communications procedures and policies
40 relating to the use of the network which recognize, at
41 a minimum, the need for reliable communications
42 services.

43 e. b. Establish an appeal process for review by
44 the commission of a scheduling conflict decision,
45 including a scheduling conflict involving an
46 educational user, or the establishment of a fee
47 associated with the network upon the request of a
48 person affected by such decision or fee. A
49 determination made by the commission pursuant to this
50 paragraph shall be final.

Page 25

1 ~~d. c.~~ Review and approve for adoption, rules as
2 proposed and submitted by an authorized user group
3 necessary for the authorized user group's access and
4 use of the network. The commission may refuse to
5 approve and adopt a proposed rule, and upon such
6 refusal, shall return the proposed rule to the
7 respective authorized user group proposing the rule
8 with a statement indicating the commission's reason
9 for refusing to approve and adopt the rule.

10 ~~e. (1) Develop and issue for response all~~
11 ~~requests for proposals for any construction,~~
12 ~~installation, repair, maintenance, or equipment and~~
13 ~~parts necessary for the network. In preparing the~~
14 ~~request for proposals, the commission shall do all of~~
15 ~~the following:~~

16 ~~(a) Review existing requests for proposals related~~
17 ~~to the network.~~

18 ~~(b) Consider and evaluate all competing~~
19 ~~technologies which could be used in any construction,~~
20 ~~installation, repair, or maintenance project.~~

21 ~~(c) Allow flexibility for proposals to be~~
22 ~~submitted in response to a request for proposals~~
23 ~~issued by the commission such that any qualified~~
24 ~~provider may submit a bid on a site-by-site basis, or~~
25 ~~on a merged area or defined geographic area basis, or~~
26 ~~both, and by permitting proposals to be submitted for~~
27 ~~use of competing or alternative technologies in each~~
28 ~~defined area.~~

29 ~~(d) Ensure that rural communities have access to~~
30 ~~comparable services to the services provided in urban~~
31 ~~areas resulting from any plans to construct, install,~~
32 ~~repair, or maintain any part of the network.~~

33 ~~(2) In determining which proposal to recommend to~~
34 ~~the general assembly to accept, consider what is in~~
35 ~~the long term best interests of the citizens of the~~
36 ~~state and the network, and utilize, if possible, the~~
37 ~~provision of services with existing service providers~~
38 ~~consistent with those best interests. In determining~~
39 ~~what is in the long term best interests of the~~
40 ~~citizens of the state and the network, the commission,~~
41 ~~at a minimum, shall consider the cost to taxpayers of~~
42 ~~the state.~~

43 ~~(3) Deliver a written report and all proposals~~
44 ~~submitted in response to the request for proposals for~~
45 ~~Part III to the general assembly no later than January~~
46 ~~1, 1995. The commission shall not enter into any~~
47 ~~agreement related to such proposals without prior~~
48 ~~authorization by a constitutional majority of each~~
49 ~~house of the general assembly and approval by the~~
50 ~~governor.~~

Page 26

1 f. d. Annually prepare a written five-year
2 financial plan for the network which shall be provided
3 to the information technology council which shall
4 deliver the plan to the general assembly and the
5 governor no later than January 15 of each year. The
6 plan shall include estimates for income and expenses
7 for the network for the five-year period and the
8 actual income and expenses for the preceding fiscal
9 year. ~~The plan shall include the amount of general~~
10 ~~fund appropriations to be requested for the payment of~~
11 ~~operating expenses and debt service. The plan shall~~
12 ~~also include any recommendations of the commission~~
13 ~~related to changes in the system and other items as~~
14 ~~deemed appropriate by the commission. The~~
15 ~~recommendations of the commission contained in the~~
16 ~~plan shall include a detailed plan for the connection~~
17 ~~of all public schools to the network, including a~~
18 ~~discussion and evaluation of all potential financing~~
19 ~~options, an estimate of all costs incurred in~~
20 ~~providing such connections, and a schedule for~~
21 ~~completing such connections, including the anticipated~~
22 ~~final completion date for such connections.~~

23 g. ~~Review existing maintenance contracts and past~~
24 ~~contracts to determine vendor capability to perform~~
25 ~~the obligations under such contracts. The commission~~
26 ~~shall report to the general assembly prior to January~~
27 ~~1 of each year as to the performance of all vendors~~
28 ~~under each contract and shall make recommendations~~
29 ~~concerning continued funding for the contracts.~~

30 h. ~~Pursue available opportunities to cooperate and~~
31 ~~coordinate with the federal government for the use and~~
32 ~~potential expansion of the network and for the~~
33 ~~financing of any such expansion.~~

34 i. e. Evaluate existing and projected rates for
35 use of the system and ensure that rates are sufficient
36 to pay for the operation of the system excluding the
37 cost of construction and lease costs for Parts I, II,
38 and III. The commission shall establish all hourly
39 rates to be charged to all authorized users for the
40 use of the network. A fee established by the
41 commission to be charged to a hospital licensed
42 pursuant to chapter 135B, a physician clinic, or the
43 federal government shall be at an appropriate rate so
44 that, at a minimum, there is no state subsidy related
45 to the costs of the connection or use of the network
46 related to such user.

47 j. f. Make recommendations to the general assembly
48 director and the information technology council, as
49 deemed appropriate by the commission, concerning the
50 operation of the network.

Page 27

1 k. ~~Provide necessary telecommunications cabling to~~
2 ~~provide state communications.~~

3 Sec. 20. NEW SECTION. 8D.3A DEPARTMENT DUTIES.

4 For the purposes of this subchapter, the department
5 shall do all of the following:

6 1. Supervise the management, development, and
7 operation of the network and ensure that all
8 components of the network are technically compatible
9 consistent with the standards established by the
10 information technology council pursuant to section
11 14B.104.

12 2. Provide for the centralized, coordinated use
13 and control of the network.

14 3. Enter into agreements pursuant to chapter 28E
15 as necessary and appropriate for the purposes of the
16 department. However, the department shall not enter
17 into an agreement with an unauthorized user or any
18 other person pursuant to chapter 28E for the purpose
19 of providing such user or person access to the
20 network.

21 4. a. Develop and issue for response all requests
22 for proposals for any construction, installation,
23 repair, maintenance, or equipment and parts necessary
24 for the network. In preparing the request for
25 proposals, the department shall do all of the
26 following:

27 (1) Review existing requests for proposals related
28 to the network.

29 (2) Consider and evaluate all competing
30 technologies which could be used in any construction,
31 installation, repair, or maintenance project.

32 (3) Allow flexibility for proposals to be
33 submitted in response to a request for proposals
34 issued by the department such that any qualified
35 provider may submit a bid on a site-by-site basis, or
36 on a merged area or defined geographic area basis, or
37 both, and by permitting proposals to be submitted for
38 use of competing or alternative technologies in each
39 defined area.

40 (4) Ensure that rural communities have access to
41 comparable services to the services provided in urban
42 areas resulting from any plans to construct, install,
43 repair, or maintain any part of the network.

44 b. In determining which proposal to recommend to
45 the general assembly to accept, consider what is in
46 the long-term best interests of the citizens of the
47 state and the network, and utilize, if possible, the
48 provision of services with existing service providers
49 consistent with those best interests. In determining
50 what is in the long-term best interests of the

Page 28

1 citizens of the state and the network, the department,
2 at a minimum, shall consider the cost to taxpayers of
3 the state.

4 c. Deliver a written report and all proposals
5 submitted in response to the request for proposals for
6 Part III to the general assembly no later than January
7 1, 1995. The department shall not enter into any
8 agreement related to such proposals without prior
9 authorization by a constitutional majority of each
10 house of the general assembly and approval by the
11 governor.

12 5. Annually provide to the general assembly the
13 amount of general fund appropriations to be requested
14 for the payment of operating expenses and debt
15 service. The department shall also provide to the
16 general assembly any recommendations related to
17 changes in the system and other items as deemed
18 appropriate by the department. The recommendations of
19 the department shall include a detailed plan for the
20 connection of all public schools to the network,
21 including a discussion and evaluation of all potential
22 financing options, an estimate of all costs incurred
23 in providing such connections, and a schedule for
24 completing such connections, including the anticipated
25 final completion date for such connections.

26 6. Review existing maintenance contracts and past
27 contracts to determine vendor capability to perform
28 the obligations under such contracts. The department
29 shall report to the general assembly prior to January
30 1 of each year as to the performance of all vendors
31 under each contract and shall make recommendations
32 concerning continued funding for the contracts.

33 7. Pursue available opportunities to cooperate and
34 coordinate with the federal government for the use and
35 potential expansion of the network and for the
36 financing of any such expansion.

37 8. Provide necessary telecommunications cabling to
38 provide state communications.

39 Sec. 21. NEW SECTION. 8D.3B INFORMATION
40 TECHNOLOGY COUNCIL DUTIES.

41 For purposes of this subchapter, the information
42 technology council shall do all of the following:

43 1. Ensure that the network operates in an
44 efficient and responsible manner consistent with the
45 provisions of this division for the purpose of
46 providing the best economic service attainable to the
47 network users consistent with the state's financial
48 capacity.

49 2. In consultation with the department of general
50 services, adopt and provide for standard

Page 29

1 communications procedures and policies relating to the
2 use of the network which recognize, at a minimum, the
3 need for reliable communications services.

4 Sec. 22. Section 8D.5, subsection 1, Code 1999, is
5 amended to read as follows:

6 1. An education telecommunications council is
7 established. The council consists of eighteen members
8 and shall include the following: two persons
9 appointed by the state board of regents; two persons
10 appointed by the Iowa association of community college
11 trustees; two persons appointed by the area education
12 agency boards; two persons appointed by the Iowa
13 association of school boards; two persons appointed by
14 the school administrators of Iowa; two persons
15 appointed by the Iowa association of independent
16 colleges and universities; two persons appointed by
17 the Iowa state education association; three persons
18 appointed by the director of the department of
19 education including one person representing libraries
20 and one person representing the Iowa association of
21 nonpublic school administrators; and one person
22 appointed by the administrator of the public
23 broadcasting division of the department of education.
24 The council shall establish scheduling and site usage
25 policies for educational users of the network,
26 coordinate the activities of the regional
27 telecommunications councils, and develop proposed
28 rules and changes to rules for recommendation to the
29 commission, the department, and the information
30 technology council, as appropriate. The council shall
31 also recommend long-range plans for enhancements
32 needed for educational applications. Administrative
33 support and staffing for the council shall be provided
34 by the department of education.

35 Sec. 23. Section 8D.6, Code 1999, is amended to
36 read as follows:

37 8D.6 ADVISORY GROUPS ESTABLISHED.

38 1. The commission shall establish an advisory
39 group to examine the use of the network for
40 telemedicine applications. The advisory group shall
41 consist of representatives of hospitals and other
42 health care facilities as determined by the
43 commission. The advisory group shall provide advice
44 to the commission, the department, and the information
45 technology council.

46 2. The commission may establish other advisory
47 committees as necessary representing authorized users
48 of the network. An advisory committee established by
49 the commission shall provide advice to the commission,
50 the department, and the information technology

Page 30

1 council.

2 Sec. 24. Section 8D.7, Code 1999, is amended to
3 read as follows:

4 8D.7 TELECOMMUNICATIONS ADVISORY COMMITTEE.

5 A telecommunications advisory committee is
6 established to advise the commission, the department,
7 and the information technology council on
8 telecommunications matters. The commission shall
9 appoint five members to the advisory committee who
10 shall represent specific telecommunications industries
11 or persons with technical expertise related to the
12 network.

13 Sec. 25. Section 8D.10, Code 1999, is amended to
14 read as follows:

15 8D.10 REPORT OF SAVINGS BY STATE AGENCIES.

16 A state agency which is a part of the network shall
17 annually provide a written report to the general
18 assembly and the information technology council
19 certifying the identified savings associated with the
20 state agency's use of the network. The report shall
21 be delivered on or before January 15 for the previous
22 fiscal year of the state agency.

23 Sec. 26. Section 8D.11, Code 1999, is amended to
24 read as follows:

25 8D.11 POWERS – FACILITIES – LEASES.

26 1. The ~~commission~~ department may purchase, lease,
27 and improve property, equipment, and services for
28 telecommunications for public and private agencies and
29 may dispose of property and equipment when not
30 necessary for its purposes. However, for purposes of
31 this subchapter, the ~~commission~~ department shall not
32 enter into a contract for the purchase, lease, or
33 improvement of property, equipment, or services for
34 telecommunications pursuant to this subsection in an
35 amount greater than one million dollars without prior
36 authorization by a constitutional majority of each
37 house of the general assembly, or approval by the
38 legislative council if the general assembly is not in
39 session. The ~~commission~~ department shall not issue
40 any bonding or other long-term financing arrangements
41 as defined in section 12.30, subsection 1, paragraph
42 "b". Real or personal property to be purchased by the
43 ~~commission~~ department through the use of a financing
44 agreement shall be done in accordance with the
45 provisions of section 12.28, provided, however, that
46 the ~~commission~~ department shall not purchase property,
47 equipment, or services for telecommunications pursuant
48 to this subsection in an amount greater than one
49 million dollars without prior authorization by a
50 constitutional majority of each house of the general

Page 31

1 assembly, or approval by the legislative council if
2 the general assembly is not in session.

3 2. The ~~commission~~ department also shall not
4 provide or resell communications services to entities
5 other than public and private agencies. The public or
6 private agency shall not provide communication
7 services of the network to another entity unless
8 otherwise authorized pursuant to this chapter. The
9 ~~commission~~ department may arrange for joint use of
10 available services and facilities, and may enter into
11 leases and agreements with private and public agencies
12 with respect to the Iowa communications network, and
13 public agencies are authorized to enter into leases
14 and agreements with respect to the network for their
15 use and operation. Rentals and other amounts due
16 under the agreements or leases entered into pursuant
17 to this section by a state agency are payable from
18 funds annually appropriated by the general assembly or
19 from other funds legally available. Other public
20 agencies may pay the rental costs and other amounts
21 due under an agreement or lease from their annual
22 budgeted funds or other funds legally available or to
23 become available.

24 3. This section comprises a complete and
25 independent authorization and procedure for a public
26 agency, with the approval of the ~~commission~~
27 department, to enter into a lease or agreement and
28 this section is not a qualification of any other
29 powers which a public agency may possess and the
30 authorizations and powers granted under this section
31 are not subject to the terms, requirements, or
32 limitations of any other provisions of law, except
33 that the ~~commission~~ department must comply with the
34 provisions of section 12.28 when entering into
35 financing agreements for the purchase of real or
36 personal property. All moneys received by the
37 ~~commission~~ department from agreements and leases
38 entered into pursuant to this section with private and
39 public agencies shall be deposited in the Iowa
40 communications network fund.

41 4. A political subdivision receiving
42 communications services from the state as of April 1,
43 1986, may continue to do so but communications
44 services shall not be provided or resold to additional
45 political subdivisions other than a school
46 corporation, a city library, a regional library as
47 provided in chapter 256, and a county library as
48 provided in chapter 336. The rates charged to the
49 political subdivision shall be the same as the rates
50 charged to state agencies.

Page 32

1 Sec. 27. Section 8D.12, Code 1999, is amended to
2 read as follows:
3 8D.12 DISPOSITION OF NETWORK – APPROVAL OF
4 GENERAL ASSEMBLY AND GOVERNOR.

5 Notwithstanding any provision to the contrary, the
6 ~~commission information technology department~~ or the
7 department of general services shall not sell, lease,
8 or otherwise dispose of the network without prior
9 authorization by a constitutional majority of each
10 house of the general assembly and approval by the
11 governor.

12 Sec. 28. Section 8D.13, subsections 1, 3, 4, 7, 8,
13 9, 10, 13, and 18, Code Supplement 1999, are amended
14 to read as follows:

15 1. Moneys in the Iowa communications network fund
16 are appropriated to the ~~Iowa telecommunications and~~
17 ~~technology commission department~~ for purposes of
18 providing financing for the procurement, operation,
19 and maintenance of the Iowa communications network
20 with sufficient capacity to serve the video, data, and
21 voice requirements of the educational
22 telecommunications system consisting of Part I, Part
23 II, and Part III, and other public and private
24 agencies.

25 3. The financing for the procurement costs for the
26 entirety of Part I except for the communications
27 connections between central switching and institutions
28 under the control of the board of regents, and
29 nonprofit institutions of higher education eligible
30 for tuition grants, and for the video, data, and voice
31 capacity for state agencies and for Part II and Part
32 III, shall be provided by the state. The financing
33 for the procurement and maintenance costs for Part III
34 shall be provided by the state. A local school board,
35 governing authority of a nonpublic school, or an area
36 education agency board may elect to provide one
37 hundred percent of the financing for the procurement
38 and maintenance costs for Part III to become part of
39 the network. The basis for the amount of state
40 financing is one hundred percent of a single
41 interactive audio and interactive video connection for
42 Part III, and such data and voice capacity as is
43 necessary. If a school board, governing authority of
44 a nonpublic school, or area education agency board
45 elects to provide one hundred percent of the financing
46 for the leasing costs for Part III, the school
47 district or area education agency may become part of
48 the network as soon as the network can reasonably
49 connect the district or agency. A local school board,
50 governing authority of a nonpublic school, or an area

Page 33

1 education agency board may also elect not to become
2 part of the network. Construction of Part III,
3 related to a school board, governing authority of a
4 nonpublic school, or area education agency board which
5 provides one hundred percent of the financing for the
6 leasing costs for Part III, may proceed as determined
7 by the ~~commission~~ information technology council and
8 consistent with the purpose of this chapter.

9 4. The ~~commission~~ department shall develop the
10 requests for proposals that are needed for the Iowa
11 communications network with sufficient capacity to
12 serve the video, data, and voice requirements of state
13 agencies and for educational telecommunications
14 applications. The ~~commission~~ department shall develop
15 a request for proposals for each of the systems that
16 will make up the network. The ~~commission~~ department
17 may develop a request for proposals for each
18 definitive component of the network or the ~~commission~~
19 department may provide in the request for proposals
20 for each such system that separate contracts may be
21 entered into for each definitive component covered by
22 the request for proposals. The requests for proposals
23 may be for the purchase, lease-purchase, or lease of
24 the component parts of the network consistent with the
25 provisions of this ~~chapter~~ subchapter, may require
26 maintenance costs to be identified, and the resulting
27 contract may provide for maintenance for parts of the
28 network. The master contract may provide for
29 electronic classrooms, satellite equipment, receiving
30 equipment, studio and production equipment, and other
31 associated equipment as required.

32 7. The ~~commission shall be~~ department is
33 responsible for the network design and shall be
34 responsible for the implementation of each component
35 of the network as it is incorporated into the network.
36 The final design selected shall optimize the routing
37 for all users in order to assure maximum utilization
38 by all agencies of the state. Efficiencies achieved
39 in the implementation of the network shall be used to
40 fund further implementation and enhancement of the
41 network, and shall be considered part of the
42 operational cost of the network. The ~~commission shall~~
43 be department is responsible for all management,
44 operations, control switching, diagnostics, and
45 maintenance functions of network operations as
46 provided in this ~~chapter~~ subchapter. The performance
47 of these duties is intended to provide optimal
48 utilization of the facilities, and the assurance that
49 future growth requirements will be provided for, and
50 that sufficient network capacity will be available to

Page 34

- 1 meet the needs of all users.
- 2 8. The education telecommunications council shall
3 review all requests for grants for educational
4 telecommunications applications, if they are a part of
5 the Iowa communications network, to ensure that the
6 educational telecommunications application is
7 consistent with the telecommunications plan. All
8 other grant requests shall be reviewed as determined
9 by the ~~commission~~ information technology council. If
10 the education telecommunications council finds that a
11 grant request is inconsistent with the
12 telecommunications plan, the grant request shall not
13 be allowed.
- 14 9. The procurement and maintenance of electronic
15 equipment including, but not limited to, master
16 receiver antenna systems, studio and production
17 equipment, and broadcast system components shall be
18 provided for under the ~~commission's~~ department's
19 contracts. The Iowa public broadcasting board and
20 other educational entities within the state have the
21 option to use their existing or replacement resources
22 and agreements in the operation and maintenance of
23 these systems.
- 24 10. In addition to the other evaluation criteria
25 specified in the request for proposals issued pursuant
26 to this section, the ~~commission~~ department, in
27 evaluating proposals, shall base up to two percent of
28 the total possible points on the public benefit that
29 can be derived from a given proposal due to the
30 increased private telecommunications capacity
31 available to Iowa citizens located in rural Iowa. For
32 purposes of this subsection, an area of the state is
33 considered rural if it is not part of a federally
34 designated standard metropolitan statistical area.
- 35 13. The auditor of state shall, no less than
36 annually, examine the financial condition and
37 transactions of the ~~commission~~ network as provided in
38 chapter 11. A copy of the auditor's report concerning
39 such examination shall be provided to the general
40 assembly.
- 41 18. Notwithstanding chapter 476, the provisions of
42 chapter 476 shall not apply to a public utility in
43 furnishing a telecommunications service or facility to
44 the ~~commission~~ department for the Iowa communications
45 network or to any authorized user of the Iowa
46 communications network for such authorized user's
47 connection to the network.
- 48 Sec. 29. Section 8D.14, Code 1999, is amended to
49 read as follows:
- 50 8D.14 IOWA COMMUNICATIONS NETWORK FUND.

Page 35

1 There is created in the office of the treasurer of
2 state a fund to be known as the Iowa communications
3 network fund under the control of the ~~Iowa~~
4 ~~telecommunications and technology commission~~
5 department. There shall be deposited into the Iowa
6 communications network fund proceeds from bonds issued
7 for purposes of projects authorized pursuant to
8 section 8D.13, funds received from leases pursuant to
9 section 8D.11, and other moneys by law credited to or
10 designated by a person for deposit into the fund.

11 Sec. 30. Section 18.3, subsection 1, unnumbered
12 paragraph 1, Code 1999, is amended to read as follows:
13 Establishing and developing, in co-operation with
14 the various state agencies, a system of uniform
15 standards and specifications for purchasing. When the
16 system is developed, all items of general use shall be
17 purchased through the department, except information
18 technology, as defined in section 14B.101, and
19 procured by the information technology department, and
20 except items used by the state department of
21 transportation, institutions under the control of the
22 board of regents, the department for the blind, and
23 any other agencies exempted by law.

24 Sec. 31. Section 18.183, subsections 1 and 2, Code
25 Supplement 1999, are amended to read as follows:
26 1. The government agency that is the lawful
27 custodian of a public record shall be responsible for
28 determining whether a record is required by state
29 statute to be confidential. The transmission of a
30 record by a government agency by use of electronic
31 means established, maintained, or managed by the
32 ~~division of information technology services department~~
33 shall not constitute a transfer of the legal custody
34 of the record from the individual government agency to
35 the ~~division of information technology services~~
36 department or to any other person or entity.

37 2. The ~~division of information technology services~~
38 department shall not have authority to determine
39 whether an individual government agency should
40 automate records of which the individual government
41 agency is the lawful custodian. However, the ~~division~~
42 department may encourage governmental agencies to
43 implement electronic access to government records.

44 Sec. 32. Section 18.184, Code 1999, is amended to
45 read as follows:

46 18.184 FINANCIAL TRANSACTIONS.

47 1. The ~~division of information technology services~~
48 department shall collect moneys paid to participating
49 governmental entities from persons who complete an
50 electronic financial transaction with the governmental

1 entity by accessing the lowAccess network. The moneys
2 may include all of the following:

3 a. Fees required to obtain an electronic public
4 record as provided in section 22.3A.

5 b. Fees required to process an application or file
6 a document, including but not limited to fees required
7 to obtain a license issued by a licensing authority.

8 c. Moneys owed to a governmental entity by a
9 person accessing the lowAccess network in order to
10 satisfy a liability arising from the operation of law,
11 including the payment of assessments, taxes, fines,
12 and civil penalties.

13 2. Moneys transferred using the lowAccess network
14 may include amounts owed by a governmental entity to a
15 person accessing the lowAccess network in order to
16 satisfy a liability of the governmental entity. The
17 moneys may include the payment of tax refunds, and the
18 disbursement of support payments as defined in section
19 252D.16 or 598.1 as required for orders issued
20 pursuant to section 252B.14.

21 3. ~~The division of information technology services~~
22 ~~department~~ shall serve as the agent of the
23 governmental entity in collecting moneys for receipt
24 by governmental entities. The moneys shall be
25 transferred to governmental entities directly or to
26 the treasurer of state for disbursement to
27 governmental entities as required by the treasurer of
28 state in cooperation with the auditor of state.

29 4. In addition to other forms of payment, credit
30 cards shall be accepted in payment for moneys owed to
31 a governmental entity as provided in this section,
32 according to rules which shall be adopted by the
33 treasurer of state. The fees to be charged shall not
34 exceed those permitted by statute. A governmental
35 entity may adjust its fees to reflect the cost of
36 processing as determined by the treasurer of state.
37 The discount charged by the credit card issuer may be
38 included in determining the fees to be paid for
39 completing a financial transaction under this section
40 by using a credit card.

41 Sec. 33. Section 18.185, Code 1999, is amended to
42 read as follows:

43 18.185 AUDITS REQUIRED.

44 A technology audit of the electronic transmission
45 system by which government records are transmitted
46 electronically to the public shall be conducted not
47 less than once annually for the purpose of determining
48 that government records and other electronic data are
49 not misappropriated or misused by the ~~division of~~
50 ~~information technology services~~ department or a

Page 37

1 contractor of the ~~division~~ department. A financial
2 audit shall be conducted not less than once annually
3 to determine the financial condition of the ~~division~~
4 ~~of information technology services~~ department and to
5 make other relevant inquiries.

6 Sec. 34. Section 18.187, Code Supplement 1999, is
7 amended to read as follows:

8 18.187 IOWACCESS REVOLVING FUND.

9 An IowAccess revolving fund is created in the state
10 treasury ~~under the control of the department~~. The
11 revolving fund shall be administered by the ~~division~~
12 ~~and~~ shall consist of moneys collected by the ~~division~~
13 ~~department~~ as fees, moneys appropriated by the general
14 assembly, and any other moneys obtained or accepted by
15 the ~~division~~ department for deposit in the revolving
16 fund. The proceeds of the revolving fund are
17 appropriated to and shall be used by the ~~division~~
18 ~~department~~ to maintain, develop, operate, and expand
19 the IowAccess network consistent with this chapter
20 ~~subchapter~~. The ~~division~~ department shall submit an
21 annual report not later than January 31, to the
22 members of the general assembly and the legislative
23 fiscal bureau, of the activities funded by and
24 expenditures made from the revolving fund during the
25 preceding fiscal year. Section 8.33 does not apply to
26 any moneys in the revolving fund and, notwithstanding
27 section 12C.7, subsection 2, earnings or interest on
28 moneys deposited in the revolving fund shall be
29 credited to the revolving fund.

30 Sec. 35. INFORMATION TECHNOLOGY COUNCIL TEMPORARY
31 EX OFFICIO MEMBER. Notwithstanding section 14B.104,

32 as enacted in this Act, one member of the Iowa
33 telecommunications and technology commission
34 established in section 8D.3 shall serve as the
35 twentieth member and as an ex officio, nonvoting
36 member of the information technology council
37 established in section 14B.104 through June 30, 2002.

38 Sec. 36. INITIAL APPOINTMENTS - IOWACCESS BOARD.

39 The initial appointments to the IowAccess board
40 pursuant to section 14B.201, subsection 3, paragraph
41 "a", subparagraph (1), as enacted in this Act, shall
42 be as follows:

43 1. One person to be appointed by the governor
44 representing financial institutions who shall be
45 actively engaged in finance and banking.

46 2. One person to be appointed by the governor
47 representing insurers who shall be actively engaged in
48 the insurance industry.

49 3. One person to be appointed by the governor
50 representing the legal profession who shall be

Page 38

1 actively engaged in the profession of law.

2 4. One person to be appointed by the governor
3 representing media interests.

4 5. One person to be appointed by the governor
5 representing real estate brokers and salespersons who
6 shall be actively engaged in the real estate business.

7 Sec. 37. TRANSFER OF FUNCTIONS AND EMPLOYEES. The
8 director of the information technology department and
9 the administrator of the public broadcasting division
10 of the department of education, in consultation with
11 the director of the department of education, shall
12 make recommendations to the general assembly by no
13 later than January 12, 2001, concerning the functions
14 and full-time equivalent positions to be transferred
15 from the public broadcasting division to the
16 information technology department.

17 Sec. 38. RULES CONTINUED. Notwithstanding any
18 contrary provision, a rule adopted by the Iowa
19 telecommunications and technology commission pursuant
20 to chapter 8D and effective on July 1, 2000, with
21 respect to any duty or responsibility of the
22 commission which is transferred to the citizen
23 subcommittee established pursuant to section 14B.301,
24 shall be deemed to be a rule of the citizen
25 subcommittee and remain effective until such time as
26 the citizen subcommittee modifies or repeals such
27 rule, or until such time as the general assembly
28 nullifies such rule.

29 Sec. 39. RULES CONTINUED. Notwithstanding any
30 contrary provision, a rule adopted by the Iowa
31 telecommunications and technology commission pursuant
32 to chapter 8D and effective on July 1, 2002, shall be
33 deemed to be a rule of the citizen subcommittee
34 established pursuant to section 14B.301 and remain
35 effective until such time as the citizen subcommittee
36 modifies or repeals such rule, or until such time as
37 the general assembly nullifies such rule.

38 Sec. 40. CONTRACTS CONTINUED. Notwithstanding any
39 contrary provision, a contract or agreement entered
40 into by the Iowa telecommunications and technology
41 commission pursuant to its authority under chapter 8D
42 and in existence on July 1, 2002, shall remain
43 effective for the term of such contract or agreement.
44 The citizen subcommittee established pursuant to
45 section 14B.301, for purposes of such contract or
46 agreement, shall be considered the commission's
47 successor in interest and shall have all the rights
48 and responsibilities under such contract or agreement
49 as if the citizen subcommittee were the commission,
50 unless otherwise provided by law.

Page 39

- 1 Sec. 41. DIRECTIONS TO CODE EDITOR.
 2 1. The Code editor shall transfer the provisions
 3 of chapter 8D to chapter 14B, as enacted in this Act,
 4 and codify these sections as a separate subchapter in
 5 chapter 14B.
 6 2. The Code editor shall transfer sections 18.183
 7 through 18.187 to chapter 14B, as enacted in this Act,
 8 and codify those sections as a separate subchapter in
 9 chapter 14B."

FALCK of Fayette

H-8562

- 1 Amend the amendment, H-8511, to Senate File 2348,
 2 as passed by the Senate as follows:
 3 1. Page 1, by striking lines 19 through 28 and
 4 inserting the following:
 5 "b. If a local entity wishes to initiate a project
 6 or grant within the loess hills land form, the entity
 7 shall obtain the approval of the loess hills alliance
 8 before initiating the project or grant."

HUSER of Polk

H-8563

- 1 Amend House File 2549 as follows:
 2 1. Page 19, line 26, by striking the words "plant
 3 science" and inserting the following: "botany".
 4 2. Page 20, line 3, by striking the word "plant"
 5 and inserting the following: "botanical".

MILLAGE of Scott

H-8570

- 1 Amend House File 2535 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 422.121, Code Supplement 1999,
 5 is amended to read as follows:
 6 422.121 APPROPRIATION - LIMITATION.
 7 Beginning with For the fiscal year years begin ning
 8 July 1, 1997, July 1, 1998, and July 1, 1999, there is
 9 appropriated annually from the general fund of the
 10 state two million dollars to refund the credits
 11 allowed under this division. For fiscal years
 12 beginning on or after July 1, 2000, there is
 13 appropriated annually from the general fund of the

14 state two million seven hundred fifty thousand dollars
15 to refund the credits allowed under this division.

16 Notwithstanding section 422.120, for tax years
17 beginning on or after January 1, 1997, the livestock
18 production tax credit shall only be allowed for cow-
19 calf operations. In calculating the tax credit for
20 cow-calf operations for tax years beginning in the
21 1997 calendar year, mature beef cows bred or for
22 breeding, bred yearling heifers, and breeding bulls in
23 the operations' inventory on December 31 of the tax
24 year which were also in the operations on July 1 of
25 the tax year and stockers and feeders sold during the
26 tax year may be counted. In calculating the tax
27 credit for cow-calf operations for tax years beginning
28 on or after January 1, 1998, only those bred cows,
29 bred heifers, and breeding bulls in the operations'
30 inventory on December 31 of the tax year which were
31 also in the operations on July 1 of the tax year may
32 be counted."

33 2. Title page, by striking lines 1 through 3 and
34 inserting the following: "An Act relating to the
35 appropriation made for the livestock production tax
36 credit."

WEIGEL of Chickasaw

H-8571

1 Amend House File 2535 as follows:

2 1. Page 1, by striking line 10 and inserting the
3 following:

4 "Sec. 2. This Act takes effect January 1, 2001,".

5 2. Title page, line 3, by striking the words "a
6 retroactive" and inserting the following: "an
7 effective and".

WEIGEL of Chickasaw

H-8572

1 Amend House File 2535 as follows:

2 1. Page 1, line 7, by inserting after the word
3 "amount" the following: "not to exceed one hundred
4 thousand dollars.".

WEIGEL of Chickasaw

H-8573

1 Amend House File 2535 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 422.11D ASSISTIVE
5 DEVICE TAX CREDIT – SMALL BUSINESS.
6 1. The taxes imposed under this division, less the
7 credits allowed under sections 422.12 and 422.12B,
8 shall be reduced by an assistive device tax credit. A
9 small business purchasing, renting, or modifying an
10 assistive device or making workplace modifications for
11 an individual with a disability who is employed or
12 will be employed by the small business is entitled to
13 receive this assistive device tax credit which is
14 equal to fifty percent of the first five thousand
15 dollars paid during the tax year for the purchase,
16 rental, or modification of the assistive device or for
17 making the workplace modifications. Any credit in
18 excess of the tax liability shall be refunded with
19 interest computed under section 422.25. In lieu of
20 claiming a refund, a taxpayer may elect to have the
21 overpayment shown on the taxpayer's final, completed
22 return credited to the tax liability for the following
23 tax year. If the small business elects to take the
24 assistive device tax credit, the small business shall
25 reduce the deduction for the costs of purchasing,
26 renting, or modifying an assistive device or making
27 workplace modifications by the amount of the credit.
28 2. An individual may claim an assistive device tax
29 credit allowed a partnership, limited liability
30 company, S corporation, estate, or trust electing to
31 have the income taxed directly to the individual. The
32 amount claimed by the individual shall be based upon
33 the pro rata share of the individual's earnings of the
34 partnership, limited liability company, S corporation,
35 estate, or trust.
36 3. For purposes of this section:
37 a. "Assistive device" means any item, piece of
38 equipment, or product system which is used to
39 increase, maintain, or improve the functional
40 capabilities of an individual with a disability in the
41 workplace or on the job. "Assistive device" does not
42 mean any medical device, surgical device, or organ
43 implanted or transplanted into or attached directly to
44 an individual. "Assistive device" does not include
45 any device for which a certificate of title is issued
46 by the state department of transportation, but does
47 include any item, piece of equipment, or product
48 system otherwise meeting the definition of "assistive
49 device" that is incorporated, attached, or included as
50 a modification in or to such a device issued a

Page 2

- 1 certificate of title.
- 2 b. "Disability" means the same as defined in

3 section 225C.46.

4 c. "Small business" means a business that either
 5 had gross receipts for its preceding tax year of three
 6 million dollars or less or employed not more than
 7 fourteen full-time employees during its preceding tax
 8 year.

9 d. "Workplace modifications" means physical
 10 alterations to the work environment.

11 Sec. 2. Section 422.33, Code Supplement 1999, is
 12 amended by adding the following new subsection:

13 NEW SUBSECTION. 9. The taxes imposed under this
 14 division shall be reduced by an assistive device tax
 15 credit. A small business purchasing, renting, or
 16 modifying an assistive device or making workplace
 17 modifications for purposes of an individual with a
 18 disability who is employed or will be employed by the
 19 small business is entitled to receive this assistive
 20 device tax credit which is equal to fifty percent of
 21 the first five thousand dollars paid during the tax
 22 year for the purchase, rental, or modification of the
 23 assistive device or for making the workplace
 24 modifications. Any credit in excess of the tax
 25 liability shall be refunded with interest computed
 26 under section 422.25. In lieu of claiming a refund, a
 27 taxpayer may elect to have the overpayment shown on
 28 the taxpayer's final, completed return credited to the
 29 tax liability for the following tax year. If the
 30 small business elects to take the assistive device tax
 31 credit, the small business shall reduce the deduction
 32 for the costs of purchasing, renting, or modifying an
 33 assistive device or making workplace modifications by
 34 the amount of the credit.

35 a. For purposes of this subsection, "assistive
 36 device" means any item, piece of equipment, or product
 37 system which is used to increase, maintain, or improve
 38 the functional capabilities of an individual with a
 39 disability in the workplace or on the job. "Assistive
 40 device" does not mean any medical device, surgical
 41 device, or organ implanted or transplanted into or
 42 attached directly to an individual. "Assistive
 43 device" does not include any device for which a
 44 certificate of title is issued by the state department
 45 of transportation, but does include any item, piece of
 46 equipment, or product system otherwise meeting the
 47 definition of "assistive device" that is incorporated,
 48 attached, or included as a modification in or to such
 49 a device issued a certificate of title.

50 b. "Disability" means the same as defined in

2 c. "Small business" means a business that either
 3 had gross receipts for its preceding tax year of three
 4 million dollars or less or employed not more than
 5 fourteen full-time employees during its preceding tax
 6 year.

7 d. "Workplace modifications" means physical
 8 alterations to the work environment.

9 Sec. 3. EFFECTIVE AND RETROACTIVE APPLICABILITY

10 DATE. This Act, being deemed of immediate importance,
 11 takes effect upon enactment and applies retroactively
 12 to January 1, 2000, for tax years beginning on or
 13 after that date."

14 2. Title page, by striking lines 1 through 3 and
 15 inserting the following: "An Act providing an
 16 individual and corporate tax credit for the
 17 acquisition or modification of assistive technology or
 18 the modification of the workplace in order to assist
 19 persons with a disability in the workplace and
 20 including an effective and retroactive applicability
 21 date provision."

WEIGEL of Chickasaw

H-8575

1 Amend House File 2540 as follows:

2 1. Page 3, by inserting after line 20 the
 3 following:

4 "Sec. 100. Section 15E.193B, subsection 2, Code
 5 1999, is amended to read as follows:

6 2. An eligible housing business under this section
 7 includes a housing developer, or housing contractor,
 8 or nonprofit organization that builds or rehabilitates
 9 a minimum of four single-family homes with a value,
 10 after completion of the building or rehabilitation,
 11 not exceeding one hundred twenty thousand dollars for
 12 each home located in that part of a city or county in
 13 which there is a designated enterprise zone or one
 14 multiple dwelling unit building containing three or
 15 more individual dwelling units with a total value per
 16 unit, after completion of the building or
 17 rehabilitation, not exceeding one hundred twenty
 18 thousand dollars located in that part of a city or
 19 county in which there is a designated enterprise zone.

20 Sec. 101. Section 15E.193B, subsection 5, Code
 21 1999, is amended by adding the following new
 22 paragraph:

23 NEW PARAGRAPH. e. Information showing the amount
 24 of tax credits and forgivable government loans which
 25 will be received as a result of its new investment in
 26 housing for which the business is seeking approval for
 27 the tax credit provided in subsection 6, paragraph

28 "a".
 29 Sec. 102. Section 15E.193B, subsection 6,
 30 paragraph a, Code 1999, is amended to read as follows:
 31 a. An eligible housing business may claim an
 32 ~~income a~~ tax credit up to a maximum of ten percent of
 33 the new investment which is directly related to the
 34 building or rehabilitating of a minimum of four
 35 single-family homes located in that part of a city or
 36 county in which there is a designated enterprise zone
 37 or one multiple dwelling unit building containing
 38 three or more individual dwelling units located in
 39 that part of a city or county in which there is a
 40 designated enterprise zone. The tax credit may be
 41 used to reduce the tax liability imposed under chapter
 42 422, division II, III, or V. Any credit in excess of
 43 the tax liability for the tax year may be credited to
 44 the tax liability for the following seven years or
 45 until depleted, whichever occurs earlier. If the
 46 business is a partnership, ~~subchapter~~ S corporation,
 47 limited liability company, or estate or trust electing
 48 to have the income taxed directly to the individual,
 49 an individual may claim the tax credit allowed. The
 50 amount claimed by the individual shall be based upon

Page 2

1 the pro rata share of the individual's earnings of the
 2 partnership, ~~subchapter~~ S corporation, limited
 3 liability company, or estate or trust."
 4 2. Page 6, by inserting after line 17 the
 5 following:
 6 "Sec. 103. Section 15E.195, subsection 5, Code
 7 1999, is amended by adding the following new
 8 unnumbered paragraph:
 9 NEW UNNUMBERED PARAGRAPH. However, if the
 10 commission or department finds that an eligible
 11 housing business will receive, as a result of its new
 12 investment in housing, other tax credits and
 13 forgivable government loans, the maximum amount of tax
 14 credit that may be approved under section 15E.193B,
 15 subsection 6, shall be the lesser of ten percent or
 16 the amount which when added to the other tax credits
 17 and forgivable government loans will result in the
 18 housing business receiving eighty percent of the cost
 19 of the new investment for which approval is sought in
 20 governmental incentives and assistance."
 21 3. Page 6, by inserting after line 35 the
 22 following:
 23 "Sec. ____ EFFECTIVE AND APPLICABILITY DATES.
 24 Sections 100, 101, 102, and 103 of this Act, being
 25 deemed of immediate importance, take effect upon
 26 enactment and apply retroactively to January 1, 2000,

27 for tax years beginning on or after that date."
 28 4. Title page, line 2, by inserting after the
 29 word "credits" the following: "and including an
 30 effective and retroactive applicability date
 31 provision".

JACOBS of Polk
 JENKINS of Black Hawk

H-8581

1 Amend Senate File 313, as passed by the Senate, as
 2 follows:
 3 1. Page 1, lines 7 and 8, by striking the words
 4 "purple loosestrife (lythrum virgatum)".
 5 2. Page 1, line 12, by inserting after the word
 6 "gardens." the following: "The county weed
 7 commissioner, after approval by the board of
 8 supervisors, may issue an order prohibiting the
 9 production, sale, or distribution or requiring the
 10 destruction of purple loosestrife (lythrum virgatum)
 11 in the county."

GREINER of Washington

H-8582

1 Amend the amendment, H-1381, to Senate File 313, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 7, by striking the figure "2002",
 4 and inserting the following: "2003".

GREINER of Washington

H-8584

1 Amend House File 2549 as follows:
 2 1. Page 37, by inserting after line 34 the
 3 following:
 4 "Sec. ____ Section 262.9, Code Supplement 1999, is
 5 amended by adding the following new subsection:
 6 NEW SUBSECTION. 30. Prohibit the institutions of
 7 higher learning under the board from offering to a
 8 member of the athletic coaching staff, or a
 9 prospective member of the athletic coaching staff, a
 10 contract under which the institution agrees to pay in
 11 combined salary, incentives, and benefits, an amount
 12 equivalent to more than three hundred thousand dollars
 13 in any given year of the contract."

FALLON of Polk

H-8588

1 Amend House File 2549 as follows:

- 2 1. Page 38, line 12, by striking the word and
- 3 figure "and 12" and inserting the following: ", 12,
- 4 and 14".
- 5 2. Page 38, by inserting after line 25 the
- 6 following:
- 7 "14. For the fiscal year beginning July 1, ~~1999~~
- 8 2000, and ending June 30, ~~2000~~ 2001, to the department
- 9 of education from phase III moneys the amount of fifty
- 10 thousand dollars for the Iowa mathematics and science
- 11 coalition and the amount of ten thousand dollars for
- 12 purposes of providing grants to support qualifying
- 13 teams for a worldwide academic competition."

WITT of Black Hawk

H-8589

1 Amend House File 2530 as follows:

- 2 1. Page 122, line 14, by striking the words
- 3 "difference between".
- 4 2. Page 122, by striking lines 15 and 16 and
- 5 inserting the following: "with an incumbent
- 6 provider's generation assets."
- 7 3. Page 122, by striking line 17 and inserting
- 8 the following:
- 9 "c. The future contract payments".
- 10 4. Page 122, line 18, by striking the words
- 11 "market value of" and inserting the following:
- 12 "under".
- 13 5. Page 122, by striking lines 20 through 26.

SHEY of Linn

H-8590

1 Amend House File 2549 as follows:

- 2 1. Page 2, line 1, by striking the figure
- 3 "250,000" and inserting the following: "600,000".
- 4 2. Page 9, line 5, by striking the figure
- 5 "1,380,000" and inserting the following: "1,700,000".
- 6 3. Page 9, by inserting after line 11 the
- 7 following:
- 8 "Funds appropriated for purposes of this subsection
- 9 may be used to support the Iowa office for staff
- 10 development at the university of northern Iowa to
- 11 assist teachers who are attempting to achieve national
- 12 board certification."
- 13 4. Page 9, line 15, by striking the figure
- 14 "500,000" and inserting the following: "600,000".

15 5. Page 9, by inserting after line 30 the
16 following:

17 "___ EDUCATION INNOVATION PROJECT GRANTS

18 To support innovative research-based K-12 education
19 projects:

20\$ 675,000

21 a. From the funds appropriated in this subsection,
22 the sum of \$375,000 shall be used by the council for
23 continuous improvement to study methods to improve
24 teacher compensation and to award education innovation
25 project grants. Eligible projects shall demonstrate
26 research-based innovative methods to improve the
27 quality of teaching or promote attraction and
28 retention of teachers in the teaching profession,
29 identify measurable performance indicators and
30 annually report results, and demonstrate how the
31 project can be self-supporting within a three-year to
32 five-year period. Notwithstanding section 8.33,
33 unencumbered or unobligated funds remaining on June 30
34 of the fiscal year from funds allocated in this
35 paragraph shall not revert but shall be available for
36 expenditure for the following fiscal year for the
37 purposes of this paragraph.

38 b. The department shall establish pilot regional
39 academies in cooperation with school districts, area
40 education agencies, and postsecondary institutions.
41 From the funds appropriated in this subsection, not
42 more than \$300,000 shall be used to provide grant
43 moneys to the pilot regional academies to enable the
44 academies to provide high school students with
45 advanced level courses and technical courses not
46 currently available within the curriculum in their
47 district of attendance.

48 c. The department shall submit a report on the
49 status of the projects receiving grants under this
50 subsection to the senate and house standing committees

Page 2

1 on education and the joint appropriations subcommittee
2 on education by December 1, 2000."

3 6. Page 27, by inserting after line 34, the
4 following:

5 "Sec. ___. Section 256E.2, subsection 2, Code
6 Supplement 1999, is amended to read as follows:

7 2. The department shall adopt rules concerning the
8 grant application and award process, including
9 reasonable cost estimates for beginning teacher
10 induction programs. The department may disapprove a
11 plan submitted by a board if the plan does not meet
12 the minimum criteria set forth in section 256E.3,
13 subsection 2, or the plan exceeds the reasonable costs

14 as determined by the department. If the cost
 15 estimates submitted by a board exceed reasonable cost
 16 estimates as determined by the department, the
 17 department shall work with the board to identify
 18 measures for reducing plan costs. ~~If the department
 19 determines that moneys appropriated by the general
 20 assembly are insufficient to meet the grant requests
 21 for all approved beginning teacher induction program
 22 plans, the department shall award grants based on the
 23 geographic location and district population of the
 24 school districts with approved plans.~~ Grants may be
 25 awarded in subsequent years based upon the most recent
 26 plan on file with the department. It is the intent of
 27 the general assembly that the department approve plans
 28 that incorporate local innovation and take into
 29 consideration local needs."

30 7. Page 37, by inserting after line 34, the
 31 following:

32 "Sec. __, Section 261.111, subsections 2 and 4,
 33 Code Supplement 1999, are amended to read as follows:

34 2. The director of the department of education, in
 35 consultation with the director of human services,
 36 shall annually designate the areas in which teacher
 37 shortages are anticipated. The director shall
 38 periodically conduct a survey of school districts,
 39 accredited nonpublic schools, and approved
 40 practitioner preparation programs to determine current
 41 shortage areas and predict future shortage areas. The
 42 director of human services shall periodically conduct
 43 a survey of high-quality child care providers, as
 44 determined under section 237A.30, subsection 1, to
 45 determine current and to predict future preschool
 46 teacher shortage areas.

47 4. Forgivable loans to eligible students shall not
 48 become due until after the student graduates or leaves
 49 school. The individual's total loan amount, including
 50 principal and interest, shall be reduced by twenty

Page 3

1 percent for each year in which the individual remains
 2 an Iowa resident and is employed in Iowa by a school
 3 district, ~~or an accredited nonpublic school, or a~~
 4 high-quality child care provider that is a holder of
 5 the gold seal quality designation as provided in
 6 section 237A.30, as a practitioner in the teacher
 7 shortage area for which the loan was approved. If the
 8 commission determines that the person does not meet
 9 the criteria for forgiveness of the principal and
 10 interest payments, the commission shall establish a
 11 plan for repayment of the principal and interest over
 12 a ten-year period. If a person required to make the

- 13 repayment does not make the required payments, the
 14 commission shall provide for payment collection."
 15 8. By renumbering as necessary.

MASCHER of Johnson

H-8598

- 1 Amend the amendment, H-8369, to Senate File 313, as
 2 passed by the Senate, as follows:
 3 1. Page 1, lines 6 and 7, by striking the word
 4 and figures "July 1, 2001", and inserting the
 5 following: "January 1, 2003".
 6 2. Page 1, line 8, by inserting after the words
 7 "lythrum virgatum" the following: "and purple
 8 loosestrife (lythrum virgatum) seeds".

GREINER of Washington

H-8601

- 1 Amend Senate File 2214, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 31 the
 4 following:
 5 "3. Regardless of whether the rental agreement
 6 entered into by the parties is in writing, if a
 7 landlord has, in accordance with section 562A.18,
 8 established a rule requiring payment of a late fee in
 9 the event that periodic rent payments are not timely
 10 made, in the situation where the tenant makes an
 11 untimely payment of rent with a dishonored check,
 12 draft, or order, or if the dishonoring of the check,
 13 draft, or order causes the rent payment to become
 14 untimely, the landlord must then elect whether to
 15 collect the surcharge for the dishonored check, draft,
 16 or order, or to collect the late fee for untimely
 17 payment of rent, but shall not collect both."
 18 2. Page 2, by inserting after line 10 the
 19 following:
 20 "3. Regardless of whether the rental agreement
 21 entered into by the parties is in writing, if a
 22 landlord has, in accordance with section 562B.19,
 23 established a rule requiring payment of a late fee in
 24 the event that periodic rent payments are not timely
 25 made, in the situation where the tenant makes an
 26 untimely payment of rent with a dishonored check,
 27 draft, or order, or if the dishonoring of the check,
 28 draft, or order causes the rent payment to become
 29 untimely, the landlord must then elect whether to
 30 collect the surcharge for the dishonored check, draft,
 31 or order, or to collect the late fee for untimely

32 payment of rent, but shall not collect both."

SHOULTZ of Black Hawk

H-8612

- 1 Amend House File 2549 as follows:
- 2 1. Page 7, by striking lines 18 through 25.

MASCHER of Johnson

H-8613

- 1 Amend the amendment, H-8574, to House File 2549 as
- 2 follows:
- 3 1. Page 2, by striking lines 11 through 19.

MASCHER of Johnson

H-8616

- 1 Amend the amendment, H-8363, to Senate File 2245,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting after line 7 the
- 5 following:
- 6 "___". Page 3, by inserting after line 18 the
- 7 following:
- 8 "Sec. ___ Section 321.560, Code 1999, is amended
- 9 to read as follows:
- 10 321.560 PERIOD OF REVOCATION.
- 11 1. A license to operate a motor vehicle in this
- 12 state shall not be issued to any person declared to be
- 13 a habitual offender under section 321.555, subsection
- 14 1, for a period of not less than two years nor more
- 15 than six years from the date of the final decision of
- 16 the department under section 17A.19 or the date on
- 17 which the district court upholds the final decision of
- 18 the department, whichever occurs later.
- 19 a. ~~However, a~~ A temporary restricted permit may be
- 20 issued to a person declared to be a habitual offender
- 21 under section 321.555, subsection 1, paragraph "c",
- 22 pursuant to section 321.215, subsection 2.
- 23 b. A temporary restricted permit may be issued
- 24 pursuant to section 321J.4, subsection 9, to a person
- 25 declared to be a habitual offender in whole or in part
- 26 due to an offense listed under section 321.555,
- 27 subsection 1, paragraph "b". However, the person
- 28 shall not be eligible for any temporary restricted
- 29 license for one year after the effective date of
- 30 revocation under this section.
- 31 2. A license to operate a motor vehicle in this

32 state shall not be issued to any person declared to be
 33 a habitual offender under section 321.555, subsection
 34 2, for a period of one year from the date of the final
 35 decision of the department under section 17A.19 or the
 36 date on which the district court upholds the final
 37 decision of the department, whichever occurs later.
 38 3. The department shall adopt rules under chapter
 39 17A ~~which~~ that establish a point system which shall be
 40 used to determine the period for which a person who is
 41 declared to be a habitual offender under section
 42 321.555, subsection 1, shall not be issued a license.
 43 4. A person who is determined to be a habitual
 44 offender while the person's license is already revoked
 45 for being a habitual offender under section 321.555
 46 shall not be issued a license to operate a motor
 47 vehicle in this state for a period of not less than
 48 two years nor more than six years. The revocation
 49 period may commence either on the date of the final
 50 decision of the department under section 17A.19 or the

Page 2

1 date on which the district court upholds the final
 2 decision of the department, whichever occurs later, or
 3 on the date the previous revocation expires.
 4 Sec. __. Section 321J.4, subsection 9, Code
 5 Supplement 1999, is amended to read as follows:
 6 9. a. A person whose driver's license has either
 7 been revoked under this chapter, or revoked or
 8 suspended under chapter 321 solely for violations of
 9 this chapter, or who has been determined to be a
 10 habitual offender under chapter 321 based solely or
 11 partially on violations of this chapter, and who is
 12 not eligible for a temporary restricted license under
 13 this chapter may petition the court upon the
 14 expiration of the minimum period of ineligibility for
 15 a temporary restricted license provided for under this
 16 section, or section 321J.9, 321J.12, or 321J.20, or
 17 321.560, for an order to the department to require the
 18 department to issue a temporary restricted license to
 19 the person notwithstanding section 321.560.
 20 b. The petition shall include a current certified
 21 copy of the petitioner's official driving record
 22 issued by the department.
 23 c. Upon the filing of a petition for a temporary
 24 restricted license under this section, the clerk of
 25 the district court in the county where the violation
 26 that resulted in the revocation occurred shall send
 27 notice of the petition to the department and the
 28 prosecuting attorney. The department and the
 29 prosecuting attorney shall each be given an
 30 opportunity to respond to and request a hearing on the

31 petition.
32 d. The court shall determine if the temporary
33 restricted license is necessary for the person to
34 maintain the person's present employment. However, a
35 temporary restricted license shall not be ordered or
36 issued for a violation of section 321J.2A or to a
37 person under the age of twenty-one whose license is
38 revoked under this section or section 321J.9 or
39 321J.12. If the court determines that the temporary
40 restricted license is necessary for the person to
41 maintain the person's present employment, and that the
42 minimum period of ineligibility for receipt of a
43 temporary license has expired, the court shall order
44 the department to issue to the person a temporary
45 restricted license conditioned upon the person's
46 certification to the court of the installation of
47 approved ignition interlock devices in all motor
48 vehicles that it is necessary for the person to
49 operate to maintain the person's present employment.
50 e. Section 321.561 does not apply to a person

Page 3

1 operating a motor vehicle in the manner permitted
2 under this subsection.
3 f. If the person operates a motor vehicle which
4 does not have an approved ignition interlock device or
5 if the person tampers with or circumvents an ignition
6 interlock device, in addition to other penalties
7 provided, the person's temporary restricted license
8 shall be revoked.
9 g. A person holding a temporary restricted license
10 issued under this subsection shall not operate a
11 commercial motor vehicle, as defined in section 321.1,
12 on a highway if a commercial driver's license is
13 required for the person to operate the commercial
14 motor vehicle.
15 h. Notwithstanding any provision of this chapter
16 to the contrary, the court may order the department to
17 issue a temporary restricted license to a person
18 otherwise eligible for a temporary restricted license
19 under this subsection, whose period of revocation
20 under this chapter has expired, but who has not met
21 all requirements for reinstatement of the person's
22 driver's license or nonresident operating
23 privileges." "
24 2. Page 1, by inserting after line 10 the
25 following:
26 " ____ . Title page, lines 1 and 2, by striking the
27 words "ordinances and to" and inserting the following:
28 "ordinances,".
29 ____ . Title page, line 2, by inserting after the

30 word "violations" the following: ", and to temporary
 31 restricted licenses".""
 32 3. By renumbering as necessary.

MAY of Worth
 BLODGETT of Cerro Gordo

H-8617

1 Amend Senate File 2395, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, by striking lines 4 through 14 and
 4 inserting the following: "headed by an administrator
 5 appointed by the director. Each administrator shall
 6 serve at the pleasure of the director."
 7 2. Page 12, by striking lines 24 through 30 and
 8 inserting the following: "by the director. The
 9 administrator shall serve at the pleasure of the
 10 director."

FALCK of Fayette

H-8618

1 Amend Senate File 2395, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 19, by inserting after line 6 the
 4 following:
 5 "Sec. ____ LEGISLATIVE INTENT – IOWA
 6 COMMUNICATIONS NETWORK. It is the intent of the
 7 general assembly that the Iowa communications network
 8 be incorporated into the structure of the information
 9 technology department by no later than July 1, 2002."
 10 2. By renumbering as necessary.

FALCK of Fayette

H-8619

1 Amend Senate File 2395, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, line 4, by inserting after the word
 4 "Developing" the following: "and implementing".

FALCK of Fayette

H-8622

1 Amend House File 2535 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 96.19, subsection 41, Code

5 1999, is amended by adding the following new
6 paragraph:
7 NEW PARAGRAPH. f. Any payment made or attributed
8 to a shareholder of an S corporation, as defined in
9 section 1361 of the Internal Revenue Code, which was
10 based on the income after deduction of expenses of the
11 corporation and allocated based on the shareholder's
12 interest or investment in the corporation, unless all
13 or a portion of the payment was improperly
14 characterized and in fact represented compensation for
15 personal services in an employment relationship as
16 determined under subsection 18, paragraph "a",
17 subparagraph (2), then that portion of the payment
18 shall be deemed to be wages and the corporation shall
19 pay the appropriate contribution based on the facts as
20 they existed at the time the initial payment was made
21 or attributed, plus interest as provided by section
22 96.14, subsection 1, but shall not be liable for any
23 penalty if the payment is made within thirty days of
24 the final determination by the department."
25 2. Title page, line 1, by striking the words "to
26 Iowa".
27 3. Title page, line 2, by inserting after the
28 word "purposes" the following: "of the state
29 unemployment compensation tax and".

HEATON of Henry

H-8624

1 Amend House File 2552 as follows:
2 1. Page 21, by striking line 17 and inserting the
3 following:
4 ".....FTEs 36.80"
5 2. Page 23, by inserting after line 34 the
6 following:
7 "Sec. ____ Section 101.22, subsection 4, Code
8 1999, is amended to read as follows:
9 4. The registration notice of the owner or
10 operator to the state fire marshal under subsections 1
11 through 3 shall be accompanied by a an initial fee of
12 ten dollars, valid until the next June 30, and an
13 annual renewal fee of ten dollars thereafter, valid
14 for a period commencing on July 1, and terminating on
15 June 30, for each tank included in the notice. All
16 moneys collected by the state fire marshal shall be
17 deposited in the general fund of the state and the
18 moneys from the fees are appropriated to the
19 department of public safety for the purposes of
20 administering this chapter. The annual renewal fee
21 applies to all owners or operators who filed a
22 registration notice with the state fire marshal

23 pursuant to subsections 1 through 3."

24 3. By renumbering as necessary.

MYERS of Johnson

H-8625

1 Amend House File 2535 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. There is appropriated from the general
5 fund of the state to the state board of regents for
6 the fiscal year beginning July 1, 2000, and ending
7 June 30, 2001, the following amount, or so much
8 thereof as may be necessary, to be used for the
9 purpose designated:

10 To Iowa state university of science and technology,
11 cooperative extension service in agriculture and home
12 economics, to support the Iowa concern hotline in
13 providing stress counseling, information, and referral
14 to farm families facing financial distress:

15\$ 500,000

16 Notwithstanding section 8.33, moneys appropriated
17 in this section which remain unobligated or unexpended
18 at the close of the fiscal year shall not revert but
19 shall remain available to be used for the purposes
20 designated in the succeeding fiscal year."

21 2. Title page, by striking lines 1 through 3 and
22 inserting the following: "An Act appropriating money
23 to support the Iowa concern hotline to assist farm
24 families facing financial distress."

WEIGEL of Chickasaw

H-8627

1 Amend House File 2552 as follows:

2 1. Page 21, by inserting after line 17 the
3 following:

4 "It is the intent of the general assembly that the
5 state fire marshal's office should not be liable for
6 claims against the state arising from a failure by the
7 state fire marshal's office to conduct an inspection
8 due to insufficient resources and staffing."

RICHARDSON of Warren

H-8628

1 Amend House File 2552 as follows:

2 1. Page 3, by striking line 35 and inserting the

3 following:

4 ".....\$ 900,000"

RICHARDSON of Warren

H-8638

1 Amend House File 2490 as follows:

2 1. By striking everything after the enacting

3 clause and inserting the following:

4 "Section 1. Section 166D.2, Code 1999, is amended

5 by adding the following new subsections:

6 NEW SUBSECTION. 6A. "Buying station" means a

7 concentration point where swine are assembled for

8 purposes of sale and movement to a slaughtering

9 establishment.

10 NEW SUBSECTION. 7A. "Cleanup plan" means a herd

11 cleanup plan or feeder pig cooperater herd cleanup

12 plan as provided in section 166D.8.

13 NEW SUBSECTION. 8A. "Cull swine" means mature

14 swine fed for purposes of direct slaughter. However,

15 "cull swine" does not include swine kept for purposes

16 of breeding or reproduction.

17 NEW SUBSECTION. 26A. "Isowean feeder pig" means a

18 feeder pig that weighs twenty pounds or less.

19 Sec. 2. Section 166D.2, subsections 2, 11, 17, 19,

20 38, and 42, Code 1999, are amended to read as follows:

21 2. "Approved premises" means a dry lot facility

22 located in an area with confirmed cases of

23 pseudorabies infection, which is ~~authorized~~ certified

24 by the department to receive, ~~hold, or~~ and feed and

25 move or relocate infected swine, ~~exposed animals,~~ or

26 swine of unknown status as provided in section

27 166D.10B. ~~The premises and all swine on the premises~~

28 ~~shall be considered under quarantine. However, swine~~

29 ~~may be moved to slaughter under a transportation~~

30 ~~certificate or may be moved to another pseudorabies~~

31 ~~approved premises under a certificate of inspection.~~

32 11. "Differentiable vaccine" means a vaccine which

33 has a licensed companion differentiable test, and

34 includes a modified-live differentiable vaccine.

35 17. "Feeder pig" means an immature swine fed for

36 purposes of direct slaughter which is weighs one

37 hundred pounds or less than slaughter weight.

38 19. "Feeder swine" means a porcine animal swine

39 fed for purposes of direct slaughter, including feeder

40 pigs, and cull sows, and boars swine. However,

41 "feeder swine" does not include animals swine kept for

42 purposes of breeding or reproduction.

43 38. "Quarantined herd" means a herd in which

44 pseudorabies infected or exposed swine are bred,

45 reared, or fed under the supervision and control of

46 the department, as provided in section 166D.9. Swine
47 in a quarantined herd may be moved only to an approved
48 premises for feeding or to a recognized slaughtering
49 establishment for slaughter. ~~Either movement may be~~
50 ~~completed through a concentration point in compliance~~

Page 2

1 ~~with section 166D.12.~~
2 42. "Restricted movement" means swine which are
3 ~~quarantined until directly moved to slaughter~~ moved or
4 relocated as provided in section 166D.10A.
5 Sec. 3. Section 166D.2, subsections 4, 5, and 34,
6 Code 1999, are amended by striking the subsections.
7 Sec. 4. Section 166D.2, subsection 32, paragraph
8 c, Code 1999, is amended by striking the paragraph.
9 Sec. 5. Section 166D.3, unnumbered paragraph 1,
10 Code 1999, is amended to read as follows:
11 A state pseudorabies advisory committee is
12 established. The committee shall consist of not more
13 than seven members who shall be appointed by the Iowa
14 pork producers association. At least four members of
15 the committee must be actively engaged in swine
16 production. The members shall serve staggered terms
17 of two years, except that the initial board members
18 shall serve unequal terms. A person appointed to fill
19 a vacancy for a member shall serve only for the
20 unexpired portion of the term. A member is eligible
21 for reappointment for three successive terms. A
22 majority of the board constitutes a quorum and an
23 affirmative vote of the majority of members is
24 necessary for substantive action taken by the board.
25 The majority shall not include any member who has a
26 conflict of interest and a statement by a member of a
27 conflict of interest shall be conclusive for this
28 purpose. A vacancy in the membership does not impair
29 the right of a quorum to exercise all rights and
30 perform all duties of the board. The advisory
31 committee shall:
32 Sec. 6. Section 166D.3, subsection 1, Code 1999,
33 is amended by striking the subsection.
34 Sec. 7. Section 166D.7, subsection 1, paragraph a,
35 Code 1999, is amended to read as follows:
36 a. The herd shall be certified when all breeding
37 swine have reacted negatively to a test. The herd
38 must have been free from infection for thirty days
39 prior to testing. At least ninety percent of swine in
40 the herd must have been on the premises as a part of
41 the herd for at least sixty days prior to testing, or
42 swine in the herd must have been moved or relocated
43 directly from another qualified negative herd. To
44 remain certified, the herd must be retested and

45 recertified as provided by the department. The herd
46 shall be recertified when each month the greater of
47 five head of swine or at least ten percent of the
48 herd's breeding swine react negatively to a test.
49 A herd shall not be certified or recertified, if
50 the herd is located within a county which is

Page 3

1 designated by the department as in stage II of the
2 national pseudorabies eradication program, pursuant to
3 section 166D.11. However, this paragraph does not
4 apply if the department exempts a qualified negative
5 herd from being vaccinated with a modified-live
6 differentiable vaccine as provided in section 166D.11.

7 Sec. 8. Section 166D.7, subsection 2, Code 1999,
8 is amended by striking the subsection.

9 Sec. 9. Section 166D.7, subsection 3, paragraphs a
10 and b, Code 1999, are amended to read as follows:

11 a. The herd shall be certified when a statistical
12 sampling of the herd is determined to be noninfected.

13 ~~b. To~~ In order to remain certified the herd must
14 be retested and recertified as provided by the
15 department. The herd must be recertified annually.
16 The herd shall be recertified when a statistical
17 sampling of the herd is determined to be noninfected
18 within twelve months from initial certification or the
19 most recent recertification.

20 A herd shall not be certified or recertified, if
21 the herd is located within a county which is
22 designated by the department as in stage II of the
23 national pseudorabies eradication program, unless the
24 herd is vaccinated with a modified-live differentiable
25 vaccine pursuant to section 166D.11 and as required by
26 the department.

27 Sec. 10. Section 166D.7, subsection 4, paragraph
28 a, Code 1999, is amended to read as follows:

29 a. The herd shall be certified when one hundred
30 percent of breeding swine have reacted negatively to a
31 test. The herd must have been free from infection for
32 thirty days prior to testing. At least ninety percent
33 of swine in the herd must have been on the premises as
34 a part of the herd for at least sixty days prior to
35 testing, or swine in the herd must have been directly
36 moved directly or relocated from a qualified negative
37 herd or qualified differentiable negative herd. A
38 differentiable vaccine must be administered at
39 intervals in accordance with the package insert for
40 that vaccine. To remain certified, the herd must be
41 retested and recertified as provided by the
42 department. The herd shall be recertified when either
43 of the following occurs:

- 44 (1) Each eighty to one hundred five days at least
 45 twenty-five percent of the herd's breeding swine react
 46 negatively to a test.
- 47 (2) Each month at least ten percent of the herd's
 48 breeding swine react negatively to a test.
- 49 A herd shall not be certified or recertified, if
 50 the herd is located within a county which is

Page 4

1 designated by the department as in stage II of the
 2 national pseudorabies eradication program, unless the
 3 herd is vaccinated with a modified-live differentiable
 4 vaccine pursuant to section 166D.11 and as required by
 5 the department. However, this paragraph does not
 6 apply if the department exempts a qualified
 7 differentiable negative herd from being vaccinated
 8 with a modified-live differentiable vaccine as
 9 provided in section 166D.11.

10 Sec. 11. Section 166D.8, Code 1999, is amended to
 11 read as follows:

12 166D.8 INFECTED HERDS.

13 An infected herd ~~in a program area which is not~~
 14 quarantined under section 166D.9, shall either adopt a
 15 herd cleanup plan, or a feeder pig cooperator herd
 16 cleanup plan, or shall be quarantined.

17 1. a. A herd cleanup plan ~~may include any or a~~
 18 combination of the following:

19 ~~(1) The segregation of progeny with restricted~~
 20 ~~movement. The herd cleanup plan must include the~~
 21 ~~location of the premises that will receive the~~
 22 ~~progeny. The receiving premises shall be quarantined.~~
 23 ~~(2) The test shall apply to a herd, if feeder pigs~~

24 are not moved from the herd. The plan shall provide
 25 for one of the following:

26 (1) The testing of all swine capable of being
 27 accurately diagnosed with pseudorabies and the removal
 28 of infected swine from the herd.

29 (3) (2) Depopulation.

30 ~~b. Notwithstanding paragraph "a", breeding swine~~
 31 ~~in an infected herd shall be tested and the infected~~
 32 ~~breeding swine shall be removed from the infected herd~~
 33 ~~in accordance with procedures and by dates established~~
 34 ~~by rules adopted by the department. A herd cleanup~~
 35 ~~plan must be implemented as follows:~~

36 (1) If the plan provides for the testing and
 37 removal of swine, all breeding swine must be tested
 38 with a differentiable test and react negatively to the
 39 test within fifteen days after the herd is classified
 40 by the department as infected. All breeding swine
 41 reacting positive to the test must be removed as
 42 provided in this section. At least thirty days after

43 removal of the breeding swine testing positive, all
44 remaining breeding swine must be tested and react
45 negatively to the test. Subsequent testing and
46 removal must be conducted as provided in this
47 subparagraph until all breeding swine test negative.
48 When all breeding swine are tested and react
49 negatively to the test, the department shall classify
50 the herd as a noninfected herd.

Page 5

1 (2) The herd cleanup plan may provide for the
2 relocation of feeder pigs or cull swine. If the plan
3 provides for the relocation of feeder pigs, the plan
4 must provide for the segregation of feeder pigs and
5 identify in writing the approved premises where feeder
6 pigs or cull swine may be relocated upon approval by
7 the department.
8 2. A feeder pig cooperator herd cleanup plan may
9 be adopted if shall apply to a herd, if feeder pigs
10 are moved from the herd. The plan shall include all
11 the requirements for a herd cleanup plan. In order to
12 be subject to a feeder pig cooperator herd cleanup
13 plan all of the following conditions are must be
14 satisfied:
15 a. There must have been no clinical signs of
16 pseudorabies during the past thirty days.
17 b. The production operation must be capable of
18 segregating offspring at weaning into facilities
19 separate and apart from the remainder of the herd.
20 c. ~~An approved feeder pig cooperator herd plan~~
21 ~~must be implemented. The feeder pig cooperator herd~~
22 ~~cleanup plan must include the location of~~ may provide
23 for the movement or relocation of feeder pigs or cull
24 swine. If the feeder pig cooperator herd cleanup plan
25 provides for the movement or relocation of feeder pigs
26 or cull swine, the plan must identify in writing the
27 approved premises that will receive the progeny where
28 the feeder pigs or cull swine may be moved or
29 relocated as provided in section 166D.10B. The
30 receiving premises shall be quarantined.
31 3. ~~Infected herds in a program area which have not~~
32 ~~adopted an official herd cleanup plan or feeder pig~~
33 ~~cooperator herd plan shall be quarantined.~~
34 4. ~~3.~~ Costs of program testing and vaccination
35 shall may be paid as provided in section 166D.5
36 166D.11.
37 4. ~~An infected herd outside a program area shall~~
38 ~~either adopt a herd cleanup plan or a feeder pig~~
39 ~~cooperator herd plan with restricted movement. An~~
40 ~~infected herd not subject to such a cleanup plan shall~~
41 be quarantined within thirty fifteen days of becoming

42 a known infected herd ~~shall be quarantined~~. An
 43 infected herd which is not subject to a ~~herd~~ cleanup
 44 ~~plan or a feeder pig cooperator herd~~ plan is a
 45 quarantined herd.
 46 5. Swine which is part of a herd subject to a
 47 cleanup plan shall only be moved or relocated as
 48 required pursuant to section 166D.10. If the location
 49 where the herd is kept is an approved premises as
 50 provided in section 166D.10B, the cleanup plan shall

Page 6

1 include terms and conditions for being certified as an
 2 approved premises.
 3 Sec. 12. Section 166D.9, subsections 1 and 2, Code
 4 1999, are amended by striking the subsections and
 5 inserting in lieu thereof the following:
 6 1. Swine which is part of a quarantined herd shall
 7 only be moved by restricted movement in accordance
 8 with section 166D.10A.
 9 Sec. 13. Section 166D.9, subsection 5, Code 1999,
 10 is amended by striking the subsection.
 11 Sec. 14. Section 166D.10, subsection 1, paragraph
 12 b, Code 1999, is amended by adding the following new
 13 subparagraph:
 14 NEW SUBPARAGRAPH. (4) The swine have a current
 15 negative pseudorabies status.
 16 Sec. 15. Section 166D.10, subsections 3 through 6,
 17 Code 1999, are amended by striking the subsections and
 18 inserting in lieu thereof the following:
 19 3. The following shall govern the movement or
 20 relocation of swine within this state, other than
 21 swine moved from an infected herd:
 22 a. The following shall apply to the movement of
 23 swine:
 24 (1) A person shall not move swine for breeding
 25 purposes, unless one of the following applies:
 26 (a) The swine is moved from a qualified negative
 27 herd or qualified differentiable negative herd.
 28 (b) The swine reacts negatively to a
 29 differentiable test, within thirty days prior to
 30 moving the swine.
 31 (2) A person shall not move swine from a herd of
 32 unknown origin, unless one of the following applies:
 33 (a) The swine reacts negatively to a
 34 differentiable test, within thirty days prior to
 35 moving the swine.
 36 (b) The swine moves to a slaughtering
 37 establishment or a buying station for movement to a
 38 slaughtering establishment.
 39 (c) The swine is a feeder pig or cull swine which
 40 is moved to an approved premises.

41 b. A person shall not relocate swine from a herd
42 of unknown origin, unless the swine is a feeder pig or
43 cull swine which is relocated to an approved premises.
44 c. A person shall not move or relocate swine, if
45 the swine are moved or relocated from a herd located
46 within a county which is designated by the department
47 as in stage II of the national pseudorabies
48 eradication program, unless the swine reacts
49 negatively to a test and is vaccinated as provided in
50 section 166D.11.

Page 7

1 4. The following shall govern the movement or
2 relocation of swine within this state from an infected
3 herd:
4 a. The following shall apply to swine that is part
5 of a cleanup plan:
6 (1) For swine, other than feeder pigs or cull
7 swine, which is part of a herd subject to a cleanup
8 plan, a person shall only move swine by restricted
9 movement to a slaughtering establishment.
10 (2) For a feeder pig or cull swine which is part
11 of a herd subject to a herd cleanup plan, a person
12 shall only move the feeder pig or cull swine by
13 restricted movement to a slaughtering establishment or
14 relocate the feeder pig or cull swine by restricted
15 movement to an approved premises. For a feeder pig or
16 cull swine which is part of a feeder pig cooperators
17 herd cleanup plan, a person shall only move the feeder
18 pig or cull swine by restricted movement to a
19 slaughtering establishment or move or relocate the
20 feeder pig or cull swine by restricted movement to an
21 approved premises. However, a person shall not move
22 or relocate a feeder pig or cull swine to an approved
23 premises, unless the approved premises is identified
24 in a cleanup plan as provided in section 166D.8, or
25 the department approves the move or relocation to
26 another approved premises. A person shall not move or
27 relocate a cull swine to an approved premises, unless
28 the cull swine reacts negatively to a test and is
29 vaccinated with a differentiable vaccine. The test
30 and vaccine must be administered within thirty days
31 prior to the movement or relocation to the approved
32 premises. A noninfected feeder pig is not required to
33 be tested or vaccinated prior to movement or
34 relocation to an approved premises, if the feeder pig
35 is vaccinated upon arrival at the approved premises.
36 (3) For swine from a herd kept on an approved
37 premises as provided in section 166D.10B, a person
38 shall only move or relocate the swine by restricted
39 movement as provided in the cleanup plan governing the

40 herd and terms and conditions of the certification
41 required for the approved premises as provided in
42 section 166D.10B.

43 b. For swine which is not part of a herd that is
44 subject to a cleanup plan, because the herd is
45 quarantined, a person shall only move the swine by
46 restricted movement to a slaughtering establishment.

47 5. The following shall govern the movement of
48 swine into this state:

49 a. Swine, other than swine moved to a slaughtering
50 establishment, shall not be moved into this state

Page 8

1 unless the swine originate from a noninfected herd.

2 b. Except as provided in this section, the owner
3 of swine shall vaccinate the swine with a

4 differentiable vaccine prior to moving swine into this
5 state. Once in this state, the owner of the swine

6 shall test the swine with a differentiable test within
7 thirty days after the swine is moved to a herd in this

8 state. A person is not required to vaccinate swine
9 prior to moving swine into this state or test the

10 swine after the swine has been moved to a herd in this
11 state, as otherwise provided in this paragraph, if one

12 of the following applies:

13 (1) The swine is part of a herd that cannot be
14 vaccinated under the law of the state in which the

15 herd is kept immediately prior to being moved into
16 this state.

17 (2) The swine is an isowean feeder pig.

18 (3) The swine is moved to a slaughtering
19 establishment.

20 c. For swine, which is not vaccinated before being
21 moved into this state as provided in this subsection,

22 the following shall apply:

23 (1) For swine other than swine moved into this
24 state as an isowean feeder pig, the owner of the swine

25 must test the swine with a differentiable test within
26 forty-eight hours after the swine moves into this

27 state. If the swine reacts positively to the test,
28 the swine must be moved by restricted movement as

29 provided in this section. If the swine reacts
30 negatively to the test, the swine must be immediately

31 vaccinated with a differentiable vaccine. The swine
32 shall be considered as part of a herd of unknown

33 status, until tested negative and vaccinated or moved
34 or relocated by restrictive movement.

35 (2) For swine moved into this state as an isowean
36 feeder pig, the owner of the swine must test the swine

37 with a differentiable test when the swine first
38 reaches a weight of more than twenty pounds. If the

39 swine reacts positively to the test, the swine must be
40 moved by restricted movement as provided in this
41 section. If the swine reacts negatively to the test,
42 the swine must be immediately vaccinated with a
43 differentiable vaccine. The department may require
44 that the swine be revaccinated with a differentiable
45 vaccine at a later date. The swine shall be
46 considered as part of a herd of unknown status, until
47 tested negative and vaccinated or moved or relocated
48 by restrictive movement.
49 d. If the swine is located within a county which
50 is designated by the department as in stage II of the

Page 9

1 national pseudorabies eradication program, the swine
2 shall be vaccinated with a modified-live
3 differentiable vaccine as provided in section 166D.11.

4 6. Swine moved under this section to a
5 slaughtering establishment shall be moved for purpose
6 of slaughter. Swine moved or relocated to an approved
7 premises shall be moved or relocated for purposes of
8 feeding prior to slaughter as provided in section
9 166D.10B.

10 Sec. 16. NEW SECTION. 166D.10A RESTRICTED
11 MOVEMENT – REQUIREMENTS.

12 1. If swine must be moved or relocated by
13 restricted movement as provided in section 166D.10,
14 the swine shall only be transported by direct
15 movement.

16 2. a. If a person moves or relocates swine
17 subject to restricted movement, the person shall only
18 move the swine to a slaughtering establishment or move
19 or relocate the swine to an approved premises.

20 b. If a person receives swine subject to
21 restricted movement, the person shall only receive the
22 swine at a slaughtering establishment or an approved
23 premises.

24 3. Swine required to be moved or relocated by
25 restricted movement must be accompanied by a
26 restricted movement permit, as provided by rules which
27 must be adopted by the department. The department
28 shall issue a restricted movement permit to the person
29 moving or relocating the swine. The permit shall
30 include information required by the department, which
31 shall at least include a description of the swine, the
32 name and address of the owner, the name and address of
33 the person receiving the swine, the date of movement
34 or relocation, and the seal number as prescribed by
35 the department, if a seal is required. The moved or
36 relocated swine must also be accompanied by a
37 transportation certificate and certificate of

38 inspection, if required in section 166D.10.
 39 4. a. Except as provided in this section, a
 40 vehicle moving swine under restricted movement shall
 41 contain a cargo area for the swine which shall be
 42 sealed to prevent access. The seal shall conform with
 43 requirements adopted by the department. Each seal
 44 shall be identified by number as required by the
 45 department. The vehicle shall be sealed by an
 46 accredited veterinarian at the premises where the
 47 swine are kept. The seal shall only be removed by a
 48 departmental official, an accredited veterinarian, an
 49 official of the United States department of
 50 agriculture, or the person authorized by the

Page 10

1 department to receive the swine upon arrival at the
 2 slaughtering establishment or approved premises.
 3 b. The department may adopt rules or issue an
 4 order to provide that a vehicle moving or relocating
 5 feeder swine from a herd which is subject to a cleanup
 6 plan is not required to be sealed as otherwise
 7 provided in this subsection, if the herd is kept and
 8 moved or relocated in compliance with the cleanup
 9 plan.
 10 Sec. 17. NEW SECTION. 166D.10B APPROVED
 11 PREMISES.
 12 1. A person shall not maintain swine other than
 13 feeder swine or cull swine for further feeding for
 14 slaughter at an approved premises.
 15 a. A person shall not move or relocate swine to an
 16 approved premises, unless the swine is one of the
 17 following:
 18 (1) A feeder pig.
 19 (2) A cull swine.
 20 b. A person shall not receive swine at an approved
 21 premises, unless the swine is one of the following:
 22 (1) A feeder pig.
 23 (2) A cull swine.
 24 2. If swine are moved or relocated to an approved
 25 premises, the following shall apply:
 26 a. A cull swine shall not be moved or relocated to
 27 an approved premises, unless the cull swine reacts
 28 negatively to a test and is vaccinated prior to the
 29 movement or relocation, as provided in section
 30 166D.10.
 31 b. A noninfected feeder pig must be vaccinated
 32 upon arrival at the approved premises.
 33 3. Dead swine must be disposed of in accordance
 34 with chapter 167. The dead swine must be held so as
 35 to prevent animals, including wild animals and
 36 livestock, from reaching the dead swine.

37 4. An approved premises must be located at least
38 one and one-half miles from a noninfected herd.
39 However, the approved premises must be located at
40 least three miles from a qualified negative herd or a
41 qualified differentiable negative herd.

42 5. An approved premises shall not be located in
43 any of the following:

44 a. A county in stage III of the national
45 pseudorabies eradication program, as designated by the
46 department.

47 b. A county which has a zero percent prevalence of
48 infection among all herds in the county at any time on
49 or after March 1, 2000, regardless of whether the
50 county subsequently has a greater than zero percent

Page 11

1 prevalence of infection among all herds in the county.

2 6. A feeder pig or a cull swine may be kept at the
3 approved premises only for purposes of feeding and
4 restricted movement as provided in section 166D.10A.

5 7. a. The department must certify a location as
6 an approved premises pursuant to rules adopted by the
7 department. The department may adopt rules providing
8 for the renewal, suspension, or termination of a
9 certification. The terms and conditions of the
10 certification shall be part of the cleanup plan
11 required for the herd kept at the location pursuant to
12 section 166D.8. At a minimum, a location is certified
13 as an approved premises, as long as all of the
14 following apply:

15 (1) The approved premises complies with the
16 requirements of this section and rules adopted by the
17 department.

18 (2) The owner of the approved premises or the
19 person managing the approved premises provides to the
20 department during normal business hours access to the
21 approved premises and records required by this
22 subparagraph. Records of swine transfers must be kept
23 for at least one year. Records of vaccinations
24 occurring on the approved premises must be maintained
25 by the owner for at least one year after vaccination.
26 The records shall include information about purchases
27 and sales, the names of buyers and sellers, the dates
28 of transactions, and the number of swine involved in
29 each transaction.

30 b. The department shall terminate the
31 certification of an approved premises, if the county
32 in which the approved premises is located has a zero
33 percent prevalence of infection among all herds in the
34 county, not counting a herd kept at the approved
35 premises. The department shall provide for the

36 suspension or termination of the certification for a
37 violation of a term or condition of the certification.
38 When a certification is suspended, terminated, or not
39 renewed, the location shall remain under a cleanup
40 plan until released pursuant to the provisions of
41 section 166D.8.

42 Sec. 18. Section 166D.11, Code 1999, is amended to
43 read as follows:

44 166D.11 DIFFERENTIABLE VACCINE REQUIRED
45 VACCINATION AND TESTING REQUIREMENTS.

46 1. Beginning on December 1, 1989, swine
47 other than unvaccinated or differentiable vaccinated
48 swine shall not be sold, marketed, or moved within
49 this state, except to slaughter or to an approved
50 premises by certificate of inspection, as provided in

Page 12

1 section 166D.10B.

2 2. The secretary shall disapprove for use in this
3 state on and after July 1, 1991, any vaccine that is
4 not a differentiable vaccine.

5 3. a. Except as provided in this section, swine
6 within a county which is designated by the department
7 as in stage II of the national pseudorabies
8 eradication program shall be vaccinated with a
9 modified-live differentiable vaccine. The swine
10 located in a stage II county shall be vaccinated as
11 follows:

12 (1) Except as provided in subparagraph (2), the
13 following applies:

14 (a) Breeding swine which shall at a minimum
15 receive quarterly vaccinations.

16 (b) Feeder swine which shall at a minimum receive
17 one vaccination. The feeder swine shall be vaccinated
18 when the feeder swine reach eight to twelve weeks of
19 age or one hundred pounds, whichever occurs earlier.

20 (2) If swine are required to be vaccinated prior
21 to or after movement, as provided in section 166D.10,
22 to a stage II county, the swine shall be vaccinated
23 with a modified-live differentiable vaccine as
24 otherwise required in that section.

25 b. The department may adopt rules or issue an
26 order that exempts swine from being vaccinated with a
27 modified-live vaccine, as provided in this subsection,
28 based on any of the following:

29 (1) The swine is part of a qualified negative herd
30 or a qualified differentiable negative herd.

31 (2) The swine belong to a herd located within a
32 county, if all of the following applies:

33 (a) The county has a history of zero percent
34 prevalence of infection among all herds in the county.

35 regardless of whether the county currently has a
 36 higher than zero percent prevalence of infection among
 37 all herds in the county.
 38 (b) All contiguous counties have a zero percent
 39 prevalence of infection among herds in that county, as
 40 designated by the department.
 41 4. a. The person who owns the swine when the
 42 swine is required to be vaccinated under this chapter,
 43 shall be solely liable for providing the vaccine and
 44 administering the vaccination. A noninfected feeder
 45 pig required to be vaccinated upon arrival at an
 46 approved premises as provided in section 166D.10B
 47 shall be vaccinated at the expenses of the owner who
 48 moves the feeder pig. If the swine is moved into this
 49 state, the owner shall be deemed to be the person who
 50 owns the swine immediately prior to movement.

Page 13

1 b. This subsection does not prohibit the owner of
 2 swine from contracting with a person, including a
 3 person receiving ownership of swine moved into this
 4 state, to provide the vaccination, if the person
 5 receives fair compensation for providing the
 6 vaccination and the sale price for the swine is not
 7 increased because the owner must comply with this
 8 subsection.

9 5. The cost, or any segment of the cost, of
 10 purchasing a laboratory product used for testing and
 11 vaccination provided in this chapter may be paid for
 12 by federal or state funds or a combination of both.
 13 Federal or state funds shall not be paid to the owner
 14 of a vaccinated herd other than the owner of a herd
 15 vaccinated with a modified-live differentiable
 16 vaccine.

17 Sec. 19. Section 166D.12, Code 1999, is amended by
 18 striking the section and inserting in lieu thereof the
 19 following:

20 166D.12 CONCENTRATION POINTS.

21 A person shall not move through a concentration
 22 point, except as provided in this section.

23 1. If the swine is from a noninfected herd, the
 24 swine may be moved through any concentration point.
 25 All of the following shall apply:

26 a. Breeding swine must be kept separate and apart
 27 from feeder pigs.

28 b. Breeding swine must be sold first.

29 2. If the swine is from a herd of unknown origin,
 30 the swine may be moved only through a buying station,
 31 as required by the department.

32 3. If the swine is from an infected herd or is
 33 exposed swine, the swine shall not be moved through a

34 concentration point.

35 Sec. 20. Section 166D.16, unnumbered paragraph 1,
36 Code 1999, is amended to read as follows:

37 1. The provisions of this chapter including
38 departmental rules adopted pursuant to this chapter
39 shall be administered and enforced by the department.

40 2. A Except as provided in this subsection, a
41 person violating a provision of this chapter or any
42 rule adopted pursuant to this chapter shall be subject
43 to a civil penalty of at least one hundred dollars but
44 not more than one thousand dollars.

45 ~~a. However, a~~ A person who falsifies a certificat e
46 of inspection issued pursuant to this chapter shall be
47 subject to a civil penalty of not more than five
48 thousand dollars for each swine falsified on the
49 certificate. A person shall not be subject to a civil
50 penalty totaling more than twenty-five thousand

Page 14

1 dollars for falsifying a certificate, regardless of
2 the number of swine falsified on the certificate.

3 b. The person who owns swine when the swine is
4 required to be vaccinated under this chapter shall be
5 subject to a civil penalty of two dollars for each
6 swine which is not vaccinated as required.

7 Sec. 21. Sections 166D.4 and 166D.5, Code 1999,
8 are repealed.

9 Sec. 22. RULEMAKING. The department of
10 agriculture and land stewardship shall adopt rules
11 necessary to implement this Act. Such rules shall be
12 effective immediately upon adoption and filing in the
13 governor's office after publication under notice and
14 after the administrative rules review committee has
15 had an opportunity to review the noticed rules, as
16 provided in chapter 17A.

17 Sec. 23. IMPLEMENTATION. The department shall
18 provide for the implementation of this Act based on a
19 schedule adopted by departmental rules. However, the
20 department shall implement all provisions of this Act
21 by August 1, 2000.

22 Sec. 24. EFFECTIVE DATE. This Act, being deemed
23 of immediate importance, takes effect upon enactment."

24 2. Title page, by striking line 2, and inserting
25 the following: "applicable, for implementation, and
26 providing an effective date."

H-8643

- 1 Amend the amendment, H-8629, to House File 2552 as
- 2 follows:
- 3 1. Page 1, line 12, by striking the figure
- 4 "10.00" and inserting the following: "13.00".

SUNDERBRUCH of Scott
HUSER of Polk

H-8647

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 11 the
- 4 following:
- 5 "Of the funds appropriated in this section, \$25,000
- 6 shall be used to enable blind individuals to
- 7 independently access newspapers through the operations
- 8 of the Iowa radio reading information service."

BLODGETT of Cerro Gordo

H-8648

- 1 Amend Senate File 2395, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by inserting after line 2 the
- 4 following:
- 5 "k. Acquiring any information technology device
- 6 necessary for participating agencies.
- 7 1. Acquiring or assisting with the acquisition of
- 8 information technology for governmental entities other
- 9 than participating agencies, if requested by such
- 10 entities, and upon entering into an agreement to
- 11 provide such information technology."
- 12 2. Page 9, by striking lines 33 through 35 and
- 13 inserting the following:
- 14 "b. Establish, by rule, information technology
- 15 standards which shall be adhered to in the procurement
- 16 of information technology for participating agencies,
- 17 and, as applicable, which shall be adhered to by all
- 18 participating agencies, unless waived pursuant to
- 19 section 14B.104."
- 20 3. Page 10, by inserting after line 34 the
- 21 following:
- 22 "3. WAIVER. The information technology council,
- 23 upon the written request of a participating agency and
- 24 for good cause shown, may grant a waiver from a
- 25 requirement otherwise applicable to a participating
- 26 agency relating to an information technology standard
- 27 established by the information technology council.

28 The information technology council may delegate its
29 authority to waive a requirement under this subsection
30 to the director."

31 4. By striking page 13, line 20 through page 14,
32 line 1, and inserting the following:

33 "Sec. __. NEW SECTION. 14B.110 INFORMATION
34 TECHNOLOGY STANDARDS – PROCUREMENT.

35 1. Notwithstanding the provisions of this section,
36 the information technology department and the
37 department of general services shall enter into an
38 interagency agreement regarding the division of
39 responsibilities between the departments associated
40 with the procurement of information technology which
41 is acceptable to both departments. The interagency
42 agreement shall be subject to renegotiation at least
43 every two years, unless an earlier time is provided
44 for in the interagency agreement. If the departments
45 are unable to agree on the terms of an interagency
46 agreement or upon a failure of either department to
47 satisfy the terms of the agreement, the departments
48 shall inform the department of management that an
49 agreement has not been reached or that one of the
50 departments has failed to satisfy the terms of the

Page 2

1 agreement. The department of management, upon receipt
2 and review of such information, may direct the
3 information technology department to proceed with the
4 procurement of information technology as provided in
5 subsections 2 through 5.

6 2. a. Standards established by the council,
7 unless waived pursuant to section 14B.104, shall apply
8 to all information technology procurements for
9 participating agencies.

10 b. A participating agency shall submit a request
11 to the department for the procurement of any
12 information technology. The department, prior to any
13 acquisition of such information technology, shall make
14 a determination whether the requested information
15 technology complies with the information technology
16 standards established by the information technology
17 council. If a determination is made that the
18 information technology complies with such standards,
19 the department shall procure the information
20 technology. If a determination is made that the
21 information technology does not comply with such
22 standards, the department shall disapprove the request
23 and such information technology shall not be procured
24 unless a waiver is granted pursuant to section
25 14B.104.

26 The information technology department, at the

27 request of a participating agency other than the state
28 department of transportation, the department for the
29 blind, or the lottery division of the department of
30 revenue and finance, shall acquire the information
31 technology for the participating agency requesting
32 such information technology if it is determined to be
33 compliant with the standards established by the
34 information technology council.

35 The state department of transportation, the
36 department for the blind, or the lottery division of
37 the department of revenue and finance, upon a
38 determination by the information technology department
39 that a proposed information technology acquisition
40 complies with the information technology standards
41 established by the information technology council, may
42 proceed with such acquisition. The information
43 technology department shall provide advice to such
44 participating agency regarding the procurement of such
45 information technology, including any opportunity to
46 aggregate such purchases with other participating
47 agencies.

48 3. The information technology department, by rule,
49 may implement a prequalification procedure for
50 contractors which the department has entered or

Page 3

1 intends to enter into agreements regarding the
2 procurement of information technology.

3 4. Notwithstanding the provisions of chapter 18,
4 the department may procure information technology as
5 provided in this section. The department may
6 cooperate with other governmental entities in the
7 procurement of information technology in an effort to
8 make such procurements in a cost-effective, efficient
9 manner as provided in this section. The department,
10 as deemed appropriate and cost-effective, may procure
11 information technology using any of the following
12 methods:

13 a. Cooperative procurement agreement. The
14 department may enter into a cooperative procurement
15 agreement with another governmental entity for the
16 purpose of pooling funds for the purchase of
17 information technology, whether such information
18 technology is for the use of the department or
19 multiple governmental entities. The cooperative
20 procurement agreement shall clearly specify the
21 purpose of the agreement and the method by which such
22 purpose will be accomplished. Any power exercised
23 under such agreement shall not exceed the power
24 granted to any party to the agreement.

25 b. Negotiated contract. The department may enter

26 into an agreement for the purchase of information
 27 technology if any of the following applies:
 28 (1) The contract price, terms, and conditions are
 29 pursuant to the current federal supply contract, and
 30 the purchase order adequately identifies the federal
 31 supply contract under which the procurement is to be
 32 made.

33 (2) The contract price, terms, and conditions are
 34 no less favorable than the contractor's current
 35 federal supply contract price, terms, and conditions;
 36 the contractor has indicated in writing a willingness
 37 to extend such price, terms, and conditions to the
 38 department; and the purchase order adequately
 39 identifies the contract relied upon.

40 (3) The contract is with a vendor which has a
 41 current exclusive or nonexclusive price agreement with
 42 the state for the information technology to be
 43 procured, and such information technology meets the
 44 same standards and specifications as the items to be
 45 procured and both of the following apply:

46 (a) The quantity purchased does not exceed the
 47 quantity which may be purchased under the applicable
 48 price agreement.

49 (b) The purchase order adequately identifies the
 50 price agreement relied upon.

Page 4

1 c. Contracts let by another government entity.
 2 The department, on its own behalf or on the behalf of
 3 another participating agency, may procure information
 4 technology under a contract let by another state
 5 agency or political subdivision of this state, or
 6 approve such procurement in the same manner by a
 7 participating agency.

8 d. Reverse auction.

9 (1) The department may enter into an agreement for
 10 the purchase of information technology utilizing a
 11 reverse auction process. Such process shall result in
 12 the purchase of information technology from the vendor
 13 submitting the lowest responsible bid amount for the
 14 information technology to be acquired. The
 15 department, in establishing a reverse auction process
 16 shall do all of the following:

17 (a) Determine the specifications and requirements
 18 of the information technology to be acquired.

19 (b) Identify and provide notice to potential
 20 vendors concerning the proposed acquisition.

21 (c) Establish prequalification requirements to be
 22 met by a vendor to be eligible to participate in the
 23 reverse auction.

24 (d) Conduct the reverse auction in a manner as

25 deemed appropriate by the department, and consistent
26 with rules adopted by the department.

27 (2) Prior to conducting a reverse auction, the
28 department shall establish a threshold amount which
29 shall be the maximum amount which the department is
30 willing to pay for the information technology to be
31 acquired.

32 (3) The department shall enter into an agreement
33 with a vendor who is the lowest responsible bidder
34 which meets the specifications or description of the
35 information technology to be procured, or the
36 department may reject all bids and begin the process
37 again. In determining the lowest responsible bidder,
38 the department may consider various factors,
39 including, but not limited to, the past performance of
40 the vendor relative to quality of product or service,
41 the past experience of the department in relation to
42 the product or service, the relative quality of
43 products or services, the proposed terms of delivery,
44 and the best interest of the state.

45 e. Competitive bidding. The department may enter
46 into an agreement for the purchase of information
47 technology in the same manner as provided under
48 section 18.6, with respect to the department of
49 general services.

50 f. In addition to the competitive bidding

Page 5

1 procedure provided for under paragraph "e", the
2 information technology department may enter into an
3 agreement for the purchase, disposal, or other
4 disposition of information technology in any other
5 manner provided under chapter 18, in the same manner
6 and subject to the same limitations as the department
7 of general services. The information technology
8 department, by rule, shall provide for such
9 procedures.

10 5. The department shall adopt rules pursuant to
11 chapter 17A to implement the procurement methods
12 provided for in subsections 2 through 4."

13 5. By renumbering as necessary.

FALCK of Fayette

H-8649

1 Amend House File 2554 as follows:
2 1. Page 3, line 23, by striking the word "For"
3 and inserting the following: "Notwithstanding the

4 salary adjustment distribution provisions of section
5 8.43, for".

MURPHY of Dubuque

H-8650

1 Amend House File 2554 as follows:
2 1. Page 3, by striking line 23 and inserting the
3 following:
4 "Sec. 101. SALARY ADJUSTMENT – JUDICIAL BRANCH.
5 1. There is appropriated from the general fund of
6 the state to the salary adjustment fund established in
7 section 8.43 for the judicial branch for the fiscal
8 year beginning July 1, 2000, and ending June 30, 2001,
9 the following amount, or so much as is necessary, to
10 be used for the purpose designated:
11 1. For annual pay adjustments, expense
12 reimbursements,"
13 2. Page 3, line 27, by striking the letter "b."
14 and inserting the following: "2."
15 3. Page 3, line 27, by striking the word
16 "subsection" and inserting the following: "section".
17 4. Page 3, line 30, by striking the figure "(1)"
18 and inserting the following: "a."
19 5. Page 3, line 33, by striking the figure "(2)"
20 and inserting the following: "b."
21 6. Page 4, line 1, by striking the word and
22 figure "subparagraph (1)" and inserting the following:
23 "paragraph "a" ".
24 7. Page 4, line 2, by striking the figure "(3)"
25 and inserting the following: "c."
26 8. Page 4, lines 11 and 12, by striking the word
27 and figures "1, subsection 3" and inserting the
28 following: "101".
29 9. By renumbering as necessary.

MURPHY of Dubuque

H-8651

1 Amend Senate File 2395, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 16, line 33, by striking the word "four-
4 year" and inserting the following: "three-year".
5 2. Page 16, by striking lines 34 and 35 and
6 inserting the following: "terms as designated by the
7 governor. The governor shall appoint a member as the
8 chairperson of the advisory council from the
9 membership of the advisory council."
10 3. Page 17, line 1, by striking the words "of the
11 board."

FALCK of Fayette

H-8654

- 1 Amend House File 2552, as follows:
 2 1. Page 24, by inserting after line 19 the
 3 following:
 4 "Sec. . NEW SECTION. 708.2D ASSAULT – CHOKE
 5 HOLD – PENALTY.
 6 A person who commits an assault which is in
 7 violation of section 708.2, subsection 5, by applying
 8 a choke hold around the throat of a person is guilty
 9 of a serious misdemeanor."
 10 2. By renumbering as necessary.

FORD of Polk

H-8655

- 1 Amend Senate File 2418, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 1 through 15, and
 4 inserting the following:
 5 "Section 1. Section 359.17, Code 1999, is amended
 6 by adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. If a township fails to
 8 certify property taxes by March 15, the amount of
 9 taxes collected by the county for the township shall
 10 be the amount collected for the township in the
 11 previous fiscal year to the extent that it does not
 12 exceed the applicable levy rate limits in this
 13 chapter. However, that amount may not exceed the
 14 amount the township could collect based on property
 15 assessments for the fiscal year for which the township
 16 failed to certify property taxes."
 17 2. Page 1, by striking lines 17 through 22.
 18 3. Page 1, line 23, by striking the figure "2."
 19 4. Page 1, line 23, by inserting after the word
 20 "Act," the following: "or any other provision of the
 21 Code to the contrary,".
 22 5. Page 1, line 25, by striking the word and
 23 figure "April 15" and inserting the following: "May
 24 1".
 25 6. Page 1, by inserting after line 27, the
 26 following:
 27 "Sec. . CONTINGENT REPEAL. If section 359.49,
 28 relating to the consequences of a township's failure
 29 to certify property taxes, is enacted by 2000 Iowa
 30 Acts, House File 2492, section 1, of this Act is
 31 repealed."
 32 7. By renumbering as necessary.

HUSER of Polk

H-8656

- 1 Amend Senate File 2366, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 6, by inserting after line 12 the
 4 following:
 5 "NEW SUBSECTION. 6. Any civil penalty collected
 6 by a local authority under this section shall be
 7 retained by the local authority."

PARMENTER of Story

H-8657

- 1 Amend the amendment, H-8530, to Senate File 2366,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 9, the
 5 following:
 6 " ____ Page 6, by inserting after line 12, the
 7 following:
 8 "NEW SUBSECTION. 6. Any civil penalty collected
 9 by a local authority under this section shall be
 10 retained by the local authority.""

PARMENTER of Story

H-8658

- 1 Amend House File 2530 as follows:
 2 1. Page 122, line 14, by striking the words
 3 "difference between".
 4 2. Page 122, by striking lines 15 and 16 and
 5 inserting the following: "with an incumbent
 6 provider's generation assets."
 7 3. Page 122, by striking line 17 and inserting
 8 the following:
 9 "c. The future contract payments".
 10 4. Page 122, line 18, by striking the words
 11 "market value of" and inserting the following:
 12 "under".

SHEY of Linn

H-8659

- 1 Amend Senate File 2251, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 8 through 11 and
 4 inserting the following: "~~provided, however, it shall~~
 5 ~~be unlawful for. However,~~ the county agricultural
 6 extension council ~~to shall not~~ lease any office space

7 which is occupied or used by any other farm
 8 organization or farm cooperative, ~~and provided~~
 9 ~~further, that it shall be lawful for".~~

KUHN of Floyd

H-8660

1 Amend Senate File 2366, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 5, by inserting after line 13, the
 4 following:

5 "Sec. ____ Section 453A.13, subsection 3, Code
 6 1999, is amended to read as follows:

7 3. a. FEES - EXPIRATION. All permits provided
 8 for in this division shall expire on June 30 of each
 9 year. A permit shall not be granted or issued until
 10 the applicant has paid for the period ending June 30
 11 next, to the department or the city or county granting
 12 the permit, the fees provided for in this division.
 13 The annual state permit fee for a distributor,
 14 cigarette vendor, and wholesaler is one hundred
 15 dollars when the permit is granted during the months
 16 of July, August, or September. However, whenever a
 17 state permit holder operates more than one place of
 18 business, a duplicate state permit shall be issued for
 19 each additional place of business on payment of five
 20 dollars for each duplicate state permit, but refunds
 21 as provided in this division do not apply to any
 22 duplicate permit issued.

23 b. The fee for retail permits is as follows when
 24 the permit is granted during the months of July,
 25 August, or September:

26 a. (1) In places outside any city, a minimum fee
 27 of fifty dollars.

28 b. (2) In cities of less than fifteen thousand
 29 population, a minimum fee of seventy-five dollars.

30 c. (3) In cities of fifteen thousand or more
 31 population, a minimum fee of one hundred dollars.

32 d. If any permit is granted during the months of
 33 October, November, or December, the fee shall be
 34 three-fourths of the ~~above maximum~~ schedule; if
 35 granted during the months of January, February, or
 36 March, one-half of the ~~maximum~~ schedule, and if
 37 granted during the months of April, May, or June, one-
 38 fourth of the ~~maximum~~ schedule.

39 d. If a city or county assesses a retail permit
 40 fee that is greater than the minimum fee specified in
 41 paragraph "b", the city or county shall retain the fee
 42 amounts above the minimum to be used for enforcement
 43 of section 453A.2."

44 2. By renumbering as necessary.

PARMENTER of Story

H-8661

1 Amend Senate File 2395, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 17, line 12, by inserting after the word
4 "government" the following: "and for the operation of
5 the Iowa communications network".

6 2. Page 17, by striking lines 19 through 21 and
7 inserting the following: "technically compatible.
8 The".

9 3. Page 17, line 22, by inserting after the word
10 "commission" the following: "and the department".

11 4. Page 17, by inserting after line 31 the
12 following:

13 "Sec. ____ Section 8D.3, subsection 3, paragraph
14 f, Code Supplement 1999, is amended to read as
15 follows:

16 f. Annually prepare a written five-year financial
17 plan for the network which shall be provided to the
18 information technology council for delivery to the
19 general assembly and the governor by no later than
20 January 15 of each year. The plan shall include
21 estimates for income and expenses for the network for
22 the five-year period and the actual income and
23 expenses for the preceding fiscal year. The plan
24 shall include the amount of general fund
25 appropriations to be requested for the payment of
26 operating expenses and debt service. The plan shall
27 also include any recommendations of the commission
28 related to changes in the system and other items as
29 deemed appropriate by the commission. The
30 recommendations of the commission contained in the
31 plan shall include a detailed plan for the connection
32 of all public schools to the network, including a
33 discussion and evaluation of all potential financing
34 options, an estimate of all costs incurred in
35 providing such connections, and a schedule for
36 completing such connections, including the anticipated
37 final completion date for such connections.

38 Sec. ____ Section 8D.6, Code 1999, is amended to
39 read as follows:

40 8D.6 ADVISORY GROUPS ESTABLISHED.

41 1. The commission shall establish an advisory
42 group to examine the use of the network for
43 telemedicine applications. The advisory group shall
44 consist of representatives of hospitals and other
45 health care facilities as determined by the
46 commission. The advisory group shall provide advice

47 to the commission, the department, and the information
48 technology council.
49 2. The commission may establish other advisory
50 committees as necessary representing authorized users

Page 2

1 of the network. An advisory committee established by
2 the commission shall provide advice to the commission,
3 the department, and the information technology
4 council.

5 Sec. ____ Section 8D.7, Code 1999, is amended to
6 read as follows:

7 8D.7 TELECOMMUNICATIONS ADVISORY COMMITTEE.

8 A telecommunications advisory committee is
9 established to advise the commission, the department,
10 and the information technology council on
11 telecommunications matters. The commission shall
12 appoint five members to the advisory committee who
13 shall represent specific telecommunications industries
14 or persons with technical expertise related to the
15 network.

16 Sec. ____ Section 8D.10, Code 1999, is amended to
17 read as follows:

18 8D.10 REPORT OF SAVINGS BY STATE AGENCIES.

19 A state agency which is a part of the network shall
20 annually provide a written report to the general
21 assembly and the information technology council
22 certifying the identified savings associated with the
23 state agency's use of the network. The report shall
24 be delivered on or before January 15 for the previous
25 fiscal year of the state agency.

26 Sec. ____ Section 8D.12, Code 1999, is amended to
27 read as follows:

28 8D.12 DISPOSITION OF NETWORK - APPROVAL OF
29 GENERAL ASSEMBLY AND GOVERNOR.

30 Notwithstanding any provision to the contrary, the
31 ~~commission information technology department~~ or the
32 department of general services shall not sell, lease,
33 or otherwise dispose of the network without prior
34 authorization by a constitutional majority of each
35 house of the general assembly and approval by the
36 governor."

37 5. Page 19, by inserting after line 25 the
38 following:

39 "Sec. ____ DIRECTIONS TO CODE EDITOR. The Code
40 editor shall transfer the provisions of chapter 8D to
41 chapter 14B, as enacted in this Act, and codify the
42 provisions as a separate subchapter in chapter 14B."
43

44 6. By renumbering as necessary.

H-8664

1 Amend the amendment, H-8363, to Senate File 2245,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 10, by striking the figure "27."
5 and inserting the following: "27, and inserting the
6 following:

7 "Sec. ____ Section 903.1, subsection 3, Code
8 Supplement 1999, is amended to read as follows:

9 3. A person under eighteen years of age convicted
10 of a simple misdemeanor under chapter 321, 321G, 453A,
11 461A, 461B, 462A, 481A, 481B, 483A, 484A, or 484B, or
12 a violation of a county or municipal curfew or traffic
13 ordinance, except for an offense subject to section
14 805.8, may be required to pay a fine, not to exceed
15 ~~one~~ five hundred dollars, as fixed by the court, or
16 may be required to perform community service as
17 ordered by the court."

RAECKER of Polk
KREIMAN of Davis

H-8665

1 Amend House File 2530 as follows:

2 1. By striking page 157, line 24, through page
3 158, line 31, and inserting the following:

4 "1. PURPOSE. An intervenor fund in the amount of
5 two million one hundred thousand dollars is created,
6 to be administered by the board. The fund shall be
7 used to reimburse qualified not-for-profit entities
8 that intervene in rulemaking proceedings before the
9 board associated with rules that are required to be
10 proposed by a specific date established by chapter
11 476B.

12 2. INTERVENOR REQUIREMENTS. In a rulemaking
13 proceeding associated with rules that are required to
14 be proposed by a specific date established by chapter
15 476B, the board may compensate an intervenor
16 participating in the rulemaking proceeding that is not
17 a delivery service provider, competitive electric
18 service provider, or other entity engaged in the
19 electric business, for some or all of the reasonable
20 costs of participation in the proceeding if the board
21 finds both of the following:

22 a. The intervenor is a not-for-profit entity
23 having at least one hundred members who are residents
24 of this state.

25 b. Participation by the intervenor is necessary to
26 provide for the record an adequate presentation of a
27 significant position in which the not-for-profit

28 entity has a substantial interest, and such an
29 adequate presentation would not be possible without a
30 grant of compensation.

31 3. INTERVENOR FINANCING. The board shall
32 compensate a qualified not-for-profit entity up to ten
33 thousand dollars for the actual, reasonable costs
34 incurred by the entity in the rulemaking proceeding.
35 A qualified not-for-profit entity may join with one or
36 more other qualified not-for-profit entities to
37 intervene in a rulemaking proceeding without
38 prejudicing the eligibility of any of the entities for
39 compensation under this section.

40 4. SOURCE OF FUNDS. A total of two million one
41 hundred thousand dollars shall be provided for
42 intervenor compensation from the interim funding
43 mechanism established under section 476B.13,
44 subsection 5, paragraph "c". The board shall request
45 up to two million one hundred thousand dollars, on an
46 as needed basis, for distribution to qualified not-
47 for-profit entities or for reimbursement of the
48 board's administrative expenses related to proceedings
49 involving such intervenors. Administrative expenses
50 shall not exceed one hundred thousand dollars in

Page 2

1 total.

2 5. IMPLEMENTATION. The board shall propose rules
3 to implement this section on or before July 1, 2000."

WISE of Lee

H-8667

1 Amend House File 2530 as follows:

2 1. Page 73, line 8, by inserting after the word
3 "business." the following: "To the extent that a
4 delivery service provider that is an electric company
5 provides, transfers, or otherwise conveys any assets,
6 whether tangible or intangible, including labor and
7 capital, or goods or services other than tariffed
8 goods or services, to or for the benefit of such
9 provider's unregulated affiliates, the board, for the
10 purpose of establishing rates or otherwise assuring
11 compliance with this chapter and the rules of the
12 board, shall value such transactions at the market
13 price. If the market price cannot be determined, such
14 transactions shall be valued using the fully
15 distributed cost of such assets, goods, or services.
16 However, such valuation shall not apply to the use of
17 an electric company's name and logo or to transactions
18 under subsection 12, paragraph "a", subparagraph (4),

19 except for those assets, goods, or services which are
 20 transferred or provided in such transaction to an
 21 unregulated affiliate company which competes with
 22 nonaffiliated persons engaged in the businesses
 23 identified in subsection 11, paragraphs "a" and "b",
 24 or in the business of installing and maintaining
 25 plumbing and refrigeration equipment or in the
 26 business of installing or maintaining electrical or
 27 mechanical equipment on the end-use consumer's side of
 28 the main disconnect. The board, after notice and
 29 hearing, may adopt rules as necessary to implement
 30 this subsection including alternative pricing methods,
 31 provided such alternative pricing methods are in the
 32 public interest and maintain fair competition."

33 2. Page 73, by striking lines 9 through 15 and
 34 inserting the following:

35 "b. A delivery service provider that is an
 36 electric company shall only provide regulated services
 37 in a manner designed to avoid cross-subsidization of
 38 unregulated services and in a manner that, as a result
 39 of the provision of such services or as a result of
 40 transactions with its unregulated affiliates, does not
 41 confer an unfair competitive advantage upon such
 42 affiliates which compete with nonaffiliated persons.
 43 The board, upon complaint and for purposes of
 44 achieving the objectives of paragraph "a" or this
 45 paragraph, or to prevent unfair competition, shall
 46 make such timely determinations as are necessary to
 47 ascertain if a violation of paragraph "a" or this
 48 paragraph, or a violation of the board's rules or an
 49 order, has occurred."

50 3. Page 77, by striking line 11 and inserting the

Page 2

1 following:

2 "11. TREATMENT FOR CERTAIN NONUTILITY AFFILIATE
 3 SERVICES. In addition to the requirements of
 4 subsection 10, a delivery service".

5 4. Page 77, line 15, by striking the word "and"
 6 and inserting the following: "or".

7 5. Page 77, line 35, by inserting after the word
 8 "office." the following: "This subsection, with
 9 respect to work other than that identified in this
 10 subsection, shall not be construed to prohibit the use
 11 of those employees of a delivery service provider that
 12 is an electric company who are covered by a collective
 13 bargaining agreement from performing, or being used in
 14 the performance of, work for its affiliates; provided
 15 that a delivery service provider that is an electric
 16 company complies with all other provisions in this
 17 chapter, including the prohibitions on cross-

18 subsidization and any relevant rules or orders issued
 19 by the board, including transfer pricing rules,
 20 regarding the use of such vehicles, service tools and
 21 instruments, or employees."

22 6. Page 78, line 1, by inserting after the word
 23 "provider" the following: "that is an electric
 24 company".

25 7. Page 78, lines 2 and 3, by striking the words
 26 "and employees to market its systems, services, and
 27 equipment" and inserting the following: "or
 28 employees".

29 8. Page 151, line 15, by striking the words
 30 "sales practices" and inserting the following:
 31 "competitive or sales practices, including the
 32 existence of a cross-subsidy,".

HOFFMAN of Crawford
 LARSON of Linn
 KETTERING of Sac
 RAECKER of Polk
 WARNSTADT of Woodbury
 HEATON of Henry
 WISE of Lee
 CHIODO of Polk
 BAUDLER of Adair

SHEY of Linn
 HAHN of Muscatine
 DAVIS of Wapello
 SUNDERBRUCH of Scott
 MARTIN of Scott
 JAGER of Black Hawk
 THOMSON of Linn
 CATALDO of Polk
 VAN ENGELENHOVEN of Mahaska

H-8671

1 Amend House File 2530 as follows:

2 1. Page 54, line 35, by striking the word and
 3 figure "chapter 6B" and inserting the following:
 4 "section 6B.46 with respect to a utility or part of a
 5 utility within a proposed municipally assigned service
 6 area".

7 2. Page 166, by inserting after line 18 the
 8 following:

9 "Sec. __. Section 364.2, subsection 4, Code 1999,
 10 is amended by adding the following new paragraph:
 11 NEW PARAGRAPH. g. If the revenue collected
 12 pursuant to the assessment of a franchise fee is
 13 negatively impacted by the enactment and
 14 implementation of chapter 476B, the city assessing
 15 such fee and the person franchised shall negotiate an
 16 amendment to the franchise granted by the city to such
 17 person which will result in the collection of revenues
 18 comparable to the revenue that would have been
 19 collected by the city if chapter 476B had not been
 20 enacted. The city is not required to comply with the
 21 public hearing, election, and notice requirements of
 22 paragraphs "a", "b", and "c" for purposes of

23 negotiating and approving such amendment."

CHIODO of Polk
METCALF of Polk

H-8673

- 1 Amend the Senate amendment, H-8412, to House File
2 620, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by striking lines 8 through 19.
5 2. By renumbering, relettering, or redesignating,
6 and correcting internal references as necessary.

WITT of Black Hawk

H-8675

- 1 Amend Senate File 2245, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 18 the
4 following:
5 "Sec __. Section 321.560, Code 1999, is amended
6 to read as follows:
7 321.560 PERIOD OF REVOCATION.
8 1. A license to operate a motor vehicle in this
9 state shall not be issued to any person declared to be
10 a habitual offender under section 321.555, subsection
11 1, for a period of not less than two years nor more
12 than six years from the date of the final decision of
13 the department under section 17A.19 or the date on
14 which the district court upholds the final decision of
15 the department, whichever occurs later.
16 a. ~~However, a~~ A temporary restricted permit may be
17 issued pursuant to section 321.215, subsection 2, to a
18 person declared to be a habitual offender under
19 section 321.555, subsection 1, paragraph "c", ~~pursuant~~
20 ~~to section 321.215, subsection 2.~~
21 b. A temporary restricted permit may be issued
22 pursuant to section 321J.4, subsection 9, to a person
23 declared to be a habitual offender due to a
24 combination of the offenses listed under section
25 321.555, subsection 1, paragraph "b" or "c".
26 2. A license to operate a motor vehicle in this
27 state shall not be issued to any person declared to be
28 a habitual offender under section 321.555, subsection
29 2, for a period of one year from the date of the final
30 decision of the department under section 17A.19 or the
31 date on which the district court upholds the final
32 decision of the department, whichever occurs later.
33 3. The department shall adopt rules under chapter
34 17A which that establish a point system which shall be

35 used to determine the period for which a person who is
36 declared to be a habitual offender under section
37 321.555, subsection 1, shall not be issued a license.
38 4. A person who is determined to be a habitual
39 offender while the person's license is already revoked
40 for being a habitual offender under section 321.555
41 shall not be issued a license to operate a motor
42 vehicle in this state for a period of not less than
43 two years nor more than six years. The revocation
44 period may commence either on the date of the final
45 decision of the department under section 17A.19 or the
46 date on which the district court upholds the final
47 decision of the department, whichever occurs later, or
48 on the date the previous revocation expires.
49 Sec. . Section 321J.4, subsection 9, Code
50 Supplement 1999, is amended to read as follows:

Page 2

1 9. a. A person whose driver's license has either
2 been revoked under this chapter, or revoked or
3 suspended under chapter 321 solely for violations of
4 this chapter, or who has been determined to be a
5 habitual offender under chapter 321 based solely on
6 violations of this chapter or on violations listed in
7 section 321.560, subsection 1, paragraph "b", and who
8 is not eligible for a temporary restricted license
9 under this chapter may petition the court upon the
10 expiration of the minimum period of ineligibility for
11 a temporary restricted license provided for under this
12 section, or section 321J.9, 321J.12, or 321J.20, or
13 321.560, for an order to the department to require the
14 department to issue a temporary restricted license to
15 the person notwithstanding section 321.560.
16 b. The petition shall include a current certified
17 copy of the petitioner's official driving record
18 issued by the department.
19 c. Upon the filing of a petition for a temporary
20 restricted license under this section, the clerk of
21 the district court in the county where the violation
22 that resulted in the revocation occurred shall send
23 notice of the petition to the department and the
24 prosecuting attorney. The department and the
25 prosecuting attorney shall each be given an
26 opportunity to respond to and request a hearing on the
27 petition.
28 d. The court shall determine if the temporary
29 restricted license is necessary for the person to
30 maintain the person's present employment. However, a
31 temporary restricted license shall not be ordered or
32 issued for a violation of section 321J.2A or to a
33 person under the age of twenty-one whose license is

34 revoked under this section or section 321J.9 or
 35 321J.12. If the court determines that the temporary
 36 restricted license is necessary for the person to
 37 maintain the person's present employment, and that the
 38 minimum period of ineligibility for receipt of a
 39 temporary license has expired, the court shall order
 40 the department to issue to the person a temporary
 41 restricted license conditioned upon the person's
 42 certification to the court of the installation of
 43 approved ignition interlock devices in all motor
 44 vehicles that it is necessary for the person to
 45 operate to maintain the person's present employment.
 46 e. Section 321.561 does not apply to a person
 47 operating a motor vehicle in the manner permitted
 48 under this subsection.
 49 f. If the person operates a motor vehicle which
 50 does not have an approved ignition interlock device or

Page 3

1 if the person tampers with or circumvents an ignition
 2 interlock device, in addition to other penalties
 3 provided, the person's temporary restricted license
 4 shall be revoked.
 5 g. A person holding a temporary restricted license
 6 issued under this subsection shall not operate a
 7 commercial motor vehicle, as defined in section 321.1,
 8 on a highway if a commercial driver's license is
 9 required for the person to operate the commercial
 10 motor vehicle.
 11 h. Notwithstanding any provision of this chapter
 12 to the contrary, the court may order the department to
 13 issue a temporary restricted license to a person
 14 otherwise eligible for a temporary restricted license
 15 under this subsection, whose period of revocation
 16 under this chapter has expired, but who has not met
 17 all requirements for reinstatement of the person's
 18 driver's license or nonresident operating privileges."
 19 2. Title page, by striking line 1 and inserting
 20 the following: "An Act relating to penalties for
 21 habitual offenders, city and county ordinances, and".
 22 3. By renumbering as necessary.

MAY of Worth
 BLODGETT of Cerro Gordo

H-8677

1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, by inserting after line 32, the
 4 following:

5 "Sec. ____ REDEMPTION OF BEVERAGE CONTAINERS –
6 STUDY.

7 1. The department of natural resources shall
8 conduct a study regarding the redemption of beverage
9 containers as provided in chapter 455C. The
10 department shall organize a committee in order to
11 conduct the study. A departmental official shall
12 serve on the study committee as a voting member. In
13 addition, the department shall invite members of the
14 following organizations to serve as voting members of
15 the committee:

- 16 a. The Iowa league of cities.
- 17 b. The Iowa state association of counties.
- 18 c. The Iowa environmental council.
- 19 d. The Iowa grocery industry association.
- 20 e. The Iowa recycling association.
- 21 f. The Iowa society of solid waste operations.
- 22 g. The league of women voters.
- 23 h. The owner of a redemption center.

24 2. The committee shall study issues related to all
25 of the following:

26 a. Requiring the redemption of beverage holding
27 noncarbonated beverages other than milk, but including
28 tea, water, fruit and vegetable juices and drinks, and
29 sports drinks.

30 b. Increasing the reimbursement to a dealer or
31 other person operating a redemption center from one
32 cent to two cents per empty beverage container
33 redeemed. The department shall study the feasibility
34 of establishing a schedule which provides for
35 increases in the reimbursement amount.

36 c. Requiring that all beverage containers sold in
37 Iowa have a minimum postconsumer recycled content of
38 twenty-five percent by weight.

39 d. Creating a "Robert D. Ray Beautiful Land Fund"
40 in order to support local and state litter and
41 recycling initiatives. The committee shall consider
42 the feasibility of using moneys from unredeemed
43 deposits in order to support the fund.

44 3. The department shall prepare a report regarding
45 findings and recommendations of the committee,
46 including proposals for legislative action. The
47 report shall be submitted to the governor and general
48 assembly not later than January 10, 2001."

BAUDLER of Adair
GREIMANN of Story

H-8678

1 Amend the amendment H-8621, to Senate File 2430, as
2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 1, by striking lines 5 through 7.

BLODGETT of Cerro Gordo

H-8679

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:

3 1. Page 7, line 16, by striking the figure
4 "10,932,737" and inserting the following:
5 "11,032,737".

SHOULTZ of Black Hawk

H-8683

1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 14, by striking the figure
4 "2,251,660" and inserting the following: "2,360,049".

MURPHY of Dubuque

H-8685

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:

3 1. Page 4, line 10, by striking the figure
4 "1,360,907" and inserting the following: "9,775,998".

MURPHY of Dubuque

H-8686

1 Amend Senate File 2428, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by striking line 1 and inserting the
4 following:
5 "..... FTEs 27.75"

BOGGESS of Page

H-8689

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:

3 1. Page 17, by inserting after line 5 the
4 following:
5 "Sec. ____ LEAD ABATEMENT PROGRAM – FUNDING. For
6 the fiscal year beginning July 1, 2000, and ending
7 June 30, 2001, from the tax revenue received by the

8 state racing and gaming commission pursuant to section
9 99D.15, subsections 1, 3, and 4, an amount equal to
10 three-tenths of one percent of the gross sum wagered
11 by the pari-mutuel method, not to exceed \$100,000, is
12 appropriated to the Iowa department of public health.
13 The moneys appropriated pursuant to this section shall
14 be used to supplement amounts otherwise appropriated
15 for the lead abatement program."

FORD of Polk

H-8690

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:

3 1. Page 7, line 24, by inserting before the word
4 "Of" the following: "a."

5 2. Page 7, by inserting after line 25 the
6 following:

7 "b. The department shall establish model lead
8 hazard remediation requirements for residential
9 properties. The objective of the requirements shall
10 be to provide local health authorities with model
11 standards and requirements concerning the
12 identification of potential instances of residential
13 lead-based paint poisoning of children, and the
14 application of corrective measures to residential
15 properties relating to lead-based paint removal in
16 order to prevent ongoing and future exposure."

FORD of Polk

H-8697

1 Amend the amendment, H-8653, to Senate File 2428,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 5, by striking the figure
5 "4,710,534" and inserting the following: "5,156,824".

6 2. Page 1, by striking lines 23 through 27 and
7 inserting the following: "economic development."

8 3. Page 1, by inserting before line 28 the
9 following:

10 "___ Page 2, by striking lines 6 through 12 and
11 inserting the following:

12 "b. Small business programs

13 For salaries, support, maintenance, and
14 miscellaneous purposes for the small business program,
15 the small business advisory council, and targeted
16 small business program:

17 \$ 457,894

18 c. Federal procurement office

19 For salaries, support, maintenance, and
 20 miscellaneous purposes:
 21 \$ 106,932
 22 Notwithstanding section 8.33, moneys appropriated
 23 in this paragraph "c" that remain unencumbered or
 24 unobligated at the close of the fiscal year shall not
 25 revert but shall remain available for expenditure for
 26 the purposes designated until the close of the
 27 succeeding fiscal year."
 28 4. Page 1, line 32, by striking the figure
 29 "1,211,869" and inserting the following: "1,262,364".

STEVENS of Dickinson
 RICHARDSON of Warren
 MASCHER of Johnson
 DOTZLER of Black Hawk

H-8698

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, by striking lines 31 and 32 and
 4 inserting the following:
 5 "..... \$ 2,395,384
 6 FTEs 14.25"
 7 2. Page 6, by striking line 13 and inserting the
 8 following:
 9 "..... \$ 425,000"

REYNOLDS of Van Buren
 MERTZ of Kossuth
 FALCK of Fayette
 DOTZLER of Black Hawk

H-8702

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, by striking line 27 and inserting the
 4 following:
 5 "..... \$ 888,633"

FOEGE of Linn
 JOCHUM of Dubuque
 FALCK of Fayette
 DOTZLER of Black Hawk

H-8703

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, by inserting after line 33 the

4 following:

5 "6. LABOR MANAGEMENT COORDINATOR

6 For salaries, support, maintenance, and

7 miscellaneous purposes for a labor management

8 coordinator:

9 \$ 68,999"

T. TAYLOR of Linn

H-8704

1 Amend Senate File 2428, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 12, by inserting after line 33 the

4 following:

5 "6. IMMIGRATION SERVICE CENTERS

6 For salaries, support, maintenance, and

7 miscellaneous purposes for the establishment of pilot

8 immigration service centers:

9 \$ 200,000

10 The department of workforce development, through

11 its existing service delivery system, shall establish

12 pilot immigration service centers that shall offer

13 one-stop services to deal with the multiple issues

14 related to immigration and employment. Centers shall

15 be designed to support workers, businesses, and

16 communities with information and technical assistance

17 on such issues as forms and documentation,

18 translation, language training, job placement

19 assistance, and resettlement. Through coordination of

20 local, state, and federal service providers, these

21 centers shall seek to provide a seamless service

22 delivery system for new Iowans."

23 2. Page 14, by striking lines 1 through 32.

DOTZLER of Black Hawk

H-8705

1 Amend Senate File 2428, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 11, by striking lines 26 and 27 and

4 inserting the following:

5 "..... \$ 2,530,163

6 FTEs 35.00"

HOLVECK of Polk

H-8706

1 Amend Senate File 2428, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 11, by striking lines 16 and 17 and
 4 inserting the following:
 5 "..... \$ 3,429,686
 6 FTEs 89.50"

DOTZLER of Black Hawk

H-8707

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 13, by inserting after line 12 the
 4 following:
 5 "Any amount in excess of \$7,500,000 in the
 6 administrative contribution surcharge fund existing in
 7 the fund prior to June 30, 2001, is appropriated and
 8 may be used by the department of workforce development
 9 for purposes provided in this section."

DOTZLER of Black Hawk
WEIGEL of Chickasaw
KUHN of Floyd

H-8708

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, by inserting after line 33 the
 4 following:
 5 "6. NEW EMPLOYMENT OPPORTUNITY PROGRAM
 6 For salaries, support, maintenance, miscellaneous
 7 purposes, and the new employment opportunity program
 8 established in section 84A.10:
 9 \$ 1,800,000
 10 Notwithstanding section 8.33, moneys appropriated
 11 in this subsection that remain encumbered or
 12 unobligated at the close of the fiscal year shall not
 13 revert but shall remain available for expenditure for
 14 the new employment opportunity program until the close
 15 of the succeeding fiscal year."
 16 2. Page 13, by striking lines 13 through 25.

HOLVECK of Polk

H-8709

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 18, by striking lines 30 through 32 and
 4 inserting the following: "section 96.7, subsection
 5 12, paragraph "d"."

DOTZLER of Black Hawk

H-8710

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 18, by striking lines 11 through 20.
- 4 2. By renumbering as necessary.

DOTZLER of Black Hawk

H-8711

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by striking line 33 and inserting the
- 4 following:
- 5 "..... \$ 923,939"

HOLVECK of Polk

H-8712

- 1 Amend Senate File 2428, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 13, line 32, through page 15,
- 4 line 24, and inserting the following:
- 5 "1. DIVISION OF WORKERS' COMPENSATION
- 6 For salaries, support, maintenance, and
- 7 miscellaneous purposes:
- 8 "..... \$ 274,100
- 9 2. ACCOUNTING SYSTEM REENGINEERING
- 10 For continuation of the accounting system
- 11 reengineering project:
- 12 \$ 220,000
- 13 3. UNEMPLOYMENT INSURANCE SERVICE CENTER
- 14 To assist in the cost of the toll-free number for
- 15 processing initial and continuing unemployment
- 16 compensation claims at the unemployment insurance
- 17 service center:
- 18 \$ 300,000
- 19 4. LABOR SURVEY PROGRAMS
- 20 To upgrade labor survey computer program
- 21 applications to incorporate labor shed information:
- 22 \$ 125,000
- 23 5. FEDERAL REED ACT REPAYMENTS
- 24 For repayment of federal Reed Act funds previously
- 25 borrowed for infrastructure projects:
- 26 \$ 125,000
- 27 Any additional penalty and interest revenue may be
- 28 used to accomplish the mission of the department upon
- 29 notification of the use to the chairpersons and
- 30 ranking members of the joint appropriations
- 31 subcommittee on economic development, the department

32 of management, and the legislative fiscal bureau."

DOTZLER of Black Hawk

H-8717

1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 11, by striking the word "and"
 4 and inserting the following: "for".
 5 2. Page 6, line 19, by striking the figure
 6 "2,040,458" and inserting the following: "2,140,458".
 7 3. Page 7, line 27, by striking the figure
 8 "3,897,600" and inserting the following: "4,987,600".
 9 4. Page 9, by striking lines 12 through 16.
 10 5. By striking page 12, line 12 through page 14,
 11 line 16.

PARMENTER of Story

H-8722

1 Amend Senate File 2428, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, by inserting after line 32 the
 4 following:
 5 "Sec. __. NEW SECTION. 73A.22 STATE BOARD OF
 6 REGENTS CONTRACTS.
 7 The state board of regents shall include within all
 8 contracts for construction projects a provision which
 9 requires the contractor to meet the targeted small
 10 business goals pursuant to section 73.16."
 11 2. By renumbering as necessary.

SHOULTZ of Black Hawk

H-8726

1 Amend the amendment, H-8361, to House File 2530, as
 2 follows:
 3 1. Page 1, line 3, by striking the words "or
 4 county government entity" and inserting the following:
 5 ", within the city's corporate limits, or a county
 6 governmental entity, in unincorporated areas,".
 7 2. Page 1, by inserting after line 3 the
 8 following:
 9 "__. Page 84, line 30, by striking the words
 10 "its jurisdiction" and inserting the following: "the
 11 jurisdiction of the city or county governmental
 12 entity"."

BRADLEY of Clinton

H-8730

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:
3 1. Page 17, by inserting after line 5 the
4 following:
5 "Sec. ____ CHILDHOOD LEAD POISONING PREVENTION
6 PROGRAM – FUNDING. For the fiscal year beginning
7 July 1, 2000, and ending June 30, 2001, from the tax
8 revenue received by the state racing and gaming
9 commission pursuant to section 99D.15, subsections 1,
10 3, and 4, an amount equal to three-tenths of one
11 percent of the gross sum wagered by the pari-mutuel
12 method, not to exceed \$100,000, is appropriated to the
13 Iowa department of public health. The moneys
14 appropriated pursuant to this section shall be used to
15 supplement amounts otherwise budgeted for the
16 childhood lead poisoning prevention program."

FORD of Polk

H-8732

1 Amend Senate File 2429, as passed by the Senate, as
2 follows:
3 1. Page 17, by inserting after line 25 the
4 following:
5 "Sec. ____ Section 135.105B, Code 1999, is amended
6 to read as follows:
7 135.105B VOLUNTARY GUIDELINES—HEALTH AND
8 ENVIRONMENTAL MEASURES MODEL LEAD HAZARD REMEDIATION
9 REQUIREMENTS – CONFIRMED CASES OF LEAD POISONING.
10 1. The department ~~may develop voluntary guidelines~~
11 ~~which may be used to develop and administer local~~
12 ~~programs shall establish by rule model lead hazard~~
13 ~~remediation requirements for residential properties to~~
14 address the health and environmental needs of children
15 who are confirmed as lead poisoned. The purpose of
16 the requirements shall be to prevent ongoing and
17 future exposure to lead-based paint hazards. Local
18 boards of health may adopt and enforce the
19 requirements or may adopt the requirements and request
20 that the requirements be enforced by the state.
21 However, local boards of health shall not be required
22 to adopt and enforce the requirements. The state may
23 not enforce the requirements unless the requirements
24 have been adopted by the local board of health and the
25 local board of health has requested that the state
26 enforce the requirements.
27 2. The voluntary guidelines model lead hazard
28 remediation requirements may be based upon existing
29 local ordinances that address the medical case

30 management of children's health needs and the
 31 mitigation of the environmental factors which
 32 contributed to the lead poisoning.
 33 ~~3. Following development of the voluntary~~
 34 ~~guidelines, cities or counties may elect to utilize~~
 35 ~~the guidelines in developing and administering local~~
 36 ~~programs through city or county health departments on~~
 37 ~~a city, county, or multicounty basis or may request~~
 38 ~~that the state develop and administer the local~~
 39 ~~program. However, cities and counties are not~~
 40 ~~required to develop and administer local programs~~
 41 ~~based upon the guidelines."~~
 42 2. By renumbering as necessary.

FORD of Polk

H-8736

1 Amend Senate File 419, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 14, by inserting before the word
 4 "This" the following: "Certification fees shall be
 5 deposited in the general fund of the state and are
 6 appropriated to the department to administer the
 7 certification provisions of this subsection."

BRADLEY of Clinton

H-8740

1 Amend Senate File 2126, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 4, by striking the word "a" and
 4 inserting the following: "an individual or".
 5 2. Page 1, by striking line 6 and inserting the
 6 following: "medical expenses shall make available a
 7 coverage provision for contraceptive benefits as
 8 provided in this section. Such policy or contract, if
 9 the coverage provision for contraceptive benefits is
 10 accepted by the policyholder, shall not do either of
 11 the following:"
 12 3. Page 1, by inserting after line 17 the
 13 following:
 14 "1A. A policy or contract subject to subsection 1
 15 shall not include a provision for contraceptive
 16 benefits as provided under this section, unless such
 17 provision is expressly accepted by the policyholder,
 18 as evidenced by written acceptance signed by the
 19 policyholder."
 20 4. Page 1, line 18, by striking the word "a" and
 21 inserting the following: "an individual or".
 22 5. Page 3, by striking lines 6 through 14.

23 6. By renumbering as necessary.

RAYHONS of Hancock

H-8741

1 Amend the amendment, H-8479, to Senate File 2302,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 9 through 12, and
 5 inserting the following: "marry, thirty thirty-five
 6 dollars, which includes payment for one certified copy
 7 of the original certificate of marriage, to be issued
 8 following filing of the original certificate of
 9 marriage, four dollars of which shall be retained by
 10 the county pursuant to subsection 5. For issuing an".

NELSON-FORBES of Marshall
 VAN ENGELENHOVEN of Mahaska
 MURPHY of Dubuque

H-8751

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 29, by striking line 23 and inserting the
 4 following:
 5 ".....\$ 6,309,742"
 6 2. Page 29, by striking line 34 and inserting the
 7 following:
 8 ".....\$ 10,405,335"
 9 3. Page 39, by striking line 24 and inserting the
 10 following:
 11 ".....\$ 12,804,527"
 12 4. Page 39, by striking line 30 and inserting the
 13 following:
 14 ".....\$ 7,227,168"
 15 5. Page 40, by striking line 1 and inserting the
 16 following:
 17 ".....\$ 17,526,567"
 18 6. Page 40, by striking line 26 and inserting the
 19 following:
 20 ".....\$ 5,360,065"
 21 7. Page 42, by striking line 25 and inserting the
 22 following:
 23 ".....\$ 2,511,091"
 24 8. Page 42, by striking line 30 and inserting the
 25 following:
 26 ".....\$ 1,714,565"

GREIMANN of Story

H-8755

- 1 Amend House File 656, as passed by the House, as
2 follows:
- 3 1. Page 1, by striking lines 9 through 12.
 - 4 2. Page 1, by inserting before line 13 the
5 following:
6 "Sec. ____ Section 39.3, Code 1999, is amended by
7 adding the following new subsection:
8 NEW SUBSECTION. 17. "Written" and "in writing"
9 may include any mode of representing words or letters
10 in general use. A signature, when required by law,
11 must be made by the writing or markings of the person
12 whose signature is required. If a person is unable
13 due to a physical disability to make a written
14 signature or mark, that person may substitute either
15 of the following in lieu of a signature required by
16 law:
 - 17 a. The name of the person with a disability
18 written by another upon the request and in the
19 presence of the person with a disability.
 - 20 b. A rubber stamp reproduction of the name or
21 facsimile of the actual signature of the person with a
22 disability when adopted by that person for all
23 purposes requiring a signature and then only when
24 affixed by that person or another upon the request and
25 in the presence of the person with a disability."
 - 26 3. Page 1, by striking lines 16 through 19.
 - 27 4. Page 1, by striking lines 23 through 27 and
28 inserting the following: "state shall be an eligible
29 elector. An elected official shall be a resident of
30 the state, district, county, township, city, or ward
31 by or for which the person was elected, or in which
32 the duties of the office are to be exercised, for
33 sixty days before the date of the election at which
34 the office is to be filled. An elected official
35 shall".
 - 36 5. Page 2, line 5, by striking the word
37 "fourteen" and inserting the following: "eleven".
 - 38 6. Page 7, line 21, by striking the word
39 "fourteen" and inserting the following: "eleven".
 - 40 7. Page 9, by striking lines 25 through 34.
 - 41 8. Page 11, by inserting after line 31 the
42 following:
43 "Sec. ____ Section 48A.30, subsection 1, paragraph
44 a, Code 1999, is amended to read as follows:
 - 45 a. The registered voter dies. For the purposes of
46 this subsection, the commissioner may accept as
47 evidence of death a notice from the state registrar of
48 vital statistics forwarded by the state registrar of
49 voters, a written statement from a member of the
50 registered voter's household, an obituary in a

Page 2

1 newspaper, a written statement from an election
2 official, or a notice from the clerk of the district
3 court in county recorder of the county where the
4 registered voter died."

5 9. Page 12, by striking lines 10 through 12, and
6 inserting the following: "withdrawals by candidates
7 for the general election."

8 10. Page 12, by inserting before line 13, the
9 following:

10 "Sec. ____ Section 49.53, unnumbered paragraph 1,
11 Code 1999, is amended to read as follows:

12 The commissioner shall not less than four nor more
13 than twenty days before the day of each election,
14 except those for which different publication
15 requirements are prescribed by law, publish notice of
16 the election. The notice shall contain a facsimile of
17 the portion of the ballot containing the first
18 rotation as prescribed by section 49.31, subsection 2,
19 and shall show the names of all candidates or nominees
20 and the office each seeks, and all public questions,
21 to be voted upon at the election. The sample ballot
22 published as a part of the notice may at the
23 discretion of the commissioner be reduced in size
24 relative to the actual ballot but such reduction shall
25 not cause upper case letters appearing on the
26 published sample ballot to be less than ~~five thirty-~~
27 ~~sixths of an inch high in candidates' names or in~~
28 ~~summaries of public measures the minimum type sizes~~
29 required in section 49.57. The notice shall also
30 state the date of the election, the hours the polls
31 will be open, the location of each polling place at
32 which voting is to occur in the election, the location
33 of the polling places designated as early ballot pick-
34 up sites, and the names of the precincts voting at
35 each polling place, but the statement need not set
36 forth any fact which is apparent from the portion of
37 the ballot appearing as a part of the same notice.
38 The notice shall include the full text of all public
39 measures to be voted upon at the election. The notice
40 shall also include notice of testing required pursuant
41 to sections 52.9, 52.35, and 52.38."

42 11. Page 14, by inserting after line 23, the
43 following:

44 "Sec. ____ Section 49.84, Code 1999, is amended by
45 adding the following new unnumbered paragraph:
46 NEW UNNUMBERED PARAGRAPH. This section does not
47 prohibit a voter from taking minor children into the
48 voting booth with the voter.

49 Sec. ____ Section 49.88, Code 1999, is amended by

50 adding the following new unnumbered paragraph:

Page 3

1 NEW UNNUMBERED PARAGRAPH. This section does not
2 prohibit a voter from taking minor children into the
3 voting booth with the voter."

4 12. Page 16, by inserting after line 18 the
5 following:

6 "Sec. __. Section 50.19, unnumbered paragraph 2,
7 Code 1999, is amended to read as follows:

8 Material pertaining to elections for federal
9 offices, including voted ballots, precinct election
10 registers, declarations of eligibility signed by
11 voters, documents relating to absentee ballots, and
12 challenges of voters, shall be preserved for twenty-
13 two months after the election. If a contest is not
14 pending the materials may be destroyed at the end of
15 the retention period.

16 Sec. __. Section 50.19, Code 1999, is amended by
17 adding the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Unvoted ballots for all
19 elections may be destroyed ten days following the
20 deadline to contest the election for which the ballots
21 were prepared or the day after final determination of
22 all pending contests of the election for which the
23 ballots were prepared, whichever is later."

24 13. Page 17, by striking lines 8 through 14.

25 14. Page 18, line 35, by striking the figure
26 "2000," and inserting the following: "2001,".

27 15. Page 19, by inserting after line 1, the
28 following:

29 "Sec. __. Section 53.2, unnumbered paragraph 1,
30 Code 1999, is amended to read as follows:

31 Any registered voter, under the circumstances
32 specified in section 53.1, may on any day, except
33 election day, and not more than seventy days prior to
34 the date of the election, apply in person for an
35 absentee ballot at the commissioner's office or at any
36 location designated by the commissioner, or make
37 written application to the commissioner for an
38 absentee ballot. However, for those elections in
39 which the commissioner directs the polls be opened at
40 noon pursuant to section 49.73, a voter may apply in
41 person for an absentee ballot at the commissioner's
42 office from eight a.m. until eleven a.m. on election
43 day. The state commissioner shall prescribe a form
44 for absentee ballot applications. However, if a
45 registered voter submits an application that includes
46 all of the information required in this section, the
47 prescribed form is not required. Absentee ballot
48 applications may include instructions to send the

49 application directly to the county commissioner of
50 elections. However, no absentee ballot application

Page 4

1 shall be preaddressed or printed with instructions to
2 send the applications to anyone other than the
3 appropriate commissioner."

4 16. Page 27, by striking lines 13 and 14.

5 17. Page 34, by striking lines 2 through 19.

6 18. Page 34, by striking lines 30 and 31, and
7 inserting the following: "by the voters or when a
8 district becomes wholly or in part within includes all
9 of a city of fifteen thousand population or more in
10 the".

11 19. Page 43, by inserting after line 21, the
12 following:

13 "Sec. ____ EFFECTIVE DATE. The sections of this
14 Act which amend sections 43.14, 45.5, and 45.6, take
15 effect January 1, 2001."

16 20. Title page, line 4, by inserting after the
17 word "laws" the following: "and providing an
18 effective date".

19 21. By renumbering, relettering, or redesignating
20 and correcting internal references as necessary.

Senate Amendment

H-8756

1 Amend House File 2557 as follows:

2 1. Page 1, line 3, by inserting after the word
3 "include" the following: "after three years from the
4 date of recording of".

MYERS of Johnson

H-8758

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 5, by striking line 3 and inserting the
4 following:

5 ".....\$ 46,235,883"

6 2. Page 8, by inserting after line 35 the
7 following:

8 "1A. Effective July 1, 2000, the amounts in the
9 schedule of basic needs used for eligibility
10 determination and as the payment standard for the
11 family investment program shall be increased by 4
12 percent. The department shall adopt emergency rules
13 to implement the provisions of this subsection."

- 14 3. Page 16, by striking line 24 and inserting the
- 15 following:
- 16 ".....\$ 6,395,110"
- 17 4. By renumbering as necessary.

FOEGE of Linn

H-8759

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, line 19, by striking the words "one
- 3 hundred" and inserting the following: "fifty".

HOUSER of Pottawattamie
 REYNOLDS of Van Buren
 MUNDIE of Webster
 DREES of Carroll
 BARRY of Harrison

H-8762

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 18, by inserting after line 27 the
- 4 following:
- 5 "Sec. ____ NEW SECTION. 708.2D ASSAULT - CHOKE
- 6 HOLD - PENALTY.
- 7 A person who commits an assault which is in
- 8 violation of section 708.2, subsection 5, by applying
- 9 a choke hold around the throat of a person is guilty
- 10 of a serious misdemeanor."
- 11 2. Title page, line 6, by inserting after the
- 12 word "affairs," the following: "enhancing a penalty
- 13 for certain assaults,".
- 14 3. By renumbering as necessary.

FORD of Polk

H-8763

- 1 Amend Senate File 2429, as passed by the Senate, as
- 2 follows:
- 3 1. Page 17, by inserting after line 25 the
- 4 following:
- 5 "Sec. ____ NEW SECTION. 216.10A UNFAIR PRACTICES
- 6 - WEARING APPAREL.
- 7 It shall be unfair or a discriminatory practice for
- 8 any owner, lessee, sublessee, proprietor, manager,
- 9 agent, or any employee of any public accommodation, to
- 10 refuse or deny access to any public accommodation or
- 11 service, to any person based upon the brand name of a
- 12 person's wearing apparel."

13 2. By renumbering as necessary.

FORD of Polk

H-8764

1 Amend Senate File 2429, as passed by the Senate, as
 2 follows:
 3 1. Page 17, by inserting after line 25 the
 4 following:
 5 "Sec. . NEW SECTION. 80B.18 TRAINING AND
 6 CERTIFICATION OF DESIGNATED SECURITY EMPLOYEE.
 7 The academy shall develop a program to train and
 8 certify a designated security employee as defined in
 9 section 123.3. The academy may teach the program, or
 10 may certify private organizations or other agencies to
 11 teach the program. The program shall not exceed six
 12 hours of training and shall include but is not limited
 13 to teaching mediation techniques, providing awareness
 14 of individual civil rights, and providing instruction
 15 on the use of proper restraints against a person who
 16 has become combative. The academy, private
 17 organization, or other agency may charge a reasonable
 18 fee to cover the cost of training, subject to the
 19 approval of the council.
 20 Sec. . Section 123.3, Code 1999, is amended by
 21 adding the following new subsection:
 22 NEW SUBSECTION. 12A. "Designated security
 23 employee" means an agent or employee of a licensee or
 24 permittee who is primarily employed for security
 25 purposes.
 26 Sec. . Section 123.31, Code 1999, is amended by
 27 adding the following new subsection:
 28 NEW SUBSECTION. 6A. A statement whether all
 29 designated security employees have received training
 30 and certification as provided in section 80B.18."
 31 2. By renumbering as necessary.

FORD of Polk

H-8765

1 Amend House Joint Resolution 2006 as follows:
 2 1. Page 1, by striking line 1 and inserting the
 3 following:
 4 "Section 1. The following amendment to the
 5 Constitution of the State of Iowa is proposed:
 6 Article VII of the Constitution of the State of".
 7 2. Page 1, by inserting after line 24, the
 8 following:
 9 "Sec. 2. The following amendment to the
 10 Constitution of the State of Iowa is proposed:

11 Section 5 of Article VII of the Constitution of the
 12 State of Iowa is repealed and the following adopted in
 13 lieu thereof:

14 CONTRACTING DEBT – SUBMISSION TO THE PEOPLE. SEC.

15 5. Except the debts herein before specified in this
 16 article, no debt shall be hereafter contracted by, or
 17 on behalf of this State, unless such debt shall be
 18 authorized by some law for some single work or object,
 19 to be distinctly specified therein; and such law shall
 20 impose and provide for the collection of a direct
 21 annual tax or for collection of a tax on gambling
 22 activity or for diversion of proceeds from a tax on
 23 gambling activity which tax is already authorized by
 24 law, sufficient to pay the interest on such debt, as
 25 it falls due, and also to pay and discharge the
 26 principal of such debt, within twenty years from the
 27 time of the contracting thereof; but no such law shall
 28 take effect until at a general election it shall have
 29 been submitted to the people, and have received a
 30 majority of all the votes cast for and against it at
 31 such election; and all money raised by authority of
 32 such law, shall be applied only to the specific object
 33 therein stated, or to the payment of the debt created
 34 thereby; and such law shall be published in at least
 35 one newspaper in each County, if one is published
 36 therein, throughout the State, for three months
 37 preceding the election at which it is submitted to the
 38 people."

39 3. Page 1, by striking line 25, and inserting the
 40 following:

41 "Sec. 3. The foregoing proposed amendments to
 42 the".

43 4. Page 1, line 26, by striking the word "is" and
 44 inserting the following: "are".

45 5. Title page, line 1, by striking the words "an
 46 amendment" and inserting the following: "amendments".

47 6. Title page, line 4, by inserting after the
 48 words "use tax" the following: "and relating to the
 49 state contracting debt".

50 7. By renumbering as necessary.

SHOULTZ of Black Hawk

H-8766

1 Amend Senate File 2429, as passed by the Senate, as
 2 follows:

3 1. Page 7, line 24, by inserting before the word
 4 "Of" the following: "a."

5 2. Page 7, by inserting after line 25 the
 6 following:

7 "b. The department shall develop guidelines for

8 the incorporation of lead-based paint screening as
 9 part of the standard early childhood immunization
 10 program administered throughout the state by private
 11 physicians and by city and county health departments.
 12 The objective of the guidelines shall be to facilitate
 13 the screening of all children in the state of Iowa for
 14 lead-based paint exposure, regardless of geographic
 15 region or estimated risk of exposure."

REYNOLDS of Van Buren

H-8768

1 Amend Senate File 2126, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 21 the
 4 following:
 5 "3A. This section shall not be construed to
 6 require a third-party payor under a policy or contract
 7 to provide benefits for any drugs or devices which are
 8 used after conception for the termination of a
 9 pregnancy."
 10 2. By renumbering as necessary.

VAN FOSSEN of Scott
 SUKUP of Franklin
 CHIODO of Polk
 RAECKER of Polk
 HANSEN of Pottawattamie

H-8770

1 Amend House Concurrent Resolution 113 as follows:
 2 1. Page 8, line 22, by striking the word "three"
 3 and inserting the following: "two".
 4 2. Page 8, line 24, by striking the word "one"
 5 and inserting the following: "two".

CARROLL of Poweshiek

H-8772

1 Amend the Senate amendment, H-8757, to House File
 2 2491, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 5, by inserting after line 20, the
 5 following:
 6 "____. Title page, line 2, by inserting after the
 7 word "penalties" the following: "and an effective
 8 date"."

ALONS of Sioux

H-8775

- 1 Amend the Committee amendment, H-8417, to Senate
- 2 File 2364, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 3 through 15.

BRADLEY of Clinton

H-8777

- 1 Amend House File 2558 as follows:
- 2 1. Page 1, line 34, by striking the word "same".
- 3 2. Page 2, by striking line 2 and inserting the
- 4 following: "are one and sixty-five hundredths
- 5 percent, two and twenty hundredths percent, and two
- 6 and seventy-five hundredths percent, respectively."
- 7 3. Page 3, line 32, by striking the word
- 8 "double".
- 9 4. Page 3, by striking line 35 and inserting the
- 10 following: "are three and thirty hundredths percent,
- 11 four and forty hundredths percent, and five and fifty
- 12 hundredths percent, respectively."
- 13 5. Page 5, line 19, by striking the word "same".
- 14 6. Page 5, by striking line 22 and inserting the
- 15 following: "are one and sixty-five hundredths
- 16 percent, two and twenty hundredths percent, and two
- 17 and seventy-five hundredths percent, respectively."
- 18 7. Page 7, line 10, by striking the word "same".
- 19 8. Page 7, by striking line 13 and inserting the
- 20 following: "are one and sixty-five hundredths
- 21 percent, two and twenty hundredths percent, and two
- 22 and seventy-five hundredths percent, respectively."

VAN FOSSEN of Scott

H-8778

- 1 Amend House File 2555 as follows:
- 2 1. Page 10, by striking lines 16 through 23, and
- 3 inserting the following: "the provision. The rules
- 4 shall be published by the department as notice of
- 5 intended action no later than June 14, 2000, and shall
- 6 adopt rules on an emergency basis effective on or
- 7 after August 1, 2000."
- 8 2. Page 10, by inserting before line 24, the
- 9 following:
- 10 "Sec. __. EFFECTIVE DATE. Section 1, subsection
- 11 1, and section 2 of this Act, being deemed of
- 12 immediate importance, take effect upon enactment."
- 13 3. Title page, line 2, by inserting after the
- 14 word "fund" the following: "and providing an
- 15 effective date."

16 4. By renumbering as necessary.

METCALF of Polk

H-8779

1 Amend Senate File 2435 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 36, by striking lines 21 through 28, and
4 inserting the following:
5 "___ . Of the funds appropriated in this section,
6 the department shall use \$678,876 for day treatment
7 and aftercare services for juvenile females with
8 provider selection made through a request for
9 proposals process. The goal of providing the services
10 is to ensure permanency, safety, and self-sufficiency
11 for juvenile females."

FOEGE of Linn

H-8781

1 Amend the committee amendment, H-8417, to Senate
2 File 2364, as passed by the Senate, as follows:
3 1. Page 1, by striking lines 5 through 14 and
4 inserting the following: "~~employees are employed, but~~
5 ~~they shall become a resident of the state at the time~~
6 ~~such appointment as employment begins and shall remain~~
7 ~~a resident of the state during employment and may be~~
8 ~~residents of another state at the discretion of the~~
9 city. Cities may set".

ALONS of Sioux
BRADLEY of Clinton

H-8785

1 Amend Senate File 2435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 22, by striking lines 1 through 27 and
4 inserting the following:
5 "___ . Of the funds appropriated in this section,
6 the department shall use up to \$414,000 to implement a
7 disease-specific pharmaceutical case management
8 program to measure the effects of case management for
9 medical assistance recipients identified by the
10 department as high risk for medication-related
11 problems. The funds shall be used to equally
12 reimburse physician-pharmacist teams who participate
13 in the program. An advisory committee whose
14 membership consists of representatives of the Iowa
15 medical society, the Iowa pharmacy association, and

16 the department of human services shall establish and
 17 implement the pharmaceutical case management program.
 18 The university of Iowa college of public health, in
 19 conjunction with the colleges of medicine and
 20 pharmacy, shall perform an evaluation of the program
 21 at no cost to the state and shall submit a final
 22 report of the findings of the evaluation and any
 23 recommendations to the general assembly by December
 24 15, 2002. The department shall submit a progress
 25 report by December 15, 2001, and a final report by
 26 December 15, 2002, to the general assembly. The
 27 department shall adopt rules to implement this
 28 subsection which comply with the notice of intended
 29 action requirements of section 17A.4, subsection 1,
 30 and which may be adopted as emergency rules pursuant
 31 to section 17A.5, subsection 2, after notice is
 32 provided. The rules shall be reevaluated by the
 33 department of human services with input from the Iowa
 34 medical society and the Iowa pharmacy association,
 35 upon submission of the final report or by December 15,
 36 2002, whichever occurs first."
 37 2. By renumbering as necessary.

OSTERHAUS of Jackson
 HEATON of Henry

H-8789

1 Amend Senate File 2435 as amended, passed, and
 2 reprinted by the Senate, as follows;
 3 1. Page 30, by striking line 23, and inserting
 4 the following:
 5 "..... \$108,983,613"
 6 2. Page 31, line 19, by striking the figure
 7 "7,060,104" and inserting the following: "7,255,556".

FOEGE of Linn

H-8790

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 49, by striking line 4, and inserting the
 4 following:
 5 "..... \$ 46,275,078"
 6 2. Page 49, by striking line 11, and inserting
 7 the following:
 8 "..... \$ 5,677,938"

MURPHY of Dubuque

H-8791

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 18, by striking line 17, and inserting
 4 the following:
 5 "..... \$422,577,876"

OSTERHAUS of Jackson

H-8792

1 Amend Senate File 2435, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 49, by striking line 4, and inserting the
 4 following:
 5 "..... \$ 44,699,546"
 6 2. Page 49, line 5, by striking the figure
 7 "1,918.54" and inserting the following: "1,929.54".

OSTERHAUS of Jackson

H-8793

1 Amend Senate File 2435 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. By striking page 6, line 35, through page 7,
 4 line 1.
 5 2. Page 38, by inserting after line 2 the
 6 following:
 7 " _____. Of the funds appropriated in this section,
 8 \$731,000 shall be used for child abuse prevention
 9 grants and the department shall provide this
 10 allocation by reducing the amount that would otherwise
 11 be available for distribution to child welfare funding
 12 decategorization projects."
 13 3. By renumbering as necessary.

FOEGE of Linn

H-8795

1 Amend Senate File 2332 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 35, by inserting after the word
 4 "financial" the following: ", social, cultural,".
 5 2. Page 2, line 3, by inserting after the word
 6 "financial," the following: "social, cultural,".
 7 3. Page 2, line 13, by striking the word "and".
 8 4. Page 2, line 14, by inserting after the word
 9 "visitation" the following: ", substance abuse and
 10 domestic abuse".

11 5. Page 2, line 26, by inserting after the word
 12 "families." the following: "The membership shall
 13 include a balance of perspectives and shall include
 14 representation of both custodial and noncustodial
 15 parents."

REYNOLDS of Van Buren

H-8797

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 38, by inserting after line 2 the
 4 following:
 5 " _____. Of the funds appropriated in this section,
 6 the department shall transfer \$126,848 to the
 7 appropriation in this Act for medical assistance to be
 8 used for supplemental funding for the costs to
 9 increase the medical assistance eligibility limit for
 10 infants under the mothers and children category to 200
 11 percent of the federal poverty level. The department
 12 shall provide for the transfer amount by reducing the
 13 amount for allocation to child welfare funding
 14 decategorization projects."
 15 2. By renumbering as necessary.

OSTERHAUS of Jackson

H-8798

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, by striking line 3 and inserting the
 4 following:
 5 "..... \$ 46,235,883"
 6 2. Page 8, by inserting after line 35 the
 7 following:
 8 "1A. Effective July 1, 2000, the amounts in the
 9 schedule of basic needs used for eligibility
 10 determination and as the payment standard for the
 11 family investment program shall be increased by 4
 12 percent. The department shall adopt emergency rules
 13 to implement the provisions of this subsection."
 14 3. Page 16, by striking line 24 and inserting the
 15 following:
 16 "..... \$ 6,455,110"
 17 4. By renumbering as necessary.

FOEGE of Linn

H-8799

1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 16, by inserting after line 32, the
4 following:
5 "Sec. __. WELL CONTRACTORS STUDY.
6 1. The department of natural resources shall
7 conduct a study relating to well contractors,
8 including the following:
9 a. The certification of contractors who install
10 pumps for new wells, and particularly contractors who
11 install pumps for new wells of more than one hundred
12 feet or more than eighteen inches in diameter.
13 b. The establishment of a well contractors'
14 council to assist the department regarding issues
15 relating to the installation of wells, including
16 certification standards.
17 2. In performing the study, the department shall
18 establish a study committee including a representative
19 of the department and all of the following:
20 a. Two well drilling contractors selected by the
21 department.
22 b. Two pump installation contractors selected by
23 the department.
24 c. One representative of the Iowa groundwater
25 association or its successor selected by the Iowa
26 groundwater association or its successor.
27 d. One representative of the Iowa environmental
28 health association or its successor selected by the
29 Iowa environmental health association or its
30 successor.
31 e. The director of public health or the director's
32 designee.
33 f. The state geologist or the state geologist's
34 designee.
35 g. The director of the state hygienic laboratory
36 or the director's designee.
37 3. The department shall submit a report by January
38 14, 2001, to the general assembly. A copy of the
39 report shall be delivered to the chairpersons and
40 ranking members of the senate standing committees on
41 agriculture and the chairpersons and ranking members
42 of the senate standing committee on natural resources
43 and environment and the house of representatives
44 standing committee on environmental protection. The
45 report shall include findings and recommendations of
46 the study committee."

H-8802

1 Amend Senate File 2338, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. NEW SECTION. 256.24 SCHOOL
6 INVESTMENT PARTNERSHIPS – PILOT PROGRAM.

7 A school investment partnership pilot program is
8 established to evaluate the effectiveness of private
9 participation in the funding and management of school
10 infrastructure. The program is intended to indicate
11 the possibility of shifting the responsibility for the
12 operation and financing of school facility
13 construction and maintenance to the private sector,
14 thereby facilitating the focus of public school system
15 resources on enhancing the educational experience of
16 the schoolchildren of Iowa. The pilot program shall
17 allow up to six pilot projects, to be conducted as
18 follows:

19 1. Each project shall pair one or more private
20 investors and one or more school districts in a
21 partnership involving the shared utilization of school
22 facilities. Private investors shall finance the
23 construction of school facilities, based on school
24 district specifications, and commit to the completion
25 of a fully operational school facility, complete with
26 all classroom furnishings and school facility
27 equipment, by a mutually agreed-upon date. A project
28 may involve a collaborative association of more than
29 one public school in a school district, or more than
30 one school district collaborating for the construction
31 of a regional facility.

32 2. All projects shall, where applicable, conform
33 to the provisions of chapter 73A as if the school
34 facility constructed were a public improvement and as
35 if the private investors financing the school facility
36 construction were a school corporation.

37 3. The private investor shall lease the facility
38 back to the school district at monthly payment levels
39 agreed upon between the school district and the
40 private investor, not to exceed an amount which would
41 have been incurred if the school district had built
42 and financed the facility independently, without the
43 involvement of a private investor, pursuant to a lease
44 or lease-purchase agreement negotiated at the same
45 time that the agreement regarding construction of the
46 school facility is entered into. The lease or lease-
47 purchase agreement shall extend for a twenty-year
48 duration, with the option to continue the lease at the
49 end of the lease period, and also to permit the
50 purchase of the school facility by the school district

Page 2

1 at the conclusion of the lease period at an agreed-
2 upon price. An agreed-upon purchase price shall
3 contain a mechanism for crediting a portion of the
4 lease payments remitted by the school district toward
5 the purchase price, as determined by the school
6 district and the private investor. A school district
7 shall be authorized to issue bonds pursuant to section
8 296.1 or 298.21, and to utilize the physical plant and
9 equipment levy pursuant to section 298.2, for the
10 purpose of monthly payments pursuant to the lease or
11 lease-purchase agreement, or in the event that the
12 school district exercises its option to purchase the
13 school facility at the conclusion of the lease period.

14 4. The school district shall retain control over
15 all decisions related to the education of students
16 within the school facility, including the
17 determination of when the facility shall and shall not
18 be utilized by the school district, the uses to which
19 the facility shall be put during periods when school
20 is in session, and access to the facility for after-
21 hours athletic practices, extracurricular activities,
22 staff, parent, and teacher meetings, and other school-
23 related events.

24 5. The lease or lease-purchase agreement shall
25 include provisions specifying which party subject to
26 the agreement shall determine the furnishings and
27 equipment to be contained in the school facility, and
28 what furnishings and equipment are to be provided.
29 All costs relating to maintenance of the school
30 facility and ongoing furnishings and equipment
31 replacement shall be the responsibility of the private
32 investor.

33 6. The private investor shall retain the right to
34 contract with third parties for use of the school
35 facility during periods when the facility is not being
36 utilized by the school district. The periods of
37 nonutilization by the school district shall be
38 specified in the lease or lease-purchase agreement,
39 together with the purposes for which the facility
40 shall be used by contracting third parties. If a
41 proposed use is determined by the school district to
42 be inappropriate for an educational facility used by
43 schoolchildren, the proposed use shall not be approved
44 by the school district for inclusion in the lease or
45 lease-purchase agreement. The school district and the
46 private investor shall annually review the third-party
47 contracts for use of the facility during periods of
48 nonutilization by the school district, and shall
49 mutually determine whether proposed contracts for the

50 forthcoming year shall be considered appropriate or

Page 3

1 inappropriate for approval. The private investor
2 shall agree to maintain the building in the same
3 condition during and after use by a third party as the
4 facility is customarily maintained during periods of
5 utilization by the school district. Possible third
6 party contractors could include, but are not limited
7 to, educational enrichment organizations, civic
8 groups, day care facilities, religious organizations,
9 community colleges, and governmental units.

10 7. School districts may submit an application for
11 the pilot program to the department of education until
12 September 1, 2001, as follows:

13 a. If six or fewer school districts submit an
14 application for participation by September 1, 2001,
15 all of the applicant school districts shall be
16 entitled to participate in the program.

17 b. If more than six school districts submit an
18 application by September 1, 2001, the department shall
19 select six school districts by lot for participation.

20 (1) In selecting by lot, to the extent
21 applications are received from school districts with
22 actual enrollments of varying amounts as provided in
23 this paragraph, two schools shall be drawn which are
24 located in a school district with an actual enrollment
25 of under one thousand two hundred pupils, two schools
26 shall be drawn which are located in a school district
27 with an actual enrollment of between one thousand two
28 hundred and four thousand nine hundred ninety-nine
29 pupils, and two schools shall be drawn which are
30 located in a school district with an actual enrollment
31 of five thousand or more pupils. School districts
32 shall be notified of their selection by lot by October
33 1, 2001.

34 (2) If, pursuant to subsection 1, one or more of
35 the applications involve a collaborative association
36 of more than one public school in a school district,
37 or more than one school district collaborating for the
38 construction of a regional facility, at least one such
39 application shall be selected, regardless of the
40 actual enrollment of the combined schools or school
41 districts.

42 8. The department shall prepare and submit a
43 report to the general assembly annually by January 1,
44 for a five-year period beginning January 1, 2002,
45 regarding the status of the program. The report shall
46 include detailed information regarding perceived
47 advantages and disadvantages of the program, input
48 from school district personnel, students, and parents

49 associated with schools constructed pursuant to the
 50 program, and private investors constructing and

Page 4

1 maintaining the school facility."

GRUNDBERG of Polk

H-8808

1 Amend the amendment, H-8801, to Senate File 2435 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 14, by striking the figure
 5 "422,443,000" and inserting the following:
 6 "422,577,876".

OSTERHAUS of Jackson

H-8809

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, line 16, by striking the figure
 5 "44,370,000" and inserting the following:
 6 "44,699,546".
 7 2. Page 4, by inserting before line 17, the
 8 following:
 9 "___ Page 49, line 5, by striking the figure
 10 "1,918.54" and inserting the following: "1,929.54".
 11 3. By renumbering as necessary.

OSTERHAUS of Jackson

H-8811

1 Amend the amendment, H-8801, to Senate File 2435,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, line 16, by striking the figure
 5 "44,370,000" and inserting the following:
 6 "46,275,078".

STEVENS of Dickinson

H-8816

1 Amend Senate File 2435, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 60, by inserting after line 1 the

4 following:

5 "Sec. 100. Section 232.190, Code 1999, is amended
6 to read as follows:

7 232.190 COMMUNITY GRANT FUND.

8 1. A community grant fund is established in the
9 state treasury under the control of the division of
10 criminal and juvenile justice planning of the
11 department of human rights for the purposes of
12 awarding grants under this section. The criminal and
13 juvenile justice planning advisory council and the
14 juvenile justice advisory council shall assist the
15 division in administering grants awarded under this
16 section. The departments of education, human
17 services, public health, and public safety, and the
18 governor's alliance on substance abuse shall advise
19 the division on grant ~~application and selection~~ award
20 criteria and performance measures for the programs.
21 Not more than five percent of the moneys appropriated
22 to the fund shall be used for administrative purposes.

23 2. ~~A city, county, or entity organized under~~
24 ~~chapter 28E. Any decategorization governance board~~
25 organized in accordance with section 232.188 may apply
26 to the division for a grant ~~on a matching basis to~~
27 fund juvenile crime prevention programs that emphasize
28 positive youth development. ~~The match may be obtained~~
29 ~~from private sources, other state programs, or federal~~
30 ~~programs. The division shall adopt rules establishing~~
31 ~~required matching fund levels that progressively~~
32 ~~increase as applicants receive a second or subsequent~~
33 ~~year of consecutive funding through the community~~
34 ~~grant fund. The division shall not accept an~~
35 ~~application for a fourth or subsequent consecutive~~
36 ~~year of funding. However, cities, counties, or~~
37 ~~entities organized under chapter 28E receiving grants~~
38 ~~prior to July 1, 1998, may apply and receive funding~~
39 ~~for an additional two consecutive years beyond June~~
40 ~~30, 1998 for awarding of grant moneys, including but~~
41 ~~not limited to data factors and a methodology for use~~
42 in allocating moneys among the decategorization
43 projects based upon a project's proportion of the
44 state's population of children.

45 3. Applications for moneys from the community
46 grant fund shall ~~define the geographical boundaries of~~
47 ~~the site chosen to benefit from the funds from this~~
48 ~~program and shall demonstrate a collaborative effort~~
49 ~~by all relevant local government and school officials~~
50 ~~and service agencies with authority, responsibilities,~~

Page 2

1 or other interests within the chosen site
2 decategorization project area. Proposed plans set

3 forth in the applications shall reflect a community-
4 wide consensus in how to remediate community problems
5 related to juvenile crime and shall describe how the
6 funds from this program will be used in a manner
7 consistent with the human investment strategy of the
8 state as developed pursuant to section 8A.1. Services
9 provided under a grant through this program shall be
10 comprehensive, preventive, community-based, and shall
11 utilize flexible delivery systems and promote youth
12 development. ~~The division shall establish a point~~
13 ~~system for determining eligibility for grants from the~~
14 ~~fund based upon the nature and breadth of the proposed~~
15 ~~community juvenile crime prevention plans and the~~
16 ~~extent to which the proposals include viable plans to~~
17 ~~sustain the funding and local governance of the~~
18 ~~proposed juvenile crime prevention services and~~
19 ~~activities following the proposed grant period. A~~
20 plan for grant moneys under this section shall be a
21 part of or be consistent with the annual child welfare
22 services plan developed by the governance board of the
23 decategorization project area and submitted to the
24 department of human services and Iowa empowerment
25 board pursuant to section 232.188.

26 4. The division shall provide potential applicants
27 for grant moneys decategorization governance boards
28 with information describing comprehensive community
29 planning techniques and performance measures for this
30 program and. ~~The division shall establish a~~
31 ~~monitoring system for this program that requires~~
32 ~~participating cities, counties, and entities organized~~
33 ~~under chapter 28E decategorization governance boards~~
34 ~~to report information with which to measure program~~
35 ~~performance. The division shall solicit input from~~
36 ~~cities, counties, and service providing agencies on~~
37 ~~the establishment of program performance measures and~~
38 ~~the structure of the program monitoring system.~~
39 Applications for grant moneys shall state specific
40 results sought to be obtained by any service or
41 activity funded by a grant under this section and
42 shall describe how their desired results are related
43 to the program's performance measures.

44 5. This section is repealed effective June 30,
45 2000 2005. The division of criminal and juvenile
46 justice planning shall annually submit an annual a
47 report to the general assembly by January 15 regarding
48 the program's performance measures and the
49 effectiveness of the services and activities funded
50 under this section."

2 following:

3 "___, Section 100, amending section 232.190."

4 3. By renumbering as necessary.

DAVIS of Wapello

H-8823

1 Amend the Senate amendment, H-8746, to House File
2 723, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 4, the
5 following:

6 " "Section 1. Section 232.8, subsection 3, Code
7 1999, is amended by adding the following new
8 unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. This subsection does not
10 apply to a child under the age of seventeen who is
11 alleged to have committed livestock torture as
12 provided in section 717.3 or animal torture as
13 provided in section 717B.3A."

14 2. Page 1, by striking lines 9 through 11, and
15 inserting the following: "livestock, if the person
16 inflicts upon the livestock severe physical pain with
17 a depraved or sadistic intent to cause prolonged
18 suffering or death."

19 3. Page 1, by striking lines 34 through 41, and
20 inserting the following:

21 "___, a. The following shall apply to a person
22 who commits livestock torture:

23 (1) For the first conviction, the person is guilty
24 of an aggravated misdemeanor. The sentencing order
25 shall provide that the person submit to psychological
26 evaluation and treatment according to terms required
27 by the court. The costs of the evaluation and
28 treatment shall be paid by the person. In addition,
29 the sentencing order shall provide that the person
30 complete a community work requirement, which may
31 include a work requirement performed at an animal
32 shelter or pound as defined in section 162.2,
33 according to terms required by the court.

34 (2) For a second or subsequent conviction, the
35 person is guilty of a class "D" felony. The
36 sentencing order shall provide that the person submit
37 to a psychological evaluation and treatment according
38 to terms required by the court. The costs of the
39 psychological evaluation and treatment shall be paid
40 by the person.

41 b. The juvenile court shall have exclusive
42 original jurisdiction in proceedings concerning a
43 child who is alleged to have committed livestock
44 torture, as provided in section 232.8. The juvenile

45 court shall not waive jurisdiction of a child under
 46 the age of seventeen who is alleged to have committed
 47 the offense."

48 4. Page 1, by striking lines 45 through 47, and
 49 inserting the following: "animal, if the person
 50 inflicts upon the animal severe physical pain with a

Page 2

1 depraved or sadistic intent to cause prolonged
 2 suffering or death."

3 5. Page 2, by striking lines 33 through 40, and
 4 inserting the following:

5 "___ . The following shall apply to a person who
 6 commits animal torture:

7 (1) For the first conviction, the person is guilty
 8 of an aggravated misdemeanor. The sentencing order
 9 shall provide that the person submit to psychological
 10 evaluation and treatment according to terms required
 11 by the court. The costs of the evaluation and
 12 treatment shall be paid by the person. In addition,
 13 the sentencing order shall provide that the person
 14 complete a community work requirement, which may
 15 include a work requirement performed at an animal
 16 shelter or pound, as defined in section 162.2,
 17 according to terms required by the court.

18 (2) For a second or subsequent conviction, the
 19 person is guilty of a class "D" felony. The
 20 sentencing order shall provide that the person submit
 21 to psychological evaluation and treatment according to
 22 terms required by the court. The costs of the
 23 psychological evaluation and treatment shall be paid
 24 by the person.

25 b. The juvenile court shall have exclusive
 26 original jurisdiction in proceedings concerning a
 27 child who is alleged to have committed animal torture,
 28 as provided in section 232.8. The juvenile court
 29 shall not waive jurisdiction of a child under the age
 30 of seventeen who is alleged to have committed the
 31 offense."

DAVIS of Wapello
 MASCHER of Johnson
 REYNOLDS of Van Buren

KREIMAN of Davis
 PARMENTER of Story
 CORMACK of Webster

H-8824

1 Amend Senate File 2338, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
 4 clause and inserting the following:

5 "Section 1. NEW SECTION. 256.24 SCHOOL

6 INVESTMENT PARTNERSHIPS – PILOT PROGRAM.

7 A school investment partnership pilot program is
8 established to evaluate the effectiveness of private
9 participation in the funding and management of school
10 infrastructure. The program is intended to indicate
11 the possibility of shifting the responsibility for the
12 operation and financing of school facility
13 construction and maintenance to the private sector,
14 thereby facilitating the focus of public school system
15 resources on enhancing the educational experience of
16 the schoolchildren of Iowa. The pilot program shall
17 allow up to six pilot projects, to be conducted as
18 follows:

19 1. Each project shall pair one or more private
20 investors and one or more school districts in a
21 partnership involving the shared utilization of school
22 facilities. Private investors shall finance the
23 construction of school facilities, based on school
24 district specifications, and commit to the completion
25 of a fully operational school facility by a mutually
26 agreed-upon date. A project may involve a
27 collaborative association of more than one public
28 school in a school district, or more than one school
29 district collaborating for the construction of a
30 regional facility.

31 2. All projects shall, where applicable, conform
32 to the provisions of chapter 73A as if the school
33 facility constructed were a public improvement and as
34 if the private investors financing the school facility
35 construction were a school corporation.

36 3. The private investor shall lease the facility
37 back to the school district at monthly payment levels
38 agreed upon between the school district and the
39 private investor, not to exceed an amount which would
40 have been incurred if the school district had built
41 and financed the facility independently, without the
42 involvement of a private investor, pursuant to a lease
43 or lease-purchase agreement negotiated at the same
44 time that the agreement regarding construction of the
45 school facility is entered into. The lease or lease-
46 purchase agreement shall extend for a twenty-year
47 duration, with the option to continue the lease at the
48 end of the lease period, and also to permit the
49 purchase of the school facility by the school district
50 at the conclusion of the lease period at an agreed-

Page 2

1 upon price. An agreed-upon purchase price shall
2 contain a mechanism for crediting a portion of the
3 lease payments remitted by the school district toward
4 the purchase price, as determined by the school

5 district and the private investor. A school district
6 shall be authorized to issue bonds pursuant to section
7 296.1 or 298.21, and to utilize the physical plant and
8 equipment levy pursuant to section 298.2, for the
9 purpose of monthly payments pursuant to the lease or
10 lease-purchase agreement, or in the event that the
11 school district exercises its option to purchase the
12 school facility at the conclusion of the lease period.

13 4. The school district shall retain control over
14 all decisions related to the education of students
15 within the school facility, including the
16 determination of when the facility shall and shall not
17 be utilized by the school district, the uses to which
18 the facility shall be put during periods when school
19 is in session, and access to the facility for after-
20 hours athletic practices, extracurricular activities,
21 staff, parent, and teacher meetings, and other school-
22 related events.

23 5. The lease or lease-purchase agreement shall
24 include provisions specifying which party shall
25 furnish and equip the school facility, and what
26 furnishings and equipment are to be provided. All
27 costs relating to maintenance of the school facility
28 shall be the responsibility of the private investor.
29 Ongoing furnishings and equipment replacement shall be
30 determined by the lease or lease-purchase agreement.

31 6. The private investor shall retain the right to
32 contract with third parties for use of the school
33 facility during periods when the facility is not being
34 utilized by the school district. The periods of
35 nonutilization by the school district shall be
36 specified in the lease or lease-purchase agreement,
37 together with the purposes for which the facility
38 shall be used by contracting third parties. If a
39 proposed use is determined by the school district to
40 be inappropriate for an educational facility used by
41 schoolchildren, the proposed use shall not be approved
42 by the school district for inclusion in the lease or
43 lease-purchase agreement. The school district and the
44 private investor shall annually review the third-party
45 contracts for use of the facility during periods of
46 nonutilization by the school district, and shall
47 mutually determine whether proposed contracts for the
48 forthcoming year shall be considered appropriate or
49 inappropriate for approval. The private investor
50 shall agree to maintain the building in the same

Page 3

1 condition during and after use by a third party as the
2 facility is customarily maintained during periods of
3 utilization by the school district. Possible third

4 party contractors could include, but are not limited
 5 to, educational enrichment organizations, civic
 6 groups, day care facilities, religious organizations,
 7 community colleges, and governmental units.
 8 7. School districts may submit an application for
 9 the pilot program to the department of education until
 10 September 1, 2001, as follows:

11 a. If six or fewer school districts submit an
 12 application for participation by September 1, 2001,
 13 all of the applicant school districts shall be
 14 entitled to participate in the program.
 15 b. If more than six school districts submit an
 16 application by September 1, 2001, the department shall
 17 select six school districts by lot for participation.

18 (1) In selecting by lot, to the extent
 19 applications are received from school districts with
 20 actual enrollments of varying amounts as provided in
 21 this paragraph, two schools shall be drawn which are
 22 located in a school district with an actual enrollment
 23 of under one thousand two hundred pupils, two schools
 24 shall be drawn which are located in a school district
 25 with an actual enrollment of between one thousand two
 26 hundred and four thousand nine hundred ninety-nine
 27 pupils, and two schools shall be drawn which are
 28 located in a school district with an actual enrollment
 29 of five thousand or more pupils. School districts
 30 shall be notified of their selection by lot by October
 31 1, 2001.

32 (2) If, pursuant to subsection 1, one or more of
 33 the applications involve a collaborative association
 34 of more than one public school in a school district,
 35 or more than one school district collaborating for the
 36 construction of a regional facility, at least one such
 37 application shall be selected, regardless of the
 38 actual enrollment of the combined schools or school
 39 districts.

40 8. The department shall prepare and submit a
 41 report to the general assembly annually by January 1,
 42 for a five-year period beginning January 1, 2002,
 43 regarding the status of the program. The report shall
 44 include detailed information regarding perceived
 45 advantages and disadvantages of the program, input
 46 from school district personnel, students, and parents
 47 associated with schools constructed pursuant to the
 48 program, and private investors constructing and
 49 maintaining the school facility."

GRUNDBERG of Polk

H-8827

1 Amend the amendment, H-8801, to Senate File 2435,

2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, line 28, by striking the figure
5 "5,540,000" and inserting the following: "5,970,000".

6 2. Page 4, by inserting after line 28 the
7 following:

8 " ___. Page 49, line 12, by striking the figure
9 "154.16" and inserting the following: "164.16".

10 ___. Page 49, by inserting after line 12 the
11 following:

12 "The full-time equivalent position authorization in
13 this subsection includes an increase of 10.00 FTEs
14 over the previous fiscal year in order for the
15 department to assign 2.00 additional FTEs to each
16 region to increase reviews of registered and licensed
17 child care facilities.""

18 3. By renumbering as necessary.

JOCHUM of Dubuque

H-8828

1 Amend the amendment, H-8810, to House File 2502, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking line 3 and inserting the
5 following:

6 " ___. Page 1, by striking lines 12 through 26 and
7 inserting the following:

8 "Sec. ___. Section 331.401, subsection 1, Code
9 Supplement 1999, is amended by adding the following
10 new paragraph:

11 NEW PARAGRAPH. s. Allocate the expenditures of
12 the office of county sheriff related to providing
13 uniform law enforcement patrol services which shall be
14 paid from the rural services fund."

15 ___. Page 1, by inserting before line 27 the".

GREIMANN of Story

H-8829

1 Amend the amendment, H-8810, to House File 2502, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 " ___. Page 1, by inserting after line 26 the
7 following:

8 "Sec. ___. NEW SECTION. 364.16A POLICE
9 PROTECTION.

10 A city shall provide law enforcement protection

11 services for persons and property located within the
12 city. A city may provide for the law enforcement
13 protection services by intergovernmental agreement.""
14 2. Page 1, line 32, by inserting after the word
15 "providing" the following: "for law enforcement
16 within cities and".

GREIMANN of Story

H-8830

1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 33, by striking the figure
4 "126.00" and inserting the following: "128.00".
5 2. Page 3, by inserting after line 9, the
6 following:
7 "() If Senate File 419 is not enacted by the
8 Seventy-eighth General Assembly, 2000 Session, the
9 number of full-time equivalent positions authorized
10 pursuant to this paragraph "a" shall be decreased by
11 2.00 FTEs."
12 3. By renumbering as necessary.

BRADLEY of Clinton

H-8831

1 Amend House File 2565 as follows:
2 1. Page 1, by striking line 13, and inserting the
3 following: "youth to make healthy choices. The
4 initiative shall allow extensive".
5 2. Page 1, line 17, by striking the words "evolve
6 to create" and inserting the following: "foster".
7 3. Page 1, by striking line 22, and inserting the
8 following: "less accessible to youth. The intent of
9 the general assembly shall be".
10 4. Page 3, by inserting after line 22, the
11 following:
12 "Members appointed under this subsection shall be
13 representative of the racial and ethnic diversity of
14 the state with at least one member representing a
15 racial or ethnic minority population."
16 5. Page 3, line 28, by inserting after the word
17 "represented." the following: "The members appointed
18 under this subsection shall be representative of the
19 racial and ethnic diversity of the state with at least
20 one member representing a racial or ethnic minority
21 population."
22 6. Page 4, by striking lines 34 and 35, and
23 inserting the following: "members shall be filled as
24 an appointment by the governor, subject to

- 25 confirmation by the senate, pursuant to sections 2.32
26 and 69.19 for the balance of the unexpired term. A
27 youth".
- 28 7. Page 9, line 16, by striking the words "women
29 who" and inserting the following: "women."
- 30 8. Page 9, by striking lines 17 and 18.
- 31 9. Page 9, line 27, by striking the word
32 "activities," and inserting the following:
33 "activities;"
- 34 10. Page 9, line 29, by striking the word
35 "substances," and inserting the following:
36 "substances;"
- 37 11. Page 9, line 33, by inserting after the word
38 "unhealthy" the following: "youth".
- 39 12. Page 10, by striking lines 11 through 14, and
40 inserting the following:
41 "5. Procurement of goods and services necessary to
42 implement the initiative is subject to approval of the
43 commission. Notwithstanding chapter 18 or any other
44 provision of law to the contrary, such procurement may
45 be accomplished without competitive bidding."
- 46 13. Page 10, by striking lines 31 through 33, and
47 inserting the following: "strategy. The initial
48 baseline used to measure the effectiveness of the
49 initiative shall be developed using existing,
50 available indicators. Following".

Page 2

- 1 14. Page 11, line 24, by inserting after the word
2 "involvement." the following: "The community
3 partnership shall act as the fiscal agent for moneys
4 administered by the community partnership."
- 5 15. Page 11, line 27, by striking the words "or
6 community empowerment area" and inserting the
7 following: "enterprise zone, or community empowerment
8 area".
- 9 16. Page 12, by inserting after line 6 the
10 following:
11 "e. Evaluation of the program."
- 12 17. Page 12, lines 28 and 29, by striking the
13 words "In addition, the state" and inserting the
14 following: "State".
- 15 18. Page 12, by striking lines 32 through 34 and
16 inserting the following: "communications program;
17 education efforts; and other aspects of the initiative
18 including evaluation, collaboration, and enforcement."
- 19 19. Page 13, line 18, by striking the figure
20 "2005" and inserting the following: "2010".
- 21 20. By renumbering, relettering, or redesignating

22 and correcting internal references as necessary.

Committee on Human Resources

H-8835

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, line 13, by striking the words "or is
- 3 eligible for such listing".
- 4 2. Page 1, lines 15 and 16, by striking the words
- 5 "or is eligible for such designation".

WEIGEL of Chickasaw

H-8836

- 1 Amend House File 2560 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "property" the following: "constructed one hundred
- 4 years prior to certification which is".

WEIGEL of Chickasaw

H-8838

- 1 Amend the amendment, H-8801, to Senate File 2435,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 4, by striking lines 17 through 26.
- 5 2. By renumbering as necessary.

MURPHY of Dubuque

H-8839

- 1 Amend Senate File 2435 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 29, line 25, by striking the word "It"
- 4 and inserting the following:
- 5 "a. It".
- 6 2. Page 29, by inserting after line 32, the
- 7 following:
- 8 "b. Notwithstanding any provision to the contrary
- 9 under chapter 255, a person placed at the Iowa
- 10 juvenile home at Toledo shall be provided medical
- 11 services and treatment at a local clinic if the
- 12 medical services and treatment available are provided
- 13 by staff of the university of Iowa hospitals and
- 14 clinics and the university of Iowa hospitals and
- 15 clinics shall not charge the Iowa juvenile home at
- 16 Toledo for the services and treatment. For persons
- 17 placed at the Iowa juvenile home at Toledo who are

18 provided medical services and treatment at such a
 19 local clinic, the university of Iowa hospitals and
 20 clinics shall transfer funds appropriated to the
 21 university hospitals for indigent patient care in an
 22 amount sufficient to cover the total cost of the
 23 medical services and treatment provided."
 24 3. By renumbering as necessary.

HEATON of Henry

H-8842

1 Amend the Senate amendment, H-8746, to House File
 2 723, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 4, the
 5 following:
 6 "Sec. ____ Section 717.1, Code 1999, is amended by
 7 adding the following new subsection:
 8 NEW SUBSECTION. 00. "Customary animal husbandry
 9 practice" means a practice commonly associated with
 10 the care of livestock, including but not limited to
 11 any of the following:
 12 a. Confining livestock in a building, lot, pen, or
 13 chute.
 14 b. Loading, unloading, or transporting livestock.
 15 c. Identifying livestock by marking or branding,
 16 including by any manner provided for in chapter 169A,
 17 tagging, or ear notching.
 18 d. Castrating, docking, dehorning or ringing
 19 livestock, trimming livestock hooves; declawing or
 20 debeaking poultry; shoeing equines; or removing
 21 swine's needle teeth.
 22 e. Implanting an identification or monitoring
 23 device below the hide or skin of livestock.
 24 f. Implanting a substance or compound below the
 25 hide or skin of livestock, or applying a substance or
 26 compound topically, for use in promoting health or
 27 growth.
 28 g. Shearing sheep or milking cows or goats.
 29 h. Testing livestock for disease or pregnancy,
 30 including by drawing blood.
 31 i. Administering a vaccine, hormone, or
 32 prescription drug to livestock.
 33 j. Performing measures, which may involve surgical
 34 procedures, relating to the health or procreation of
 35 livestock, including but not limited to collecting or
 36 inseminating semen, lancing or draining abscesses,
 37 treating prolapses, suturing hernias, inserting
 38 urological catheters, or removing abnormal or
 39 supernumerary teats.
 40 k. Performing any other such practice that does

- 41 not normally inflict greater discomfort to livestock
42 than provided in this subsection."

TEIG of Hamilton	ARNOLD of Lucas
HUSEMAN of Cherokee	BARRY of Harrison
BRAUNS of Muscatine	SUKUP of Franklin
KLEMME of Plymouth	HOLMES of Scott
EDDIE of Buena Vista	HORBACH of Tama
RAYHONS of Hancock	DOLECHECK of Ringgold
CARROLL of Poweshiek	HOUSER of Pottawattamie
HAHN of Muscatine	GREINER of Washington
KETTERING of Sac	BAUDLER of Adair
ALONS of Sioux	DRAKE of Pottawattamie
BOGCESS of Page	HOFFMAN of Crawford
JOHNSON of Osceola	

H-8843

- 1 Amend the amendment, H-8801 to Senate File 2435 as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 14, by striking the figure
5 "422,443,000" and inserting the following:
6 "422,943,000".
7 2. Page 1, by striking lines 28 and 29, and
8 inserting the following:
9 "___ . The department shall use up to \$500,000 of
10 the funds appropriated in this section to provide
11 medical assistance or other".

REYNOLDS of Van Buren
KREIMAN of Davis
DAVIS of Wapello

H-8845

- 1 Amend the amendment, H-8810, to House File 2502, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 3 through 33 and
5 inserting the following:
6 "___ . Page 1, by striking lines 1 through 26.
7 ___ . Title page, by striking lines 1 through 3
8 and inserting the following: "An Act requesting an
9 interim study on all aspects of the funding of local
10 law enforcement services.""

REYNOLDS of Van Buren

H-8846

- 1 Amend Senate File 2433, as passed by the Senate, as

2 follows:

3 1. Page 4, line 16, by striking the figure

4 "3,563,943" and inserting the following: "4,163,943".

5 2. Page 4, by inserting after line 17 the

6 following:

7 "Sec. __. FUNDING FOR IOWACCESS. Notwithstanding

8 section 321A.3, subsection 1, for the fiscal year

9 beginning July 1, 2000, and ending June 30, 2001, the

10 first \$1,000,000 collected and transferred by the

11 department to the treasurer of state with respect to

12 the fees for transactions involving the furnishing of

13 a certified abstract of a vehicle operating record

14 under section 321A.3, subsection 1, shall be

15 transferred to the IowAccess revolving fund created in

16 section 18.187 and administered by the division of

17 information technology services of the department of

18 general services for the purposes of developing,

19 implementing, maintaining, and expanding electronic

20 access to government records in accordance with the

21 requirements set forth in chapter 18, division VII."

22 3. Page 5, by striking lines 13 through 15.

23 4. By striking page 8, line 29, through page 9,

24 line 12.

25 5. By renumbering as necessary.

FALCK of Fayette

H-8847

1 Amend Senate File 2433, as passed by the Senate, as
2 follows:

3 1. Page 1, line 26, by striking the figure

4 "2,981,920" and inserting the following: "3,435,000".

5 2. Page 3, line 21, by striking the figure

6 "2,170,595" and inserting the following: "2,337,430".

7 3. Page 3, line 23, by striking the figure

8 "478,403" and inserting the following: "479,238".

9 4. Page 3, line 33, by striking the figure

10 "1,692,192" and inserting the following: "1,858,192".

11 5. Page 4, line 16, by striking the figure

12 "3,563,943" and inserting the following: "4,819,446".

FALCK of Fayette

H-8848

1 Amend Senate File 2433, as passed by the Senate, as
2 follows:

3 1. Page 16, by inserting after line 9 the

4 following:

5 "Sec. 100. There is appropriated from the general

6 fund of the state for the fiscal year beginning July

7 .1, 1999, and ending June 30, 2000, the sum of
 8 \$10,000,000 to the pooled technology account for the
 9 purpose of supporting various technology programs.
 10 Notwithstanding section 8.33, moneys appropriated to
 11 the pooled technology account in this section which
 12 remain unobligated or unencumbered at the close of the
 13 fiscal year shall not revert but shall remain
 14 available for the fiscal year beginning July 1, 2000,
 15 and ending June 30, 2001."
 16 2. Page 16, line 29, by inserting after the
 17 figure "16," the following: "100,".

FALCK of Fayette

H-8851

1 Amend the amendment, H-8824, to Senate File 2338,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. By striking page 1, line 5, through page 3,
 5 line 49, and inserting the following:
 6 "Section 1. **NEW SECTION. 256.24 SCHOOL**
 7 **INVESTMENT PARTNERSHIPS – PILOT PROGRAM.**
 8 A school investment partnership pilot program is
 9 established to evaluate the effectiveness of state
 10 participation in the funding and management of school
 11 infrastructure. The program is intended to indicate
 12 the possibility of shifting the responsibility for the
 13 operation and financing of school facility
 14 construction and maintenance to the state, thereby
 15 facilitating the focus of public school system
 16 resources on enhancing the educational experience of
 17 the schoolchildren of Iowa. The pilot program shall
 18 allow up to six pilot projects, to be conducted as
 19 follows:
 20 1. Each project shall pair the state with one or
 21 more school districts in a partnership involving the
 22 shared utilization of school facilities. The state
 23 shall finance the construction of school facilities,
 24 based on school district specifications, and commit to
 25 the completion of a fully operational school facility
 26 by a mutually agreed-upon date. A project may involve
 27 a collaborative association of more than one public
 28 school in a school district, or more than one school
 29 district collaborating for the construction of a
 30 regional facility.
 31 2. All projects shall, where applicable, conform
 32 to the provisions of chapter 73A as if the school
 33 facility constructed were a public improvement and as
 34 if the state financing the school facility
 35 construction were a school corporation.
 36 3. The state shall lease the facility back to the

37 school district at monthly payment levels agreed upon
38 between the school district and the state, not to
39 exceed an amount which would have been incurred if the
40 school district had built and financed the facility
41 independently, without the involvement of the state,
42 pursuant to a lease or lease-purchase agreement
43 negotiated at the same time that the agreement
44 regarding construction of the school facility is
45 entered into. The lease or lease-purchase agreement
46 shall extend for a twenty-year duration, with the
47 option to continue the lease at the end of the lease
48 period, and also to permit the purchase of the school
49 facility by the school district at the conclusion of
50 the lease period at an agreed-upon price. An agreed-

Page 2

1 upon purchase price shall contain a mechanism for
2 crediting a portion of the lease payments remitted by
3 the school district toward the purchase price, as
4 determined by the school district and the state. A
5 school district shall be authorized to issue bonds
6 pursuant to section 296.1 or 298.21, and to utilize
7 the physical plant and equipment levy pursuant to
8 section 298.2, for the purpose of monthly payments
9 pursuant to the lease or lease-purchase agreement, or
10 in the event that the school district exercises its
11 option to purchase the school facility at the
12 conclusion of the lease period.

13 4. The school district shall retain control over
14 all decisions related to the education of students
15 within the school facility, including the
16 determination of when the facility shall and shall not
17 be utilized by the school district, the uses to which
18 the facility shall be put during periods when school
19 is in session, and access to the facility for after-
20 hours athletic practices, extracurricular activities,
21 staff, parent, and teacher meetings, and other school-
22 related events.

23 5. The lease or lease-purchase agreement shall
24 include provisions specifying which party shall
25 furnish and equip the school facility, and what
26 furnishings and equipment are to be provided. All
27 costs relating to maintenance of the school facility
28 shall be the responsibility of the state. Ongoing
29 furnishings and equipment replacement shall be
30 determined by the lease or lease-purchase agreement.

31 6. The state shall retain the right to contract
32 with third parties for use of the school facility
33 during periods when the facility is not being utilized
34 by the school district. The periods of nonutilization
35 by the school district shall be specified in the lease

36 or lease-purchase agreement, together with the
37 purposes for which the facility shall be used by
38 contracting third parties. If a proposed use is
39 determined by the school district to be inappropriate
40 for an educational facility used by schoolchildren,
41 the proposed use shall not be approved by the school
42 district for inclusion in the lease or lease-purchase
43 agreement. The school district and the state shall
44 annually review the third-party contracts for use of
45 the facility during periods of nonutilization by the
46 school district, and shall mutually determine whether
47 proposed contracts for the forthcoming year shall be
48 considered appropriate or inappropriate for approval.
49 The state shall agree to maintain the building in the
50 same condition during and after use by a third party

Page 3

1 as the facility is customarily maintained during
2 periods of utilization by the school district.
3 Possible third party contractors could include, but
4 are not limited to, educational enrichment
5 organizations, civic groups, day care facilities,
6 religious organizations, community colleges, and
7 governmental units.
8 7. School districts may submit an application for
9 the pilot program to the department of education until
10 September 1, 2001, as follows:
11 a. If six or fewer school districts submit an
12 application for participation by September 1, 2001,
13 all of the applicant school districts shall be
14 entitled to participate in the program.
15 b. If more than six school districts submit an
16 application by September 1, 2001, the department shall
17 select six school districts by lot for participation.
18 (1) In selecting by lot, to the extent
19 applications are received from school districts with
20 actual enrollments of varying amounts as provided in
21 this paragraph, two schools shall be drawn which are
22 located in a school district with an actual enrollment
23 of under one thousand two hundred pupils, two schools
24 shall be drawn which are located in a school district
25 with an actual enrollment of between one thousand two
26 hundred and four thousand nine hundred ninety-nine
27 pupils, and two schools shall be drawn which are
28 located in a school district with an actual enrollment
29 of five thousand or more pupils. School districts
30 shall be notified of their selection by lot by October
31 1, 2001.
32 (2) If, pursuant to subsection 1, one or more of
33 the applications involve a collaborative association
34 of more than one public school in a school district,

35 or more than one school district collaborating for the
36 construction of a regional facility, at least one such
37 application shall be selected, regardless of the
38 actual enrollment of the combined schools or school
39 districts.

40 8. The department shall prepare and submit a
41 report to the general assembly annually by January 1,
42 for a five-year period beginning January 1, 2002,
43 regarding the status of the program. The report shall
44 include detailed information regarding perceived
45 advantages and disadvantages of the program, input
46 from school district personnel, students, and parents
47 associated with schools constructed pursuant to the
48 program, and the state constructing and maintaining
49 the school facility." "

WEIGEL of Chickasaw

H-8861

1 Amend House File 2530 as follows:

2 1. Page 37, by inserting after line 4 the
3 following:

4 "(v) The market price as determined by the board
5 is less than the generation component of standard
6 offer service reflected in rates on October 1, 2006,
7 adjusted for the annual inflation factor as defined in
8 section 422.4."

9 2. Page 42, line 20, by inserting after the word
10 "supply," the following: "Beginning on October 1,
11 2006, notwithstanding the cost of acquiring
12 competitive power supply services, the utilities board
13 shall not approve an increase in the generation
14 component of each standard offer service rate by more
15 than the annual inflation factor as defined in section
16 422.4."

GREINER of Washington
ARNOLD of Lucas
REYNOLDS of Van Buren

VAN ENGELENHOVEN of Mahaska
HOUSER of Pottawattamie
MUNDIE of Webster

H-8863

1 Amend House File 2562 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. The legislative council is requested
5 to establish a legislative interim study committee to
6 study the issues involved in the sales and use taxes
7 on the sales or furnishing of information services and
8 the products of such services which are transmitted
9 digitally, electronically, utilizing cable, or by

10 radio waves, microwaves, satellites, or fiber optics.
 11 The study committee shall report its findings and
 12 recommendations to the general assembly and the
 13 department of revenue and finance by January 1, 2001."
 14 2. Title page, by striking lines 1 through 7 and
 15 inserting the following: "An Act requesting the
 16 establishment of a legislative interim study committee
 17 to study the issues involved in the sales and use
 18 taxes on information services and the products of such
 19 services which are transmitted by electromagnetic
 20 waves, digitally, or by cable or fiber optics."

WEIGEL of Chickasaw

H-8864

1 Amend House File 2560 as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 "state" the following: "which is used for residential
 4 purposes or is a barn".
 5 2. Page 1, line 11, by striking the word
 6 "includes" and inserting the following: "is property
 7 which is used for residential purposes or is a barn
 8 and which is any of".
 9 3. Page 1, by striking lines 24 through 26.
 10 4. Title page, line 2, by striking the words
 11 "commercial and".

WEIGEL of Chickasaw

H-8867

1 Amend House File 2535 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. There is appropriated from the general
 5 fund of the state to the department of education for
 6 the fiscal year beginning July 1, 2000, and ending
 7 June 30, 2001, the following amounts, or so much
 8 thereof as may be necessary, to be used for the
 9 purposes designated:
 10 1. For the enrich Iowa pilot program:
 11 \$ 1,500,000
 12 a. Funds allocated for purposes of the enrich Iowa
 13 pilot program as provided in this subsection shall be
 14 distributed by the division of libraries and
 15 information services to eligible public libraries that
 16 are in compliance with performance measures adopted by
 17 rule by the commission of libraries. The funds
 18 allocated as provided in this subsection shall not be
 19 used for the costs of administration by the division.
 20 The amount distributed to each eligible public library

21 shall be based upon the following:

22 (1) The level of compliance by the eligible public
23 library with the performance measures adopted by the
24 commission as provided in this paragraph.

25 (2) The number of people residing within an
26 eligible library's geographic service area for whom
27 the library provides services.

28 (3) The amount of other funding the eligible
29 public library received in the previous fiscal year
30 for providing services to rural residents and to
31 contracting communities.

32 b. Moneys received by a public library under this
33 subsection shall supplement, not supplant, any other
34 funding received by the library.

35 c. For purposes of this subsection, "eligible
36 public library" means a public library that meets all
37 of the following requirements:

38 (1) Submits to the division all of the following:

39 (a) The report provided for under section 256.51,
40 subsection 1, paragraph "h".

41 (b) An application and accreditation report, in a
42 format approved by the commission, that provides
43 evidence of the library's compliance with at least one
44 level of the standards established in accordance with
45 section 256.51, subsection 1, paragraph "k".

46 (c) Any other application or report the division
47 deems necessary for the implementation of the enrich
48 Iowa pilot program.

49 (2) Participates in the library resource and
50 information sharing programs established by the state

Page 2

1 library.

2 (3) Is a public library established by city
3 ordinance or a county library as provided in chapter
4 336.

5 d. Each eligible public library shall maintain a
6 separate listing within its budget for payments
7 received and expenditures made pursuant to this
8 subsection, and shall annually submit this listing to
9 the division.

10 e. By January 15, 2001, the division shall submit
11 a program evaluation report to the general assembly
12 and the governor detailing the uses and the impacts of
13 funds allocated under this subsection. It is the
14 intent of the general assembly to address the
15 continuation of the enrich Iowa pilot program during
16 the 2001 legislative session.

17 f. A public library that receives funds in
18 accordance with this subsection shall have an internet
19 filtering program or internet filtering service in use

20 unless the library has only one computer designated
 21 for public use and the library staff regularly
 22 monitors the use of that computer. However, a public
 23 library that monitors the use of a computer shall
 24 submit an annual report describing the library's
 25 monitoring efforts to the division.
 26 2. For state aid for regional libraries:
 27 \$ 1,687,000"
 28 2. Title page, by striking lines 1 through 3 and
 29 inserting the following: "An Act appropriating moneys
 30 to the department of education for the enrich Iowa
 31 pilot program and for regional libraries."

WEIGEL of Chickasaw

H-8868

1 Amend Senate File 2332 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 14, the
 4 following:
 5 "g. Promotion of public education concerning the
 6 potential harm to children resulting from denial of
 7 visitation with either parent."
 8 2. Page 2, line 14, by inserting after the word
 9 "visitation" the following: ", including but not
 10 limited to implementation of mutual drop-off sites and
 11 mediation for visitation and custody disputes".
 12 3. Page 2, line 26, by inserting after the word
 13 "families." the following: "The membership shall
 14 include two members who represent custodial parents'
 15 rights entities and two members who represent
 16 noncustodial parents' rights entities."
 17 4. Page 3, line 14, by inserting after the word
 18 "improvement." the following: "Such evaluation shall
 19 include a review of state policies and court practices
 20 that discourage or disenfranchise either parent from
 21 participating in their children's lives."
 22 5. Page 3, by inserting after line 24, the
 23 following:
 24 " _____. Review court practices that discourage or
 25 disenfranchise either parent from participating in
 26 their children's lives and submit a report to the
 27 supreme court recommending improvements."
 28 6. By renumbering as necessary.

BODDICKER of Cedar

H-8869

1 Amend the amendment, H-8824, to Senate File 2338,
 2 as amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 1, by striking lines 40 and 41 and
5 inserting the following: "have been incurred if the
6 school district had built, financed, and maintained
7 the facility independently, without the".

BRUNKHORST of Bremer

H-8872

1 Amend Senate File 2428, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 17, line 2, by inserting after the word
4 "workforce" the following: ", including but not
5 limited to the persons with physical or mental
6 disabilities, persons convicted of a crime,
7 minorities, persons surviving congenital heart
8 surgery, and persons between the ages of 12 and 25."
9 2. Page 17, line 10, by inserting after the word
10 "training," the following: "career interest inventory
11 assessments, employability skills assessment,".
12 3. Page 17, line 16, by inserting after the word
13 "criteria" the following: ", eligible populations,
14 services, and other services to implement the intent
15 of this section".

BOGCESS of Page
HOLVECK of Polk

H-8875

1 Amend House File 2562 as follows:
2 1. Page 1, line 8, by inserting after the word
3 "optics." the following: "This paragraph is repealed
4 June 30, 2002."
5 2. Page 1, line 31, by inserting after the word
6 "optics." the following: "This paragraph is repealed
7 June 30, 2002."

WEIGEL of Chickasaw

H-8877

1 Amend Senate File 2332 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 35, by inserting after the word
4 "financial" the following: ", social, cultural,".
5 2. Page 2, line 3, by inserting after the word
6 "financial," the following: "social, cultural,".
7 3. Page 2, line 12, by inserting after the words

8 "affected by" the following: "substance abuse,
9 domestic abuse,".

REYNOLDS of Van Buren

H-8880

1 Amend Senate File 2245, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 "Section 1. Section 80.39, Code 1999, is amended
6 to read as follows:

7 80.39 DISPOSITION OF PERSONAL PROPERTY.

8 1. Personal property, except for motor vehicles
9 subject to sale pursuant to section 321.89, and
10 seizable property subject to disposition pursuant to
11 chapter 809 or 809A, which personal property is found
12 or seized by, turned in to, or otherwise lawfully
13 comes into the possession of the department of public
14 safety or a local law enforcement agency and which the
15 department or agency does not own, shall be disposed
16 of pursuant to this section. If by examining the
17 property the owner or lawful custodian of the property
18 is known or can be readily ascertained, the department
19 or agency shall notify the owner or custodian by
20 certified mail directed to the owner's or custodian's
21 last known address, as to the location of the
22 property. If the identity or address of the owner
23 cannot be determined, notice by one publication in a
24 newspaper of general circulation in the area where the
25 property was found is sufficient notice. A published
26 notice may contain multiple items.

27 2. The department or agency may return the
28 property to a person if that person or the person's
29 representative does all of the following:

30 a. Appears at the location where the property is
31 located.

32 b. Provides proper identification.

33 c. Demonstrates ownership or lawful possession of
34 the property to the satisfaction of the department or
35 agency.

36 3. After ninety days following the mailing or
37 publication of the notice required by this section, or
38 if the owner or lawful custodian of the property is
39 unknown or cannot be readily determined, or the
40 department or agency has not turned the property over
41 to the owner, the lawful custodian, or the owner's or
42 custodian's representative, the department or agency
43 may dispose of the property in any lawful way,
44 including but not limited to the following:

45 a. Selling the property at public auction with the

46 proceeds, less department or agency expenses, going to
 47 the general fund of the state if sold by the
 48 department, the general fund of the county if sold by
 49 a county agency, and the general fund of a city if
 50 sold by a city agency, however, the department or

Page 2

1 agency shall be reimbursed from the proceeds for the
 2 reasonable expenses incurred in selling the property
 3 at the auction.

4 b. Retaining the property for the department's or
 5 agency's own use.

6 c. Giving the property to another agency of
 7 government.

8 d. Giving the property to an appropriate
 9 charitable organization.

10 e. Destroying the property.

11 4. Except when a person appears in person or
 12 through a representative within the time periods set
 13 by this section, and satisfies the department or
 14 agency that the person is the owner or lawful
 15 custodian of the property, disposition of the property
 16 shall be at the discretion of the department or
 17 agency. The department or agency shall maintain the
 18 receipt and disposition records for all property
 19 processed under this section. Good faith compliance
 20 with this section is a defense to any claim or action
 21 at law or in equity regarding the disposition of the
 22 property."

23 2. Page 3, by inserting after line 32 the
 24 following:

25 "Sec. ____ Section 331.652, Code 1999, is amended
 26 by adding the following new subsection:
 27 NEW SUBSECTION. 8. The sheriff may dispose of
 28 personal property under section 80.39."

29 3. Page 4, by inserting after line 9 the
 30 following:

31 "Sec. ____ Section 364.22, Code 1999, is amended
 32 by adding the following new subsection:
 33 NEW SUBSECTION. 14. A police department may
 34 dispose of personal property under section 80.39."

35 4. Title page, line 1, by inserting after the
 36 words "relating to" the following: "disposition of
 37 personal property by a law enforcement agency, and
 38 to".

H-8882

- 1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 14, by inserting before line 17, the
4 following:
5 "Sec. __. ORGANIC NUTRIENT MANAGEMENT FUND -
6 AGRICHEMICAL REMEDIATION. Notwithstanding section
7 161C.5, there is appropriated from the unencumbered
8 and unobligated balance of the organic nutrient
9 management fund as of July 1, 2000, to the department
10 of agriculture and land stewardship for deposit by the
11 department into the agrichemical remediation fund
12 established in chapter 161, if enacted in 2000 Iowa
13 Acts, Senate File 466."
14 2. By renumbering as necessary.

GREINER of Washington

H-8889

- 1 Amend Senate File 2430, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, line 17, by striking the figure
4 "193.11" and inserting the following: "195.11".
5 2. Page 4, by inserting after line 30, the
6 following:
7 "() Of the number of full-time equivalent
8 positions authorized pursuant to this paragraph "a",
9 2.00 FTEs shall be used to support the conservation
10 reserve enhancement program."
11 3. Page 6, line 19, by striking the figure
12 "2,040,458" and inserting the following: "2,156,396".
13 4. Page 6, line 34, by striking the figure
14 "6,255,011" and inserting the following: "6,316,603".
15 5. Page 7, line 8, by striking the figure
16 "1,741,950" and inserting the following: "1,764,696".
17 6. Page 7, line 14, by striking the figure
18 "1,936,456" and inserting the following: "1,963,515".
19 7. Page 7, line 27, by striking the figure
20 "3,897,600" and inserting the following: "5,053,110".
21 8. Page 9, by striking lines 12 through 16.
22 9. Page 9, line 20, by striking the figure
23 "344.18" and inserting the following: "354.18".
24 10. Page 9, by inserting after line 20, the
25 following:
26 " __. Of the number of full-time equivalent
27 positions authorized in this subsection, not more than
28 2.00 FTEs shall be full-time, year-round employees
29 with fringe benefits. Not more than 5.00 FTEs shall
30 be filled by part-time employees who do not receive
31 fringe benefits. The full-time equivalent positions

32 shall be dedicated to carrying out conservation buffer
33 initiatives which shall include buffer strip sign-ups,
34 shelter belts, the restoration of wetlands, and the
35 development of private landowners natural resource
36 protection plans.

37 _____. Of the number of full-time equivalent
38 positions authorized in this subsection, at least 3.00
39 FTEs shall be dedicated to supporting prairie seed
40 harvest initiatives."

41 11. Page 9, line 35, by striking the figure
42 "24,129,883" and inserting the following:
43 "25,429,883".

44 12. Page 10, by inserting after line 4, the
45 following:

46 "_____. Of the amount appropriated in paragraph "a",
47 \$700,000 shall be used for conservation buffer
48 initiatives which shall include buffer strip sign-ups,
49 shelter belts, the restoration of wetlands, and the
50 development of private landowners natural resource

Page 2

1 protection plans.

2 _____. Of the amount appropriated in paragraph "a",
3 \$600,000 shall be used to support prairie seed harvest
4 initiatives."

5 13. By striking page 12, line 12 through page 14,
6 line 16.

7 14. By renumbering as necessary.

GREINER of Washington

H-8892

1 Amend House File 2558 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 422.7, subsection 31, Code
5 1999, is amended to read as follows:

6 31. For a person who is disabled, or is fifty-five
7 years of age or older, or is the surviving spouse of
8 an individual or a survivor having an insurable
9 interest in an individual who would have qualified for
10 the exemption under this subsection for the tax year,
11 subtract, to the extent included, the total amount of
12 a governmental or other pension or retirement pay,
13 including, but not limited to, defined benefit or
14 defined contribution plans, annuities, individual
15 retirement accounts, plans maintained or contributed
16 to by an employer, or maintained or contributed to by
17 a self-employed person as an employer, and deferred
18 compensation plans or any earnings attributable to the

19 deferred compensation plans, up to a maximum of five
 20 six thousand dollars for a person, other than a
 21 husband or wife, who files a separate state income tax
 22 return and up to a maximum of ~~ten~~ twelve thousand
 23 dollars for a husband and wife who file a joint state
 24 income tax return. However, a surviving spouse who is
 25 not disabled or fifty-five years of age or older can
 26 only exclude the amount of pension or retirement pay
 27 received as a result of the death of the other spouse.
 28 A husband and wife filing separate state income tax
 29 returns or separately on a combined state return are
 30 allowed a combined maximum exclusion under this
 31 subsection of up to ~~ten~~ twelve thousand dollars. The
 32 ~~ten~~ twelve thousand dollar exclusion shall be
 33 allocated to the husband or wife in the proportion
 34 that each spouse's respective pension and retirement
 35 pay received bears to total combined pension and
 36 retirement pay received.

37 Sec. 2. APPLICABILITY DATE. This Act applies
 38 retroactively to January 1, 2000, for the years
 39 beginning on or after that date."

40 2. Title page, by striking lines 1 and 2 and
 41 inserting the following: "An Act relating to the
 42 pension exclusion under the individual income tax".

SCHRADER of Marion

H-8894

1 Amend House File 2565 as follows:

2 1. Page 13, by inserting after line 18, the
 3 following:

4 "Sec. __. Section 453A.39, Code 1999, is amended
 5 by striking the section and inserting in lieu thereof
 6 the following:

7 453A.39 TOBACCO PRODUCTS, CIGARETTES -
 8 PROHIBITIONS.

9 In order to promote the tobacco use prevention and
 10 control partnership established in section 142A.1, the
 11 following persons shall comply with the following, as
 12 applicable:

13 1. A manufacturer, distributor, wholesaler,
 14 retailer, or distributing agent or agent thereof shall
 15 not give away cigarettes or tobacco products.

16 2. A manufacturer, distributor, wholesaler,
 17 retailer, or distributing agent or agent thereof shall
 18 not provide free articles, products, commodities,
 19 gifts, or concessions in any exchange for the purchase
 20 of cigarettes or tobacco products.

21 3. The prohibitions in this section do not apply
 22 to transactions between manufacturers, distributors,
 23 wholesalers, or retailers."

24 2. By renumbering as necessary.

RAECKER of Polk	GARMAN of Story
BOAL of Polk	CARROLL of Poweshiek
SHEY of Linn	THOMSON of Linn
HOFFMAN of Crawford	KETTERING of Sac
LORD of Dallas	METCALF of Polk
CHIODO of Polk	SHOULTZ of Black Hawk

H-8895

1 Amend Senate File 2430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 16, by inserting before line 31, the
 4 following:
 5 "Sec. __. STATE FIRE MARSHAL'S OFFICE. In
 6 addition to any allocation of full-time equivalent
 7 positions authorized by the Seventy-eighth General
 8 Assembly during the 2000 Session for the state fire
 9 marshal's office, for the fiscal year beginning July
 10 1, 2000, and ending June 30, 2001, 1.00 additional FTE
 11 position is authorized for the office for inspections
 12 of aboveground petroleum storage tanks."
 13 2. Page 17, by inserting after line 27 the
 14 following:
 15 "Sec. __. Section 101.22, subsection 4, Code
 16 1999, is amended to read as follows:
 17 4. The registration notice of the owner or
 18 operator to the state fire marshal under subsections 1
 19 through 3 shall be accompanied by a fee of ten dollars
 20 for each tank included in the notice. All moneys
 21 collected shall be ~~deposited in the general fund~~
 22 retained by the department of public safety and are
 23 appropriated for the use of the state fire marshal.
 24 The annual renewal fee applies to all owners or
 25 operators who filed a registration notice with the
 26 state fire marshal pursuant to subsections 1 through
 27 3.
 28 Sec. __. Section 101.24, subsection 1, unnumbered
 29 paragraph 1, Code 1999, is amended to read as follows:
 30 Inspect and investigate the facilities and records
 31 of owners and operators of aboveground petroleum
 32 storage tanks with a capacity of twelve thousand or
 33 more gallons, as necessary to determine compliance
 34 with this division and the rules adopted pursuant to
 35 this division. An inspection or investigation shall
 36 be conducted subject to subsection 4. For purposes of
 37 developing a rule, maintaining an accurate inventory,
 38 or enforcing this division, the department may:"
 39 3. Title page, line 1, by striking the word "for"
 40 and inserting the following: "involving state
 41 government, including provisions affecting".

42 4. By renumbering as necessary.

MYERS of Johnson

H-8897

1 Amend House File 2565 as follows:

2 1. Page 13, by inserting after line 18, the
3 following:

4 "Sec. ____ Section 453A.39, Code 1999, is amended
5 by striking the section and inserting in lieu thereof
6 the following:

7 453A.39 TOBACCO PRODUCTS, CIGARETTES -
8 PROHIBITIONS.

9 In order to promote the tobacco use prevention and
10 control partnership established in section 142A.1, the
11 following persons shall comply with the following, as
12 applicable:

13 1. A manufacturer, distributor, wholesaler,
14 retailer, or distributing agent or agent thereof shall
15 not give away cigarettes or tobacco products.

16 2. A manufacturer, distributor, wholesaler,
17 retailer, or distributing agent or agent thereof shall
18 not provide free articles, products, commodities,
19 gifts, or concessions in any exchange for the purchase
20 of cigarettes or tobacco products.

21 3. The prohibitions in this section do not apply
22 to transactions between manufacturers, distributors,
23 wholesalers, or retailers."

24 2. By renumbering as necessary.

CHIODO of Polk

H-8901

1 Amend House File 2572 as follows:

2 1. Page 3, by striking lines 9 through 20, and
3 inserting the following:

4 "Sec. ____ Section 100B.1, subsection 1,
5 unnumbered paragraphs 1 and 2, as enacted by 2000 Iowa
6 Acts, House File 2492, section 8, are amended to read
7 as follows:

8 The state fire service and emergency response
9 council is established in the division of fire
10 protection of the department of public safety. The
11 council shall consist of ten voting members. Members
12 of the state fire service and emergency response
13 council shall be ~~appointed by the governor. The~~
14 ~~governor shall appoint members from the following~~
15 ~~organizations, chosen from a list of names submitted~~
16 by appointed by the president or board of directors of
17 each of the following organizations:

- 18 a. Two members from the Iowa firemen's
19 association.
20 b. Two members from the Iowa fire chiefs'
21 association.
22 c. One member from the Iowa association of
23 professional fire fighters.
24 d. Two members from the Iowa association of
25 professional fire chiefs.
26 e. One member from the Iowa fire fighters group.
27 f. One member from the Iowa emergency medical
28 services association.
29 The tenth member of the council shall be a member
30 of the general public appointed by the governor. To
31 the extent possible, appointments shall comply with
32 sections 69.16 and 69.16A. Vacancies shall be filled
33 by the original appointing authority and in the manner
34 of the original appointment."
35 2. By renumbering as necessary.

HUSER of Polk

H-8906

- 1 Amend House File 2572 as follows:
2 1. Page 3, by striking lines 9 through 20, and
3 inserting the following:
4 "Sec. __. Section 100B.1, subsection 1,
5 unnumbered paragraphs 1 and 2, as enacted by 2000 Iowa
6 Acts, House File 2492, section 8, are amended to read
7 as follows:
8 The state fire service and emergency response
9 council is established in the division of fire
10 protection of the department of public safety. The
11 council shall consist of ten voting members. Members
12 of the state fire service and emergency response
13 council shall be appointed by the governor. ~~The~~
14 ~~governor shall appoint members from the following~~
15 ~~organizations, chosen from a list of names submitted~~
16 ~~by appointed by the president or board of directors of~~
17 each of the following organizations:
18 a. Two members from the Iowa firemen's
19 association.
20 b. Two members from the Iowa fire chiefs'
21 association.
22 c. One member from the Iowa association of
23 professional fire fighters.
24 d. Two members from the Iowa association of
25 professional fire chiefs.
26 e. One member from the Iowa fire fighters group.
27 f. One member from the Iowa emergency medical
28 services association.
29 The tenth member of the council shall be a member

30 of the general public appointed by the governor. To
 31 the extent possible, appointments shall comply with
 32 sections 69.16 and 69.16A. Membership composition of
 33 the council shall be reexamined periodically for
 34 purposes of compliance with section 69.16A. Vacancies
 35 shall be filled by the original appointing authority
 36 and in the manner of the original appointment."
 37 2. By renumbering as necessary.

HUSER of Polk

H-8908

1 Amend the amendment, H-8523, to House File 2530, as
 2 follows:
 3 1. Page 4, by inserting after line 22 the
 4 following:
 5 " ___. By striking page 92, line 8, through page
 6 94, line 30.
 7 ___. By striking page 97, line 9 through page
 8 100, line 9, and inserting the following:
 9 "The Iowa energy center and center for global and
 10 regional environmental research shall conduct
 11 environmental assessments. The Iowa energy center and
 12 center for global and regional environmental research
 13 shall each provide a written annual report to the
 14 board which describes each center's activities and the
 15 results that each center has accomplished. Each
 16 report shall include an explanation of initiatives and
 17 projects of importance to the state." "
 18 2. Page 8, line 2, by striking the word and
 19 figures "103, line 34" and inserting the following:
 20 "106, line 12".
 21 3. By striking page 10, line 25, through page 11,
 22 line 46.
 23 4. Page 14, by striking line 12 and inserting the
 24 following: "surcharge.
 25 5A. FUNDING - NONBYPASSABLE SURCHARGE.
 26 a. The programs established in this section shall
 27 be funded by all end-use consumers through a
 28 nonbypassable monthly surcharge on all distribution
 29 services within a delivery service provider's assigned
 30 service area, including service provided under rates
 31 or charges pursuant to section 476B.8. The monthly
 32 surcharge shall be collected by the person billing the
 33 end-use consumer for the service. The monthly
 34 surcharge shall commence with bills issued on October
 35 1, 2002. The monthly surcharge for each customer
 36 class shall be as follows:
 37 (1) One dollar and fifty cents for a residential
 38 electric account.
 39 (2) One dollar and fifty cents for a

40 nonresidential electric account with an annual usage
41 of less than twenty-five thousand kilowatt-hours in
42 the prior calendar year.
43 (3) Ten dollars for a nonresidential electric
44 account with an annual usage of twenty-five thousand
45 kilowatt-hours to one hundred thousand kilowatt-hours
46 in the prior calendar year.
47 (4) Thirty-six dollars for a nonresidential
48 electric account with an annual usage of more than one
49 hundred thousand kilowatt-hours to four hundred
50 thousand kilowatt-hours in the prior calendar year.

Page 2

1 (5) One hundred fifty dollars for a nonresidential
2 electric account with an annual usage of more than
3 four hundred thousand kilowatt-hours to one million
4 five hundred thousand kilowatt-hours in the prior
5 calendar year.
6 (6) Seven hundred fifty dollars for a
7 nonresidential electric account with an annual usage
8 of more than one million five hundred thousand
9 kilowatt-hours to six million kilowatt-hours in the
10 prior calendar year.
11 (7) Five thousand five hundred dollars for a
12 nonresidential electric account with an annual usage
13 of more than six million kilowatt-hours in the prior
14 calendar year.
15 b. For the purpose of determining the monthly
16 surcharge under paragraph "a", the term "accounts" may
17 be interpreted by the board in appropriate
18 circumstances to mean end-use consumers. After the
19 first twelve-month period that moneys are collected
20 pursuant to this subsection, the monthly surcharge
21 amounts shall be adjusted by the board as necessary to
22 yield no less than seventy-nine million dollars
23 annually and no more than eighty million dollars
24 annually. For a nonresidential consumer with no prior
25 calendar-year usage, the delivery service provider may
26 use a reasonable estimate of the consumer's usage.
27 The board, by rule, shall provide a schedule for
28 remittances. The initial rules shall be proposed by
29 December 1, 2001.
30 c. All moneys collected pursuant to this
31 subsection shall be remitted to the treasurer of the
32 state and deposited as follows:
33 (1) Twenty-three million five hundred thousand
34 dollars in a separate account to be used for the low-
35 income affordability program and a low-income energy
36 efficiency program as provided under subsection 1.
37 The treasurer shall make disbursements from this
38 account as appropriate. Notwithstanding section 8.33,

39 the unencumbered or unobligated moneys remaining at
40 the end of any fiscal year from the allocation made in
41 this subparagraph shall not revert but shall be
42 available for expenditure during subsequent fiscal
43 years until expended for the purposes for which
44 originally appropriated. Interest or earnings on
45 investments or time deposits of the moneys in the
46 account shall be retained for the purposes designated
47 under subsection 1.

48 After the third year of the program, the board
49 shall annually adjust the levels of surcharges on
50 electric accounts under paragraph "a" based on the

Page 3

1 total program budget developed by the division. When
2 determining the per account charge, the board shall
3 not substantially deviate from the cost allocation
4 among consumer groups reflected in the initial funding
5 charges. Any increase in monthly surcharges as
6 provided in this subparagraph shall not go into effect
7 without prior approval by joint resolution as adopted
8 by the general assembly.

9 For purposes of this paragraph, "division" means
10 the division of community action agencies within the
11 department of human rights or its successor.

12 (2) Two million dollars in a separate account to
13 be used for environmental assessment as provided under
14 subsection 3. Eighty-five percent of the amounts
15 allocated to this account are appropriated to the Iowa
16 energy center created in section 266.39C. Fifteen
17 percent of the amounts allocated to this account are
18 appropriated to the center for global and regional
19 environmental research established by the state board
20 of regents. Notwithstanding section 8.33, the
21 unencumbered or unobligated moneys remaining in the
22 account at the end of any fiscal year shall not revert
23 and shall be retained by the centers for the purposes
24 designated. Notwithstanding section 12C.7, subsection
25 2, interest or earnings on investments or time
26 deposits of the moneys in the account shall be
27 retained and used for the purposes designated under
28 subsection 3.

29 The Iowa energy center and the center for global
30 and regional environmental research shall each provide
31 a report to the legislative fiscal committee on a
32 monthly basis regarding any expenditures of funds
33 associated with each center's activities under this
34 subparagraph. A monthly report shall cover a calendar
35 month and is due the tenth day of the following month.

36 (3) Fifty-three million five hundred thousand
37 dollars in the environmental fund created in

38 subsection 4. The treasurer of state shall make
 39 disbursements from this fund as requested by the
 40 department of natural resources. The unencumbered or
 41 unobligated moneys remaining in the fund at the end of
 42 any fiscal year shall not revert but shall be
 43 available for expenditure during subsequent fiscal
 44 years. Notwithstanding section 12C.7, subsection 2,
 45 interest or earnings on investments or time deposits
 46 of the moneys deposited in the environmental fund
 47 shall be credited to the fund.
 48 d. Amounts collected pursuant to this subsection
 49 and remitted to the treasurer of state are
 50 appropriated for the purposes provided in this

Page 4

1 subsection and shall not be subject to appropriation
 2 for any other purpose by the general assembly, but
 3 shall be used only for the purposes set forth in this
 4 section." "
 5 5. By renumbering as necessary.

HOLMES of Scott

H-8913

1 Amend Senate File 2245, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 22 the
 4 following:
 5 "Sec. __. Section 321.236, subsection 1,
 6 paragraph a, Code 1999, is amended to read as follows:
 7 a. May be charged and collected upon a simple
 8 notice of a fine payable to the city clerk or clerk of
 9 the district court, if authorized by ordinance. The
 10 fine shall not exceed five ten dollars except for snow
 11 route parking violations in which case the fine shall
 12 not exceed twenty-five dollars. The fine may be
 13 increased up to ten twenty dollars if the parking
 14 violation is not paid within thirty days of the date
 15 upon which the violation occurred, if authorized by
 16 ordinance. Violations of section 321L.4, subsection
 17 2, may be charged and collected upon a simple notice
 18 of a one hundred dollar fine payable to the city clerk
 19 or clerk of the district court, if authorized by
 20 ordinance. No costs or other charges shall be
 21 assessed. All fines collected by a city pursuant to
 22 this paragraph shall be retained by the city and all
 23 fines collected by a county pursuant to this paragraph
 24 shall be retained by the county."
 25 2. Page 4, by inserting after line 23 the
 26 following:

27 "Sec. ____ Section 805.8, subsection 2, paragraph
 28 a, Code Supplement 1999, is amended to read as
 29 follows:
 30 a. For parking violations under sections 321.236,
 31 321.239, 321.358, 321.360, and 321.361, the scheduled
 32 fine is ~~five~~ shall not exceed ten dollars. The
 33 scheduled fine for a parking violation of section
 34 321.236 increases in an amount up to ~~ten~~ twenty
 35 dollars, as authorized by ordinance pursuant to
 36 section 321.236, subsection 1, paragraph "a", if the
 37 parking violation is not paid within thirty days of
 38 the date upon which the violation occurred. For
 39 purposes of calculating the unsecured appearance bond
 40 required under section 805.6, the scheduled fine shall
 41 be ~~five~~ ten dollars. However, violations charged by a
 42 city or county upon simple notice of a fine instead of
 43 a uniform citation and complaint as permitted by
 44 section 321.236, subsection 1, paragraph "a", are not
 45 scheduled violations, and this section shall not apply
 46 to any offense charged in that manner. For a parking
 47 violation under section 321.362 or 461A.38 the
 48 scheduled fine is ten dollars. For a parking
 49 violation under section 321L.4, subsection 2, the
 50 scheduled fine is one hundred dollars."

Page 2

1 3. By renumbering as necessary.

HUSER of Polk

H-8914

1 Amend House File 2570 as follows:
 2 1. Page 1, line 7, by inserting after the word
 3 "taxation." the following: "If as part of the
 4 improvements to the farm structure the interior is
 5 converted to a use other than for purposes of a barn
 6 but which maintains, emphasizes, or does not detract
 7 from the barn interior, any increase in valuation due
 8 to such converted use is also exempt. However, the
 9 exemption for such converted use shall not apply if
 10 the barn is used for single or multifamily housing."

FALLON of Polk

H-8915

1 Amend Senate File 2433, as passed by the Senate, as
 2 follows:
 3 1. Page 16, by inserting after line 28 the
 4 following:

5 "Sec. ____ DEPARTMENT OF MANAGEMENT
6 RECOMMENDATIONS. The department of management shall
7 develop written recommendations to be delivered to the
8 general assembly by no later than the start of the
9 2001 regular legislative session with respect to both
10 of the following:
11 1. Resolution of the overbilling of the federal
12 government for certain services provided by the state
13 to the federal government, and as a result of which
14 the federal government is seeking reimbursement.
15 2. The manner in which the state's three data
16 warehouses should be managed."
17 2. By renumbering as necessary.

FALCK of Fayette

H-8916

1 Amend House File 2572 as follows:
2 1. Page 4, by inserting after line 2 the
3 following:
4 "Sec. ____ Section 257.31, subsection 5, paragraph
5 j, Code 1999, is amended to read as follows:
6 j. Unusual need to continue providing a program or
7 other special assistance to non-English speaking
8 pupils after the expiration of the ~~three-year~~ four-
9 year period specified in section 280.4.
10 Sec. ____ Section 280.4, subsection 3, Code 1999,
11 is amended to read as follows:
12 3. In order to provide funds for the excess costs
13 of instruction of limited English proficient students
14 above the costs of instruction of pupils in a regular
15 curriculum, students identified as limited English
16 proficient shall be assigned an additional weighting
17 that shall be included in the weighted enrollment of
18 the school district of residence for a period not
19 exceeding ~~three~~ four years. However, the school
20 budget review committee may grant supplemental aid or
21 modified allowable growth to a school district to
22 continue funding a program for students after the
23 expiration of the ~~three-year~~ four-year period. The
24 school budget review committee shall calculate the
25 additional amount for the weighting to the nearest
26 one-hundredth of one percent so that to the extent
27 possible the moneys generated by the weighting will be
28 equivalent to the moneys generated by the two-tenths
29 weighting provided prior to July 2, 1991."

MASCHER of Johnson

H-8919

- 1 Amend the Senate amendment, H-8905, to House File
 2 2496, as passed by the House, as follows:
- 3 1. Page 1, by striking line 11 and inserting the
 4 following: "ninety-seven one-hundred-thousandths per
 5 pupil shall be".
- 6 2. Page 1, by striking line 21 and inserting the
 7 following: "sixty-one one-hundred-thousandths per
 8 pupil shall be".
- 9 3. Page 1, line 36, by striking the word "sixty-
 10 five" and inserting the following: "ninety".
- 11 4. Page 1, line 41, by striking the word "forty"
 12 and inserting the following: "seventy".
- 13 5. Page 1, by inserting after line 43 the
 14 following:
 15 "(3) For the budget year beginning July 1, 2002,
 16 the greater of the amount of supplementary weighting
 17 determined pursuant to paragraph "a", or fifty percent
 18 of the amount received for the budget year beginning
 19 July 1, 1999."
- 20 6. Page 1, by striking line 44 and inserting the
 21 following:
 22 "(4) For the budget year beginning July 1, 2003."
- 23 7. Page 2, line 18, by striking the figure "(3)"
 24 and inserting the following: "(4)".

WISE of Lee

H-8920

- 1 Amend House File 2530 as follows:
- 2 1. Page 47, line 34, by inserting after the word
 3 "provisions." the following: "The board shall adopt
 4 appropriate benchmarks regarding outage duration and
 5 delivery service restoration. In adopting benchmarks,
 6 the board shall give due consideration to historical
 7 data and shall also address outages of extended
 8 duration."
- 9 2. Page 48, line 12, by inserting after the word
 10 "and" the following: "continual".
- 11 3. Page 79, by inserting after line 25 the
 12 following:
 13 "(5) Until January 1, 2006, any reduction of ten
 14 percent or more in employment levels of delivery
 15 service employees engaged in installing, operating, or
 16 maintaining delivery services and facilities that
 17 occurs within any twelve-month period, whether by
 18 means of layoff, termination, retirement, severance,
 19 or attrition."
- 20 4. Page 118, line 27, by inserting after the word
 21 "detrimental" the following: "or retaliatory".

22 5. Page 118, line 29, by inserting after the word
23 "board." the following: "In addition to the remedies
24 and penalties in section 476B.20, the board may order
25 a delivery service provider that is an electric
26 company to reinstate an employee affected by a
27 violation of this subsection."

28 6. Page 125, line 16, by inserting after the word
29 "PROVIDERS." the following: "a."

30 7. Page 125, by inserting after line 31 the
31 following:

32 "b. For the purpose of recovering start-up costs
33 under this subsection, the following shall be presumed
34 to be reasonable costs incurred pursuant to section
35 476B.24:

36 (1) Lump sum tuition reimbursement at any college,
37 vocational or technical school, or other similar
38 program in this state attended by the employee within
39 two years of the employee's severance, equivalent to
40 one year's tuition or three thousand dollars,
41 whichever is greater.

42 (2) Lump sum reimbursements of health or medical
43 insurance coverage at existing coverage and
44 contribution levels for the employee and eligible
45 family members for a period of twenty-four months
46 following the employee's severance or until the
47 employee obtains health care coverage under another
48 employee health care coverage plan, whichever period
49 is shorter.

50 (3) The lump sum value of any early retirement

Page 2

1 program offered to those employees affected by loss of
2 employment that includes supplemental payments of at
3 least seven hundred twenty dollars per month and
4 continued health care coverage at applicable rates in
5 effect for active employees until age sixty-two.

6 (4) Lump sum severance payments based on years of
7 service and rates of pay in effect on the date of
8 separation for at least ten percent of the employee's
9 base pay for employees with one through five years of
10 service; fifty percent of base pay for employees with
11 six through ten years of service; and seventy-five
12 percent of base pay for employees with eleven or more
13 years of service, but in no event less than two weeks
14 of weekly base pay for each year of full-time
15 employment."

16 8. Page 125, line 32, by inserting before the
17 words "An electric" the following: "c."

18 9. Page 156, by striking lines 34 and 35 and
19 inserting the following: "2006, that affiliate shall
20 continue to employ the utility's nonsupervisory

21 employees who were employed by the utility at such
22 division, business unit, generating station, or
23 generating unit at the time of the transfer under the
24 same terms and conditions of employment as those
25 employees enjoyed at the time of the transfer. If the
26 ownership of the affiliate is".
27 10. Page 157, line 3, by striking the words
28 "continue to".
29 11. By renumbering as necessary.

WISE of Lee
JENKINS of Black Hawk

H-8921

1 Amend the amendment, H-8523, to House File 2530, as
2 follows:
3 1. Page 1, line 15, by inserting after the word
4 "percent." the following: "In any given year, these
5 requirements shall be reduced by the percentage of
6 total kilowatt-hours of retail sales in this state
7 represented by renewable energy, the costs of which
8 have been recovered through charges provided for under
9 section 476B.15, subsection 3."
10 2. Page 2, line 2, by inserting after the word
11 "displacement." the following: "To the extent not
12 inconsistent with a renewable energy credit system
13 established by federal law or rule, credits shall only
14 be issued for renewable energy facilities constructed
15 after January 1, 2000."
16 3. Page 4, lines 13 and 14, by striking the words
17 "renewable energy and emissions reduction" and
18 inserting the following: "environmental".
19 4. Page 4, by inserting after line 22 the
20 following:
21 " _____. Page 93, by striking lines 7 through 10 and
22 inserting the following:
23 "(g) Amounts as determined by the board after
24 January 15, 2001, for nonresidential electric account
25 with an annual usage of more than six million
26 kilowatt-hours. The board, after affording all
27 interested persons a reasonable opportunity to comment
28 and provide information concerning the amounts of the
29 surcharges to be charged under this subparagraph
30 subdivision, shall determine the amounts of the
31 monthly surcharges. The monthly surcharges shall be
32 designed to produce, in a manner that is fair and
33 equitable to the affected end-use consumers, a total
34 of seven million two hundred five thousand two hundred
35 sixty-nine dollars annually from such accounts."
36 _____. Page 93, line 22, by striking the figure
37 "(4)" and inserting the following: "(d)".

38 ____ Page 93, line 26, by striking the figure
39 "(5)" and inserting the following: "(e)".
40 ____ Page 93, line 30, by striking the figure
41 "(6)" and inserting the following: "(f)".
42 ____ Page 93, line 34, by striking the figure
43 "(7)" and inserting the following: "(g)".
44 ____ Page 94, line 1, by inserting after the word
45 "year." the following: "The monthly surcharge under
46 this subparagraph subdivision shall only apply to an
47 account that received electric service from the
48 consumer-owned utility prior to October 1, 2002."
49 ____ Page 94, by inserting after line 1 the
50 following:

Page 2

1 "(4) The board, after affording all interested
2 persons a reasonable opportunity to comment and
3 provide information concerning the amounts of the
4 surcharges to be assessed under this paragraph against
5 nonresidential electric accounts with annual usage of
6 more than six million kilowatt-hours, shall determine
7 the amounts of the monthly surcharges to be assessed
8 against new nonresidential electric accounts of end-
9 use consumers with annual usage of more than six
10 million kilowatt-hours that first receives electric
11 service on or after October 1, 2002. The monthly
12 surcharges shall be designed to produce an amount that
13 is fair and equitable to the affected end-use
14 consumers and are applicable to the assigned service
15 areas of electric companies and consumer-owned
16 utilities. A monthly surcharge collected from a new
17 end-use consumer shall not exceed the monthly
18 surcharge to be collected from a similar existing end-
19 use consumer that is located in the assigned service
20 area of a delivery service provider that is an
21 electric company and was receiving electric service
22 prior to October 1, 2002."
23 ____ Page 94, line 2, by striking the word "For"
24 and inserting the following: "(5) For".
25 ____ Page 94, line 11, by striking the word "All"
26 and inserting the following: "(6) All".
27 ____ Page 94, line 22, by striking the word
28 "After" and inserting the following: "(7) After".
29 ____ Page 98, by striking lines 6 through 9, and
30 inserting the following:
31 "(g) Amounts as determined by the board after
32 January 15, 2001, for nonresidential electric accounts
33 with an annual usage of more than six million
34 kilowatt-hours. The board, after affording all
35 interested persons a reasonable opportunity to comment
36 and provide information concerning the amounts of the

37 surcharges to be charged under this subparagraph
38 subdivision, shall determine the amounts of the
39 monthly surcharges. The monthly surcharges shall be
40 designed to produce, in a manner that is fair and
41 equitable to the affected consumers, a total of six
42 hundred thirteen thousand two hundred fourteen dollars
43 annually from such accounts."

44 ____ Page 98, line 34, by inserting after the
45 word "year." the following: "The monthly surcharge
46 under this subparagraph subdivision shall only apply
47 to an account that received electric service from the
48 consumer-owned utility prior to October 1, 2002."

49 ____ Page 98, by inserting after line 34 the
50 following:

Page 3

1 "(3A) The board, after affording all interested
2 persons a reasonable opportunity to comment and
3 provide information concerning the amounts of the
4 surcharges to be charged under this subsection against
5 nonresidential electric accounts with annual usage of
6 more than six million kilowatt-hours, shall determine
7 the monthly surcharges to be assessed against new
8 nonresidential electric accounts of end-use consumers
9 with annual usage of more than six million kilowatt-
10 hours that first receive electric service on or after
11 October 1, 2002. The monthly surcharges shall be
12 designed to produce an amount that is fair and
13 equitable to the affected end-use consumers and are
14 applicable to the assigned service areas of electric
15 companies and consumer-owned utilities. A monthly
16 surcharge collected from a new end-use consumer shall
17 not exceed the monthly surcharge to be collected from
18 a similar existing end-use consumer that is located in
19 the assigned service area of a delivery service
20 provider that is an electric company and was receiving
21 electric service prior to October 1, 2002."

22 5. Page 4, by striking lines 30 through 37.

23 6. Page 6, by striking lines 2 through 7 and
24 inserting the following: "degrees of firmness of
25 production and delivery. The oversight".

26 7. Page 9, lines 4 and 5, by striking the words
27 "renewable energy and emissions reduction" and
28 inserting the following: "environmental".

29 8. Page 9, lines 18 and 19, by striking the words
30 "renewable energy and emissions reduction" and
31 inserting the following: "environmental".

32 9. Page 10, lines 25 and 26, by striking the
33 words "renewable energy and emissions" and inserting
34 the following: "environmental".

35 10. Page 10, by inserting after line 26 the

36 following:
 37 " _____. Page 103, line 35, by striking the word
 38 "reduction".
 39 11. Page 11, by striking lines 6 through 11 and
 40 inserting the following:
 41 " _____. By striking page 104, line 35, through page
 42 105, line 3, and inserting the following:
 43 "(g) Amounts as determined by the board after
 44 January 15, 2001, for nonresidential electric accounts
 45 with an annual usage of more than six million
 46 kilowatt-hours. The board, after affording all
 47 interested persons a reasonable opportunity to comment
 48 and provide information concerning the amounts of the
 49 surcharges to be charged under this subparagraph
 50 subdivision, shall determine the amounts of the

Page 4

1 monthly surcharges. The monthly surcharges shall be
 2 designed to produce, in a manner that is fair and
 3 equitable to the affected consumers, a total of
 4 seventeen million one hundred seventy thousand two
 5 dollars annually from such accounts."
 6 12. Page 11, by inserting after line 29 the
 7 following:
 8 " _____. Page 105, line 29, by inserting after the
 9 word "year." the following: "The monthly surcharge
 10 under this subparagraph subdivision shall only apply
 11 to an account that received electric service from the
 12 consumer-owned utility prior to October 1, 2002."
 13 " _____. Page 105, by inserting after line 29 the
 14 following:
 15 "(3A) The board, after affording all interested
 16 persons a reasonable opportunity to comment and
 17 provide information concerning the amounts of the
 18 surcharges to be charged under this paragraph against
 19 nonresidential electric accounts with annual usage of
 20 more than six million kilowatt-hours, shall determine
 21 the amounts of the monthly surcharges to be assessed
 22 against new nonresidential electric accounts of end-
 23 use consumers with annual usage of more than six
 24 million kilowatt-hours that first receives electric
 25 service on or after October 1, 2002. The monthly
 26 surcharges shall be designed to produce an amount that
 27 is fair and equitable to the affected end-use
 28 consumers and are applicable to the assigned service
 29 areas of electric companies and consumer-owned
 30 utilities. A monthly surcharge collected from a new
 31 end-use consumer shall not exceed the monthly
 32 surcharge to be collected from a similar existing end-
 33 use consumer that is located in the assigned service
 34 area of a delivery service provider that is an

35 electric company and was receiving electric service
 36 prior to October 1, 2002." "

37 13. Page 11, lines 45 and 46, by striking the
 38 words "renewable energy and emissions reduction" and
 39 inserting the following: "environmental".

40 14. Page 13, line 8, by striking the words
 41 "renewable energy and emissions reduction" and
 42 inserting the following: "environmental".

43 15. Page 14, by inserting after line 12 the
 44 following:
 45 " _____. Page 176, by inserting after line 18 the
 46 following:
 47 "Sec. _____. CONSUMER-OWNED UTILITIES REPORT. On or
 48 before January 15, 2001, the Iowa association of
 49 electric cooperatives and the Iowa association of
 50 municipal utilities may submit a joint written report

Page 5

1 to the general assembly setting forth any conclusions
 2 of the associations concerning whether the
 3 nonbypassable monthly surcharges assessed against end-
 4 use consumers as provided in section 476B.13,
 5 subsection 1, paragraph "f", subparagraph (3),
 6 subparagraph subdivision (g); section 476B.13,
 7 subsection 3, paragraph "a", subparagraph (3),
 8 subparagraph subdivision (g); and section 476B.13,
 9 subsection 4, paragraph "j", subparagraph (3),
 10 subparagraph subdivision (g); should remain the same
 11 or be adjusted. If the associations recommend that
 12 such monthly surcharges be adjusted, such adjustments
 13 shall be designed to annually produce seven hundred
 14 twenty-eight thousand one hundred fifty-seven dollars
 15 under section 476B.13, subsection 1, paragraph "f",
 16 subparagraph (3), subparagraph subdivision (g); sixty-
 17 one thousand nine hundred seventy-one dollars under
 18 section 476B.13, subsection 3, paragraph "a",
 19 subparagraph (3), subparagraph subdivision (g); and
 20 eight hundred ninety-three thousand four hundred nine
 21 dollars under section 476B.13, subsection 4, paragraph
 22 "j", subparagraph (3), subparagraph subdivision (g)."

23 16. By renumbering as necessary.

JENKINS of Black Hawk

H-8923

1 Amend House File 2576 as follows:
 2 1. Page 2, by inserting after line 16 the
 3 following:
 4 "Sec. _____. EFFECTIVE DATE – RETROACTIVE
 5 APPLICABILITY. This Act, being deemed of immediate

- 6 importance, takes effect upon enactment and is
- 7 retroactively applicable to January 1, 2000, and is
- 8 applicable on and after that date."
- 9 2. Title page, line 3, by inserting after the
- 10 word "appropriation" the following: "and providing an
- 11 effective and retroactive applicability date".
- 12 3. By renumbering as necessary.

BAUDLER of Adair
 GARMAN of Story
 CORMACK of Webster

H-8924

- 1 Amend the amendment, H-8523, to House File 2530 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 " _____. Page 1, by inserting after line 22 the
- 6 following:
- 7 " _____. The use of securitization as provided in
- 8 this chapter will result in net savings that can be
- 9 shared with end-use consumers to reduce end-use
- 10 consumer charges." "
- 11 2. Page 4, by inserting after line 22 the
- 12 following:
- 13 " _____. Page 96, by inserting after line 28 the
- 14 following:
- 15 "1. INTERIM LOW-INCOME ASSISTANCE. Incumbent
- 16 providers that are electric companies shall
- 17 collectively advance to the division a total of seven
- 18 million dollars on October 1, 2000, and a total of
- 19 seven million dollars on October 1, 2001. The
- 20 percentage of the total contributed by each electric
- 21 company shall be determined by the board. The amounts
- 22 advanced shall be used by the division for low-income
- 23 affordability assistance and low-income energy
- 24 efficiency assistance prior to the commencement of the
- 25 funding under paragraph "f". The electric companies
- 26 shall be reimbursed on or before October 1, 2002,
- 27 without interest, for the funds each advanced.
- 28 Reimbursement shall be from the interim fund
- 29 established in subsection 4, paragraph "i"." "
- 30 3. Page 10, by inserting after line 24 the
- 31 following:
- 32 "(g) Fourteen million dollars to the board to
- 33 reimburse incumbent providers that are electric
- 34 companies on October 1, 2002, for funds advanced
- 35 pursuant to subsection 1, paragraph "l"."
- 36 4. Page 14, by inserting after line 12 the
- 37 following:
- 38 " _____. Page 129, by inserting after line 17 the

39 following:

40 "d. Securitization creates net savings that can be
41 shared with end-use consumers to reduce consumer
42 charges by one percent or more, and sharing such
43 savings shall be required as a condition of board
44 authorization of securitization."

45 ____ Page 130, by inserting after line 31 the
46 following:

47 "(____) An amount sufficient to reduce standard
48 offer service rates by one percent.""

49 5. By renumbering and relettering as necessary.

WISE of Lee
JENKINS of Black Hawk

H-8926

1 Amend the Senate amendment, H-8899, to House File
2 2378, as passed by the House, as follows:

3 1. Page 1, by striking lines 40 and 41 and
4 inserting the following:

5 " ____ Page 2, by striking lines 14 through 25 and
6 inserting the following:

7 "1. The school year shall begin on the first day
8 of July and each regularly established elementary and
9 secondary school shall begin no sooner than a day
10 during the calendar week in which the ~~first twenty-~~
11 ~~fifth day of September~~ August falls but no later than
12 the first Monday in December. However, if the ~~first~~
13 ~~twenty-fifth day of September~~ August falls on a
14 Sunday, school may begin on a day during the calendar
15 week which immediately precedes the ~~first twenty-fifth~~
16 ~~day of September~~ August. School shall continue for at
17 least one hundred eighty days, except as provided in
18 subsection 3, and may be maintained during the entire
19 calendar year. However, if the".

20 ____ By striking page 2, line 35 through page 3,
21 line 1."

22 2. By renumbering as necessary.

COHOON of Des Moines

H-8927

1 Amend House File 2576 as follows:

2 1. Page 2, by inserting after line 16 the
3 following:

4 "Sec. ____ REPEAL. This Act is repealed July 1,
5 2002."

6 2. By renumbering as necessary.

MARTIN of Scott

H-8928

1 Amend House File 2530 as follows:

- 2 1. Page 73, line 8, by inserting after the word
3 "business." the following: "To the extent that a
4 delivery service provider that is an electric company
5 provides, transfers, or otherwise conveys any assets,
6 whether tangible or intangible, including labor and
7 capital, or goods or services other than tariffed
8 goods or services, to or for the benefit of such
9 provider's unregulated affiliates, the board, for the
10 purpose of establishing rates or otherwise assuring
11 compliance with this chapter and the rules of the
12 board, shall value such transactions at the market
13 price. If the market price cannot be determined, such
14 transactions shall be valued using the fully
15 distributed cost of such assets, goods, or services.
16 However, such valuation shall not apply to the use of
17 an electric company's name and logo or to transactions
18 under subsection 12, paragraph "a", subparagraph (4),
19 except for those assets, goods, or services which are
20 transferred or provided in such transaction to an
21 unregulated affiliate company which competes with
22 nonaffiliated persons engaged in the businesses
23 identified in subsection 11, paragraphs "a" and "b",
24 or in the business of installing and maintaining
25 plumbing and refrigeration equipment or in the
26 business of installing or maintaining electrical or
27 mechanical equipment on the end-use consumer's side of
28 the main disconnect. The board may implement, by
29 rule, order, or other appropriate action, the intent
30 of this subsection to prevent the creation of unfair
31 competitive advantage, maintain competition, and
32 protect consumers. In addition, the board, after
33 notice and opportunity for comment, may waive the
34 requirements of this paragraph with respect to
35 transfer pricing and adopt rules containing
36 alternative pricing methods provided such alternative
37 pricing methods are in the public interest and are
38 consistent with the intent of this subsection."
- 39 2. Page 73, by striking lines 9 through 15 and
40 inserting the following:
41 "b. A delivery service provider that is an
42 electric company shall only provide regulated services
43 in a manner designed to avoid cross-subsidization of
44 unregulated services and in a manner that, as a result
45 of the provision of such services or as a result of
46 transactions with its unregulated affiliates, does not
47 confer an unfair competitive advantage upon such
48 affiliates which compete with nonaffiliated persons.
49 The board, upon complaint and for purposes of
50 achieving the objectives of paragraph "a" or this

Page 2

1 paragraph, or to prevent unfair competition, shall
 2 make such timely determinations as are necessary to
 3 ascertain if a violation of paragraph "a" or this
 4 paragraph, or a violation of the board's rules or an
 5 order, has occurred."

6 3. Page 77, by striking line 11 and inserting the
 7 following:

8 "11. TREATMENT FOR CERTAIN NONUTILITY AFFILIATE
 9 SERVICES. In addition to the requirements of
 10 subsection 10, a delivery service".

11 4. Page 77, line 15, by striking the word "and"
 12 and inserting the following: "or".

13 5. Page 77, line 35, by inserting after the word
 14 "office." the following: "This subsection, with
 15 respect to work other than that identified in this
 16 subsection, shall not be construed to prohibit the use
 17 of those employees of a delivery service provider that
 18 is an electric company who are covered by a collective
 19 bargaining agreement from performing, or being used in
 20 the performance of, work for its affiliates; provided
 21 that a delivery service provider that is an electric
 22 company complies with all other provisions in this
 23 chapter, including the prohibitions on cross-
 24 subsidization and any relevant rules or orders issued
 25 by the board, including transfer pricing rules,
 26 regarding the use of such vehicles, service tools and
 27 instruments, or employees."

28 6. Page 78, line 1, by inserting after the word
 29 "provider" the following: "that is an electric
 30 company".

31 7. Page 78, lines 2 and 3, by striking the words
 32 "and employees to market its systems, services, and
 33 equipment" and inserting the following: "or
 34 employees".

35 8. Page 151, line 15, by striking the words
 36 "sales practices" and inserting the following:
 37 "competitive or sales practices, including the
 38 existence of a cross-subsidy".

HOFFMAN of Crawford

H-8929

1 Amend the amendment, H-8523, to House File 2530, as
 2 follows:

3 1. Page 1, by inserting after line 1 the
 4 following:

5 " ____ Page 12, lines 5 and 6, by striking the
 6 words "refuse-derived fuel,".

- 7 ____ Page 12, line 10, by striking the words "one
 8 hundred" and inserting the following: "twenty-five".
- 9 2. Page 1, line 5, by striking the word
 10 "Commencing" and inserting the following: "(a)
 11 Commencing".
- 12 3. Page 1, by striking lines 15 and 16 and
 13 inserting the following: "increase to eight percent.
 14 (b) For purposes of calculating an amount under
 15 subparagraph subdivision (a), the following apply:
 16 (i) For purposes of the four percent requirement,
 17 no more than one-half of the renewable energy or
 18 renewable energy credits shall be attributable from
 19 existing facilities brought on line prior to January
 20 1, 2000.
 21 (ii) For purposes of the six percent requirement,
 22 no more than one-third of the renewable energy or
 23 renewable energy credits shall be attributable from
 24 existing facilities brought on line prior to January
 25 1, 2000.
 26 (iii) For purposes of the eight percent
 27 requirement, no more than one-quarter of the renewable
 28 energy or renewable energy credits shall be
 29 attributable from existing facilities brought on line
 30 prior to January 1, 2000."
- 31 4. Page 1, by striking lines 24 and 25 and
 32 inserting the following: "energy facility. The
 33 output of the facility must be readily capable of
 34 being physically metered and verified in this state by
 35 the board."
- 36 5. Page 1, by striking lines 42 through 44 and
 37 inserting the following: "credits."
- 38 6. Page 1, line 49, by striking the word
 39 "facility" and inserting the following: "facility."
- 40 7. By striking page 1, line 50, through page 2,
 41 line 2, and inserting the following: "The output of
 42 the facility must be readily capable of being
 43 physically metered and verified in this state by the
 44 board. Credits may be for more than one-".
- 45 8. Page 2, by striking lines 3 through 5 and
 46 inserting the following: "year duration."
- 47 9. Page 2, by striking lines 8 through 13 and
 48 inserting the following: "requirements of paragraph
 49 "a" that permits an end-use consumer with a qualifying
 50 small renewable energy facility to use net billing.

Page 2

- 1 "Net billing" means that the".
- 2 10. Page 2, lines 16 and 17, by striking the
 3 words "only for the difference in an applicable
 4 billing period" and inserting the following: "for the
 5 difference".

6 11. Page 2, line 21, by inserting after the word
7 "facility." the following: "If electricity generated
8 by the consumer-generator exceeds the electricity
9 supplied by the competitive electric service provider,
10 the consumer-generator shall not be billed for the
11 energy but only for usual consumer charges for the
12 applicable billing period and shall be credited for
13 the excess kilowatt-hours generated during the
14 applicable billing period, with the kilowatt-hour
15 credit appearing on the consumer-generated electricity
16 billing for the following applicable billing period.
17 On September 30 of each calendar year, any accumulated
18 unused kilowatt-hour credits shall be purchased at a
19 rate per kilowatt-hour to be determined by the board.
20 The rate per kilowatt-hour determined by the board
21 shall not be more than the rate at which the consumer-
22 generator would have been billed for a kilowatt-hour
23 supplied to the consumer-generator during the most
24 recent billing period."

25 12. Page 2, by striking lines 24 through 27 and
26 inserting the following: "located on the property of
27 the end-use consumer; serves the electricity energy
28 needs of the end-use customer; and is operated in
29 parallel with the".

30 13. Page 2, line 31, by inserting after the word
31 "availability" the following: "plus one hundred
32 percent of the kilowatt-hours purchased on September
33 30 of each year".

34 14. Page 2, by inserting after line 31 the
35 following:

36 "(2A) Credits may be certified by the board if
37 they are issued by another state government for
38 kilowatt-hours produced by a qualifying renewable
39 energy facility that would qualify for credits in this
40 state if produced in this state, if such energy is
41 able to be metered in this state, and if that energy
42 is verified by the board as not being used to serve or
43 otherwise claimed as applicable to renewable energy
44 sales requirements outside this state."

45 15. Page 3, by striking lines 17 through 28 and
46 inserting the following:

47 "d. SHORTFALLS. If the board finds that a service
48 provider fails to acquire sufficient renewable
49 generation, purchase renewable energy, or receive
50 renewable credits as required under this subsection,

Page 3

1 the service provider shall be assessed a penalty of
2 fifty dollars per megawatt hour that such provider has
3 failed to generate purchase or receive credits for, or
4 two hundred percent of the average costs of credits

5 traded during the year, as determined by the board.
6 Penalties collected shall be remitted to the
7 environmental fund."

8 16. Page 3, by striking lines 29 through 43 and
9 inserting the following:

10 "e. WAIVERS. (1) The board may waive all or part
11 of the renewable energy portfolio requirements if the
12 board determines that extraordinary circumstances are
13 present and compliance with such requirement would
14 prevent or severely curtail the service provider's
15 ability to participate in the market, or where a
16 consumer-owned utility can demonstrate that a statute
17 or a contract in effect as of January 1, 2000,
18 precludes compliance."

19 17. Page 5, line 8, by striking the words "and
20 otherwise ensure".

21 18. Page 5, lines 26 and 27, by striking the
22 words "prior to the effective date of this Act" and
23 inserting the following: "on or after January 1,
24 1990, but prior to January 1, 2000".

25 19. By striking page 5, line 33, through page 6,
26 line 24.

27 20. Page 7, line 47, by striking the words "At
28 least three" and inserting the following: "Three".

29 21. Page 10, line 27, by striking the word and
30 figure "and 8" and inserting the following: "through
31 11".

32 22. Page 10, by striking lines 30 through 35 and
33 inserting the following: "thousand dollars per year.
34 Surcharge amounts collected shall be used by the
35 department of natural resources for renewable energy
36 or energy efficiency programs as deemed appropriate by
37 the department, after consultation with the advisory
38 committee established in subsection 5, paragraph "b".
39 The monthly surcharge shall commence with bills issued
40 on October 1, 2002. The monthly surcharge for energy
41 efficiency programs shall cease to be collected with
42 bills issued after December 31, 2016. The monthly
43 surcharge for renewable energy programs shall cease to
44 be collected with bills issued after December 31,
45 2021."

46 23. Page 12, by striking lines 19 and 20 and
47 inserting the following:

48 "() One person representing the Iowa energy
49 center at Iowa state university of science and
50 technology, appointed by its president.

Page 4

1 () One person representing the center for global
2 and regional environmental research at the university
3 of Iowa, appointed by its president.

4 () One person representing the center for energy
5 and environmental education at the university of
6 northern Iowa, appointed by its president.

7 () One person representing the department of
8 natural resources."

9 ____ Page 108, by inserting after line 25 the
10 following:

11 "The department of natural resources shall convene
12 the initial meeting of the advisory committee. The
13 committee shall conduct additional meetings as it
14 deems necessary."

15 24. Page 14, by striking lines 9 through 12.

16 25. By renumbering, relettering, or redesignating
17 and correcting internal references as necessary.

WITT of Black Hawk

H-8934

1 Amend House File 2530 as follows:

2 1. Page 155, by striking lines 14 through 28 and
3 inserting the following: "impact of such workforce
4 reduction on its employees. An electric utility shall
5 develop a workforce reduction plan not less than one
6 hundred twenty days in advance of any planned
7 workforce reduction which results from restructuring
8 of the electric utility industry during the period
9 between the effective date of this chapter and January
10 1, 2007. A workforce reduction plan shall include
11 lump sum severance provisions, lump sum early
12 retirement provisions, lump sum reimbursements for
13 medical insurance, and lump sum tuition reimbursements
14 which are equivalent to the prevailing industry
15 standard for workforce reduction plans at the time the
16 electric company announces a workforce reduction. If
17 the employees of an electric company are represented
18 by a labor organization, the collective bargaining
19 agreement shall remain in effect and the provisions of
20 this chapter shall not decrease or limit any benefit
21 set forth in such agreement. The electric utility and
22 the representatives of the affected workforce may
23 negotiate any changes and if an agreement is not
24 reached within sixty days, shall proceed to binding
25 arbitration. An arbitrator's award shall not decrease
26 or limit any benefit set forth in an existing
27 collective bargaining agreement. If such employees
28 are not represented by a labor organization and will
29 involuntarily lose employment, the electric utility
30 shall develop a workforce reduction plan in accordance
31 with the provisions of this subsection and to the
32 satisfaction of its board of directors, if an electric
33 company, or its governing body, if a consumer-owned

34 utility. Workforce reductions shall not occur unless
35 the electric utility complies with the above stated
36 provisions. For purposes of this section,"

CHIODO of Polk

H-8935

1 Amend the amendment, H-8523, to House File 2530 as
2 follows:
3 1. Page 9, by striking lines 36 and 37 and
4 inserting the following: "shall be paid on any funds
5 advanced at a rate determined by the board based on
6 the actual cost of capital to such electric company."

CHIODO of Polk

H-8936

1 Amend the amendment, H-8545, to House File 2530, as
2 follows:
3 1. Page 1, line 10, by striking the words "and up
4 to fifty thousand dollars".

CHIODO of Polk

H-8937

1 Amend the amendment, H-8546, to House File 2530, as
2 follows:
3 1. Page 1, line 11, by inserting after the word
4 "employee" the following: " "or other person" ".

CHIODO of Polk

H-8940

1 Amend the amendment, H-8930, to House File 2555 as
2 follows:
3 1. Page 10, by striking lines 28 through 41, and
4 inserting the following:
5 "Sec. ____ EMERGENCY RULEMAKING. In adopting
6 emergency rules under this Act, the department shall
7 publish a notice of intended action no later than June
8 14, 2000. Notwithstanding section 17A.4, subsection
9 1, paragraph "b", any opportunity for oral
10 presentation concerning this notice shall be requested
11 by June 19, 2000, and is exempted from the specified
12 publication and timing requirements. Any such
13 opportunity may be held only in the locale from which
14 the request originated. Notwithstanding section
15 17A.4, subsection 1, paragraph "b", any written

16 comment must be received no later than June 23, 2000.
17 Notwithstanding section 17A.5, subsection 2, these
18 rules shall be adopted prior to the expiration of
19 thirty-five days following the publication of a notice
20 of intended action and shall be effective on July 1,
21 2000."

22 2. Page 10, line 49, by inserting after the
23 figure "2000." the following: "Section 11 of this
24 Act, being deemed of immediate importance, takes
25 effect upon enactment."

26 3. By renumbering as necessary.

CARROLL of Poweshiek

H-8942

1 Amend House File 2559 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 422.45, subsection 20, Code
5 Supplement 1999, is amended to read as follows:
6 20. The gross receipts from sales or services
7 rendered, furnished, or performed by a county or city.
8 This exemption does not apply to the tax specifically
9 imposed under section 422.43 on the gross receipts
10 from the sales, furnishing, or service of gas,
11 electricity, water, heat, pay television service, and
12 communication service to the public by a municipal
13 corporation in its proprietary capacity; does not
14 apply to the sales, furnishing, or service of solid
15 waste collection and disposal service to
16 nonresidential commercial operations; and does not
17 apply to the sales, furnishing, or service of sewage
18 service for nonresidential commercial operations; and
19 ~~does not apply to fees paid to cities and counties for~~
20 ~~the privilege of participating in any athletic~~
21 ~~sports."~~

WARNSTADT of Woodbury

H-8947

1 Amend House File 2530 as follows:

2 1. Page 94, by inserting after line 30 the
3 following:
4 "If the federal government reduces or eliminates
5 funding for programs administered under this
6 subsection, notwithstanding any contrary provision of
7 this subsection, the board shall increase the levels
8 of surcharges on electric accounts in amounts
9 sufficient to replace the amount of federal funding
10 lost, up to a maximum of forty million dollars. When

11 determining the increase in the levels of surcharges
 12 under this paragraph, the board shall not
 13 substantially deviate from the cost allocation among
 14 consumer groups reflected in the initial funding
 15 surcharges."

MURPHY of Dubuque

H-8951

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 23, line 10, by striking the word "Fifty"
 4 and inserting the following: "Sixty".

MILLAGE of Scott

H-8953

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 9, by striking lines 22 through 31 and
 4 inserting the following:
 5 "a. The project is primarily a project with
 6 demonstrated, substantial regional or statewide
 7 economic impact involving land acquisition and
 8 construction, major renovation and major repair of
 9 buildings, all appurtenant structures, utilities, site
 10 development, and recreational trails, but not
 11 including routine, recurring maintenance or
 12 operational expenses or leasing of a building,
 13 appurtenant structure, or utility without a lease-
 14 purchase agreement."

MILLAGE of Scott

H-8957

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by striking lines 4 through 6 and
 4 inserting the following: "appropriation."

RAECKER of Polk
 SHEY of Linn

H-8959

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, line 5, by striking the word

4 "seventy-five" and inserting the following: "one
5 hundred".

RAECKER of Polk
SHEY of Linn

H-8960

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 23, by striking lines 13 through 15 and
4 inserting the following: "the fortieth percentile,
5 multiplied by fifty."

RICHARDSON of Warren

H-8961

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 28, by inserting after line 29 the
4 following:
5 "9. A school district shall not be eligible for
6 financial assistance under the program if the school
7 district is located in whole or in part in a county
8 which has imposed a sales and services tax for school
9 infrastructure pursuant to section 422E.2 and has a
10 capacity per pupil above the statewide average for
11 capacity per pupil."

RICHARDSON of Warren

H-8962

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 7, by inserting after the word
4 "senate." the following: "However, the member listed
5 in subsection 2, paragraph "c" shall not be subject to
6 confirmation by the senate."
7 2. Page 2, line 15, by inserting after the word
8 "counties." the following: "Three of the members
9 listed in subsection 2, paragraphs "a" and "d" shall
10 be from a county that has a population ranking in the
11 bottom thirty-three counties according to the 1990
12 census."
13 3. Page 6, by inserting after line 19 the
14 following:
15 "6. Upon denial of an application for financial
16 assistance under the program, the board shall notify

17 the applicant regarding the reasons for the denial of
 18 the application."

RICHARDSON of Warren

H-8963

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:

- 3 1. By striking page 17, line 20, through page 28,
 4 line 33.
- 5 2. Title page, by striking lines 2 and 3 and
 6 inserting the following: "assistance to communities
 7 by continuing the".
- 8 3. By renumbering as necessary.

MILLAGE of Scott

H-8964

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:

- 3 1. Page 28, by inserting after line 29 the
 4 following:
 5 "9. For each school district that receives
 6 financial assistance under the program and is located
 7 in a county which has imposed a sales and services tax
 8 for school infrastructure pursuant to section 422E.2,
 9 the department of education, in cooperation with the
 10 department of management and the department of revenue
 11 and finance, shall certify the total amount of sales
 12 and services tax for school infrastructure revenues
 13 for each fiscal year received by the county in which
 14 the school district is located. For the fiscal year
 15 in which the school district first receives financial
 16 assistance under the program, all sales and services
 17 tax revenues received by the county which is above the
 18 certified amount for the prior fiscal year, shall be
 19 distributed on a per pupil basis to school districts
 20 in the state which do not receive moneys from sales
 21 and services tax for school infrastructure revenues
 22 imposed pursuant to section 422E.2 and which have a
 23 capacity per pupil lower than the statewide average
 24 for capacity per pupil."

RICHARDSON of Warren

H-8970

1 Amend the amendment, H-8948, to Senate File 2447,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, line 6, by striking the word "a" and
5 inserting the following: "the maximum rate of".

CORMACK of Webster
MUNDIE of Webster

H-8971

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 11, by inserting after line 16 the
4 following:

5 "Sec. ____ NEW SECTION. 15F.305 VISION IOWA
6 FUND.

7 1. A vision Iowa fund is created in the state
8 treasury under the control of the department
9 consisting of moneys appropriated by the general
10 assembly and any other moneys available to and
11 obtained by the department for placement in the fund.
12 An applicant under the vision Iowa program shall not
13 receive more than fifty million dollars in financial
14 assistance from the fund.

15 2. The fund shall be used to provide financial
16 assistance in the form of grants under the vision Iowa
17 program.

18 3. Moneys in the fund are not subject to section
19 8.33."

20 2. By striking page 11, line 17, through page 22,
21 line 29.

22 3. Page 28, by inserting before line 30 the
23 following:

24 "Sec. ____ NEW SECTION. 292.3 SCHOOL
25 INFRASTRUCTURE FUND:

26 1. A school infrastructure fund is created in the
27 state treasury under the control of the department
28 consisting of moneys appropriated by the general
29 assembly and any other moneys available to and
30 obtained by the department for placement in the fund.

31 2. The fund shall be used to provide financial
32 assistance in the form of grants under the school
33 infrastructure program.

34 3. Moneys in the fund are not subject to section
35 8.33."

36 4. Page 29, by inserting after line 11 the
37 following:

38 "Sec. ____ APPROPRIATIONS.

39 1. For the fiscal year beginning July 1, 2000,
40 there is appropriated from the cash reserve fund
41 created in section 8.56, to the department of economic
42 development two hundred million dollars for deposit in
43 the vision Iowa fund created in section 15F.305,
44 notwithstanding any contrary provisions of section

45 8.56.

46 2. For the fiscal year beginning July 1, 2001, and
47 for each of the two succeeding fiscal years,
48 notwithstanding section 8.57, subsection 5, paragraph
49 "c", there is appropriated from the rebuild Iowa
50 infrastructure fund to the department of education

Page 2

1 twenty-five million dollars for deposit in the school
2 infrastructure fund created in section 292.3."

3 5. Title page, line 6, by striking the word
4 "and".

5 6. Title page, line 7, by inserting after the
6 word "taxation" the following: ", and making
7 appropriations".

8 7. By renumbering as necessary.

SHOULTZ of Black Hawk

H-8973

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 29, by inserting after line 35 the
4 following:

5 "Sec. ____ STUDY. The legislative council is
6 requested to establish an interim study committee to
7 examine all issues related to school infrastructure
8 financing, including the issue of equity in school
9 infrastructure financing."

10 2. By renumbering as necessary.

HOFFMAN of Crawford
RICHARDSON of Warren

H-8975

1 Amend the amendment, H-8964, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 17, by inserting after the word
5 "tax" the following: "for school infrastructure".

RICHARDSON of Warren

H-8984

1 Amend the amendment, H-8971, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 40, by striking the words "cash

- 5 reserve" and inserting the following: "Iowa economic
 6 emergency".
 7 2. Page 1, line 41, by striking the figure "8.56"
 8 and inserting the following: "8.55".
 9 3. Page 1, line 45, by striking the figure "8.56"
 10 and inserting the following: "8.55".

SHOULTZ of Black Hawk

H-8986

- 1 Amend the amendment, H-8971, to Senate File 2447,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 13, by striking the word "fifty"
 5 and inserting the following: "seventy-five".

SHOULTZ of Black Hawk

H-8990

- 1 Amend the amendment, H-8948, to Senate File 2447,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 5 through 10 and
 5 inserting the following:
 6 "9. A school district located in whole or in part
 7 in a county which has imposed a sales and services tax
 8 for school infrastructure pursuant to section 422E.2
 9 and has sales and services tax for school
 10 infrastructure revenue of more than the statewide
 11 average of sales tax capacity per pupil, as defined in
 12 section 292.1, subsection 8, shall not be eligible for
 13 financial assistance under the program. For purposes
 14 of this subsection, an individual school district's
 15 sales tax capacity per pupil is the estimated total
 16 sales and services tax for infrastructure revenue
 17 actually received by the school district divided by
 18 the school district's enrollment as specified in
 19 section 292.1, subsection 8." "

HOFFMAN of Crawford

H-8991

- 1 Amend the amendment, H-8948, to Senate File 2447,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 5 through 10 and
 5 inserting the following:
 6 "9. A school district located in whole or in part
 7 in a county which has imposed a sales and services tax

8 for school infrastructure pursuant to section 422E.2
 9 and has sales and services tax for school
 10 infrastructure revenue of more than the statewide
 11 average of sales tax capacity per pupil, as defined in
 12 section 292.1, subsection 8, shall not be eligible for
 13 financial assistance under the program. For purposes
 14 of this subsection, an individual school district's
 15 sales tax capacity per pupil is the estimated total
 16 sales and services tax for infrastructure revenue to
 17 be actually received by the school district divided by
 18 the school district's enrollment as specified in
 19 section 292.1, subsection 8." "

HOFFMAN of Crawford

H-8996

1 Amend House File 2572 as follows:

2 1. Page 3, by striking lines 9 through 20, and
 3 inserting the following:

4 "Sec. __. Section 100B.1, subsection 1, as
 5 enacted by 2000 Iowa Acts, House File 2492, section 8,
 6 is amended to read as follows:

7 1. The state fire service and emergency response
 8 council is established in the division of fire
 9 protection of the department of public safety. The
 10 council shall consist of ten voting members. Members
 11 of the state fire service and emergency response
 12 council shall be appointed by the governor. The
 13 governor shall appoint members ~~from the following~~
 14 ~~organizations, chosen of the council~~ from a list of
 15 ~~names~~ nominees submitted by each of the following
 16 organizations:

17 a. Two members from a list submitted by the Iowa
 18 firemen's association.

19 b. Two members from a list submitted by the Iowa
 20 fire chiefs' association.

21 c. One member from a list submitted by the Iowa
 22 association of professional fire fighters.

23 d. Two members from a list submitted by the Iowa
 24 association of professional fire chiefs.

25 e. One member from a list submitted by the Iowa
 26 fire fighters group.

27 f. One member from a list submitted by the Iowa
 28 emergency medical services association.

29 A person nominated for membership on the council is
 30 not required to be a member of the organization that
 31 nominates the person.

32 The tenth member of the council shall be a member
 33 of the general public appointed by the governor.

34 The labor commissioner, or the labor commissioner's
 35 designee, shall be a nonvoting ex officio member of

36 the council. Members of the council shall hold office
 37 commencing July 1, 2000, for four years and until
 38 their successors are appointed, except that three
 39 initial appointees shall be appointed for two years,
 40 three initial appointees for three years, and four
 41 initial appointees for four years.
 42 The fire marshal or the fire marshal's designee
 43 shall attend each meeting of the council."

HUSER of Polk
 DOTZLER of Black Hawk

H-8998

1 Amend the amendment, H-8523, to House File 2530, as
 2 follows:
 3 1. Page 12, line 37, by inserting after the word
 4 "programs." the following: "The division shall select
 5 one or more statewide, nonprofit organizations with
 6 experience in tree planting for energy efficiency to
 7 administer the tree planting and care programs and the
 8 division shall expend an amount not to exceed one
 9 million dollars for such programs."

RAECKER of Polk

H-8999

1 Amend House File 2560 as follows:
 2 1. Page 1, by striking lines 11 through 20 and
 3 inserting the following: "is a barn constructed one
 4 hundred years prior to certification."
 5 2. Page 1, line 23, by striking the words
 6 "eligible property. In" and inserting the following:
 7 "an eligible barn."
 8 3. Page 1, by striking lines 24 through 27 and
 9 inserting the following: "The rehabilitation".
 10 4. Page 1, by striking lines 31 through 34.
 11 5. Title page, lines 2 and 3, by striking the
 12 words "commercial and residential property and".

WEIGEL of Chickasaw

H-9000

1 Amend Senate File 2438, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 357C.7, Code 1999, is amended
 6 to read as follows:
 7 357C.7 ELECTION ON PROPOSED LEVY AND CANDIDATES

8 FOR TRUSTEES.

9 When a preliminary plat has been approved by the
10 board of supervisors, an election shall be held within
11 the district within sixty days to approve or
12 disapprove the levy of a tax of not more than ~~fifty-~~
13 ~~four~~ eighty-five cents per thousand dollars of
14 assessed value on all the taxable property within the
15 district, and to choose candidates for the offices of
16 trustees of the district. Notice of the election,
17 including the time and place of holding the ~~same~~
18 election, shall be given in the same manner as for the
19 original public hearing as provided herein in section
20 357C.3. The vote shall be by ballot which shall state
21 clearly the proposition to be voted upon, and any
22 registered voter residing within the district at the
23 time of the election shall be entitled to vote. It
24 shall not be mandatory for the county commissioner of
25 elections to conduct elections held pursuant to this
26 chapter, but they shall be conducted in accordance
27 with ~~the provisions of~~ chapter 49 where not in
28 conflict with this chapter. Judges shall be appointed
29 to serve without pay by the board of supervisors from
30 among the registered voters of the district who will
31 have charge of the election. The proposition shall be
32 deemed to have carried if sixty percent of those
33 voting ~~thereon~~ on the proposition vote in favor of
34 same the proposition.

35 Sec. ____ Section 357C.9, Code 1999, is amended to
36 read as follows:

37 357C.9 TRUSTEES' POWERS.

38 The trustees may purchase street lighting service
39 and facilities and may levy an annual tax not to
40 exceed ~~fifty-four~~ eighty-five cents per thousand
41 dollars of assessed value for the purpose of
42 exercising the powers granted in this chapter. This
43 levy shall be optional with the trustees, but no levy
44 shall be made unless first approved by the voters as
45 provided herein in section 357C.7. The trustees may
46 purchase material, employ labor, and may perform all
47 other acts necessary to properly maintain and operate
48 the benefited street lighting district. The trustees
49 shall be allowed necessary expenses in the discharge
50 of the duties, but shall not receive any salary.

Page 2

1 Sec. ____ Section 357C.11, Code 1999, is amended
2 to read as follows:

3 357C.11 DISSOLUTION OF DISTRICT.

4 Upon petition of thirty-five percent of the
5 resident eligible electors, the board of supervisors
6 may dissolve a benefited street lighting district and

7 dispose of any remaining property, proceeds of which
 8 shall first be applied against outstanding obligations
 9 and any balance shall be applied to tax credit of
 10 property owners of the district. However, if the
 11 district is annexed, the board of supervisors may
 12 transfer the remaining property and balance to the
 13 city which annexed the district. The board of
 14 supervisors shall continue to levy tax after
 15 dissolution of a district, of not to exceed ~~fifty-four~~
 16 eighty-five cents per thousand dollars of assessed
 17 value on all the taxable property of the district,
 18 until all outstanding obligations of the district are
 19 paid."

20 2. Title page, by striking lines 1 and 2 and
 21 inserting the following: "An Act relating to
 22 benefited districts by creating a water quality
 23 district, providing for the levy of taxes by the
 24 benefited districts, and providing for other".

SUKUP of Franklin

H-9002

1 Amend Senate File 2332, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 15 through 25, and
 4 inserting the following:
 5 "___ The goals of the fatherhood initiative are
 6 to increase opportunities for children to grow up with
 7 responsible, caring parents; identify enhancements
 8 that promote the involvement of responsible parents in
 9 the lives of their children; identify strategies that
 10 are successful in enhancing responsible parenthood;
 11 and facilitate the transition from current policies,
 12 perceptions, and practices to new policies,
 13 perceptions, and practices that positively affect
 14 participation of parents in their children's lives."

MASCHER of Johnson

H-9003

1 Amend Senate File 2332, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 22, by striking the word "twenty-
 4 one" and inserting the following: "twenty-five".

MASCHER of Johnson

H-9004

1 Amend Senate File 2332, as amended, passed, and

- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 15, by striking the word "state"
- 4 and inserting the following: "federal, state,".

MASCHER of Johnson

H-9005

- 1 Amend Senate File 2332, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 12, by inserting after the words
- 4 "affected by" the following: "child abuse, animal
- 5 abuse,".

MASCHER of Johnson

H-9006

- 1 Amend Senate File 2332, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 16 the
- 4 following:
- 5 "___ Identification of measures to assist
- 6 businesses and educational institutions in providing a
- 7 family-friendly environment, including but not limited
- 8 to, providing accommodating work schedules, providing
- 9 family leave, and providing for electronic commuting."
- 10 2. By relettering as necessary.

JOCHUM of Dubuque

H-9007

- 1 Amend Senate File 2332, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 26, by inserting after the word
- 4 "families." the following: "Members shall include an
- 5 individual who serves as a legal advocate for
- 6 children, a family mediator, a county attorney, a
- 7 member of the clergy, a foster parent, a school
- 8 counselor, a psychologist involved in family
- 9 counseling, a health professional, a representative of
- 10 prevent child abuse Iowa, a representative of the Iowa
- 11 coalition against domestic violence, a representative
- 12 of a professional women's organization, a
- 13 representative of the business community, a
- 14 representative of a social service agency, a
- 15 representative of an agency representing recipients of
- 16 child support, and the director of the department of

17 human rights or the director's designee."

MASCHER of Johnson
JOCHUM of Dubuque

H-9008

- 1 Amend Senate File 2332, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 11 and 12 and
- 4 inserting the following:
- 5 "f. Identification and promotion of methods which
- 6 enhance positive outcomes experienced by children
- 7 affected by".

GREIMANN of Story

H-9009

- 1 Amend House File 2530 as follows:
- 2 1. Page 1, line 1, by inserting after the word
- 3 "TITLE" the following: "- CITATION".
- 4 2. Page 1, by inserting after line 22 the
- 5 following:
- 6 "___ The use of securitization as provided in
- 7 this chapter will result in net savings that can be
- 8 shared with end-use consumers to reduce end-use
- 9 consumer charges."
- 10 3. Page 129, by inserting after line 17 the
- 11 following:
- 12 "d. Securitization creates net savings that can be
- 13 shared with end-use consumers to reduce consumer
- 14 charges by one percent or more, and sharing such
- 15 savings shall be required as a condition of board
- 16 authorization of securitization."
- 17 4. Page 130, by inserting after line 31 the
- 18 following:
- 19 "(a) An amount sufficient to reduce standard offer
- 20 service rates by one percent."
- 21 5. By renumbering as necessary.

WISE of Lee

H-9011

- 1 Amend Senate File 2332, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 1, by striking the word
- 4 "FATHERHOOD" and inserting the following:
- 5 "PARENTHOOD".
- 6 2. Page 1, line 12, by striking the word
- 7 "fatherhood" and inserting the following:

- 8 "parenthood".
9 3. Page 1, line 13, by striking the word
10 "fatherhood" and inserting the following:
11 "parenthood".
12 4. Page 1, line 15, by striking the word
13 "fatherhood" and inserting the following:
14 "parenthood".
15 5. Page 1, line 17, by inserting after the word
16 "father" the following: "or mother".
17 6. Page 1, line 19, by striking the word
18 "fathers" and inserting the following: "parents".
19 7. Page 1, line 21, by striking the word
20 "fatherhood" and inserting the following:
21 "parenthood".
22 8. Page 1, line 23, by striking the word
23 "fathers" and inserting the following: "parents".
24 9. Page 1, line 25, by striking the word
25 "fathers" and inserting the following: "parents".
26 10. Page 1, line 26, by striking the word
27 "fatherhood" and inserting the following:
28 "parenthood".
29 11. Page 1, line 27, by striking the word
30 "fathers" and inserting the following: "parents".
31 12. Page 1, line 33, by striking the word
32 "fatherhood" and inserting the following:
33 "parenthood".
34 13. Page 2, line 1, by striking the word
35 "fatherhood" and inserting the following:
36 "parenthood".
37 14. Page 2, line 2, by inserting after the word
38 "men" the following: "and women".
39 15. Page 2, line 4, by striking the word
40 "fatherhood" and inserting the following:
41 "parenthood".
42 16. Page 2, line 7, by striking the word
43 "fathers" and inserting the following: "parents".
44 17. Page 2, line 9, by striking the word
45 "fathers" and inserting the following: "parents".
46 18. Page 2, line 18, by striking the word
47 "FATHERHOOD" and inserting the following:
48 "PARENTHOOD".
49 19. Page 2, line 19, by striking the word
50 "fatherhood" and inserting the following:

Page 2

- 1 "parenthood".
2 20. Page 2, line 20, by striking the word
3 "fatherhood" and inserting the following:
4 "parenthood".
5 21. Page 3, line 11, by striking the word
6 "fathers" and inserting the following: "parents".

- 7 22. Page 3, line 13, by striking the word
 8 "fatherhood" and inserting the following:
 9 "parenthood".
- 10 23. Page 3, line 17, by striking the word
 11 "fatherhood" and inserting the following:
 12 "parenthood".
- 13 24. Page 3, line 20, by striking the word
 14 "fatherhood" and inserting the following:
 15 "parenthood".
- 16 25. Page 3, line 24, by striking the word
 17 "fatherhood" and inserting the following:
 18 "parenthood".
- 19 26. Title page, line 1, by striking the word
 20 "fatherhood" and inserting the following:
 21 "parenthood".

MASCHER of Johnson

H-9014

- 1 Amend House File 2530 as follows:
 2 1. Page 94, by inserting after line 30 the
 3 following:
 4 "If the federal government reduces or eliminates
 5 the funding provided to this state for the federal
 6 low-income home energy assistance program, the board
 7 shall increase the levels of surcharges on electric
 8 accounts in amounts sufficient to provide funding
 9 equal to the difference between the historical average
 10 of funding provided by the federal government and the
 11 reduced amount of federal funding provided for the
 12 program. When determining the increase in the levels
 13 of surcharges under this paragraph, the board shall
 14 not substantially deviate from the cost allocation
 15 among consumer groups reflected in the initial funding
 16 surcharges. For purposes of this paragraph,
 17 "historical average" means the average amount of
 18 funding provided by the federal government to this
 19 state for the federal low-income home energy
 20 assistance program for the federal fiscal year
 21 commencing in 1981 through the federal fiscal year
 22 ending in 1999."

MURPHY of Dubuque

H-9016

- 1 Amend House File 2539 as follows:
 2 1. Page 1, line 8, by striking the word
 3 "entitled" and inserting the following: "eligible,
 4 subject to availability of credits,".
- 5 2. Page 1, by striking lines 19 through 21 and

6 inserting the following: "credit, the small business
7 shall not deduct for Iowa tax purposes any amount of
8 the cost of an assistive device or workplace
9 modifications which is deductible for federal tax
10 purposes.

11 2. To receive the assistive device tax credit, the
12 eligible small business must submit an application to
13 the department of economic development. If the
14 taxpayer meets the criteria for eligibility, the
15 department of economic development shall issue to the
16 taxpayer a certification of entitlement for the
17 assistive device tax credit. However, the combined
18 amount of tax credits that may be approved for a
19 fiscal year under this section and section 422.33,
20 subsection 9, shall not exceed five hundred thousand
21 dollars. Tax credit certificates shall be issued on
22 an earliest filed basis. The certification shall
23 contain the taxpayer's name, address, tax
24 identification number, the amount of the credit, and
25 tax year for which the certificate applies. The
26 taxpayer must file the tax credit certificate with the
27 taxpayer's individual income tax return in order to
28 claim the tax credit. The departments of economic
29 development and revenue and finance shall each adopt
30 rules to jointly administer this section and shall
31 provide by rule for the method to be used to determine
32 for which fiscal year the tax credits are approved."

33 3. Page 1, line 22, by striking the figure "2."
34 and inserting the following: "3."

35 4. Page 1, line 29, by striking the figure "3."
36 and inserting the following: "4."

37 5. Page 2, line 18, by inserting after the figure
38 "9." the following: "a."

39 6. Page 2, line 21, by striking the words
40 "purposes of"

41 7. Page 2, line 23, by striking the word
42 "entitled" and inserting the following: "eligible,
43 subject to availability of credits,".

44 8. By striking page 2, line 34, through page 3,
45 line 2 and inserting the following: "business shall
46 not deduct for Iowa tax purposes any amount of the
47 cost of an assistive device or workplace modifications
48 which is deductible for federal income tax purposes.

49 b. To receive the assistive device tax credit, the
50 eligible small business must submit an application to

Page 2

1 the department of economic development. If the
2 taxpayer meets the criteria for eligibility, the
3 department of economic development shall issue to the
4 taxpayer a certification of entitlement for the

5 assistive device tax credit. However, the combined
 6 amount of tax credits that may be approved for a
 7 fiscal year under this subsection and section 422.11D
 8 shall not exceed five hundred thousand dollars. Tax
 9 credit certificates shall be issued on an earliest
 10 filed basis. The certification shall contain the
 11 taxpayer's name, address, tax identification number,
 12 the amount of the credit, and tax year for which the
 13 certificate applies. The taxpayer must file the tax
 14 credit certificate with the taxpayer's corporate
 15 income tax return in order to claim the tax credit.
 16 The departments of economic development and revenue
 17 and finance shall each adopt rules to jointly
 18 administer this subsection and shall provide by rule
 19 for the method to be used to determine for which
 20 fiscal year the tax credits are approved.

21 c. For purposes of this subsection:

22 (1) "Assistive device".

23 9. Page 3, line 16, by striking the letter "b."

24 and inserting the following: "(2)".

25 10. Page 3, line 18, by striking the letter "c."

26 and inserting the following: "(3)".

27 11. Page 3, line 22, by striking the letter "d."

28 and inserting the following: "(4)".

29 12. Title page, by striking lines 1 through 5 and

30 inserting the following: "An Act providing an
 31 assistive device tax credit under the individual and
 32 corporate taxes for the acquisition or modification of
 33 assistive technology or the modification of the
 34 workplace in order to assist persons with a disability
 35 in the workplace, limiting the total amount of credits
 36 allowed, and including an effective and retroactive
 37 applicability date provision."

BOAL of Polk

H-9017

1 Amend House File 2559 as follows:

2 1. Page 1, by inserting after line 16, the
 3 following:

4 "The machinery or equipment must be used by a
 5 person actively engaged in farming as defined in
 6 section 10.1, a family farm entity as defined in
 7 section 10.1, a farming entity as defined in section
 8 10.1, a cooperative association organized under
 9 chapter 499, or a cooperative organized under chapter
 10 501."

11 2. Page 1, line 20, by inserting after the figure
 12 "203.1." the following: "The machinery or equipment
 13 must be used by a person actively engaged in farming
 14 as defined in section 10.1, a family farm entity as

15 defined in section 10.1, a farming entity as defined
16 in section 10.1, a cooperative association as defined
17 in section 10.1, a cooperative association organized
18 under chapter 499, or a cooperative organized under
19 chapter 501."

KUHN of Floyd
RICHARDSON of Warren

H-9018

1 Amend Senate File 2332, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 26, by inserting after the word
4 "families." the following: "Membership shall include
5 a representative of the Iowa state university
6 cooperative extension's strengthening families
7 program."

GREIMANN of Story

H-9025

1 Amend House File 2560 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 422.7, subsection 31, Code
5 1999, is amended to read as follows:
6 31. For a person who is disabled, or is fifty-five
7 years of age or older, or is the surviving spouse of
8 an individual or a survivor having an insurable
9 interest in an individual who would have qualified for
10 the exemption under this subsection for the tax year,
11 subtract, to the extent included, the total amount of
12 a governmental or other pension or retirement pay,
13 including, but not limited to, defined benefit or
14 defined contribution plans, annuities, individual
15 retirement accounts, plans maintained or contributed
16 to by an employer, or maintained or contributed to by
17 a self-employed person as an employer, and deferred
18 compensation plans or any earnings attributable to the
19 deferred compensation plans, up to a maximum of ~~five~~
20 six thousand dollars for a person, other than a
21 husband or wife, who files a separate state income tax
22 return and up to a maximum of ~~ten~~ twelve thousand
23 dollars for a husband and wife who file a joint state
24 income tax return. However, a surviving spouse who is
25 not disabled or fifty-five years of age or older can
26 only exclude the amount of pension or retirement pay
27 received as a result of the death of the other spouse.
28 A husband and wife filing separate state income tax
29 returns or separately on a combined state return are

30 allowed a combined maximum exclusion under this
 31 subsection of up to ~~ten~~ twelve thousand dollars. The
 32 ~~ten~~ twelve thousand dollar exclusion shall be
 33 allocated to the husband or wife in the proportion
 34 that each spouse's respective pension and retirement
 35 pay received bears to total combined pension and
 36 retirement pay received.

37 Sec. 2. APPLICABILITY DATE. This Act applies
 38 retroactively to January 1, 2000, for the years
 39 beginning on or after that date."

40 2. Title page, by striking lines 1 through 3 and
 41 inserting the following: "An Act relating to the
 42 pension exclusion under the individual income tax and
 43 including a retroactive applicability date."

SCHRADER of Marion

H-9027

1 Amend House File 2560 as follows:

2 1. Page 5, by inserting after line 7 the
 3 following:

4 "Sec. 200. **NEW SECTION. 422.11E ASSISTIVE DEVICE**
 5 **TAX CREDIT - SMALL BUSINESS.**

6 1. The taxes imposed under this division, less the
 7 credits allowed under sections 422.12 and 422.12B,
 8 shall be reduced by an assistive device tax credit. A
 9 small business purchasing, renting, or modifying an
 10 assistive device or making workplace modifications for
 11 an individual with a disability who is employed or
 12 will be employed by the small business is entitled to
 13 receive this assistive device tax credit which is
 14 equal to fifty percent of the first five thousand
 15 dollars paid during the tax year for the purchase,
 16 rental, or modification of the assistive device or for
 17 making the workplace modifications. Any credit in
 18 excess of the tax liability shall be refunded with
 19 interest computed under section 422.25. In lieu of
 20 claiming a refund, a taxpayer may elect to have the
 21 overpayment shown on the taxpayer's final, completed
 22 return credited to the tax liability for the following
 23 tax year. If the small business elects to take the
 24 assistive device tax credit, the small business shall
 25 reduce the deduction for the costs of purchasing,
 26 renting, or modifying an assistive device or making
 27 workplace modifications by the amount of the credit.

28 2. An individual may claim an assistive device tax
 29 credit allowed a partnership, limited liability
 30 company, S corporation, estate, or trust electing to
 31 have the income taxed directly to the individual. The
 32 amount claimed by the individual shall be based upon
 33 the pro rata share of the individual's earnings of the

34 partnership, limited liability company, S corporation,
35 estate, or trust.

36 3. For purposes of this section:

37 a. "Assistive device" means any item, piece of
38 equipment, or product system which is used to
39 increase, maintain, or improve the functional
40 capabilities of an individual with a disability in the
41 workplace or on the job. "Assistive device" does not
42 mean any medical device, surgical device, or organ
43 implanted or transplanted into or attached directly to
44 an individual. "Assistive device" does not include
45 any device for which a certificate of title is issued
46 by the state department of transportation, but does
47 include any item, piece of equipment, or product
48 system otherwise meeting the definition of "assistive
49 device" that is incorporated, attached, or included as
50 a modification in or to such a device issued a

Page 2

1 certificate of title.

2 b. "Disability" means the same as defined in
3 section 225C.46.

4 c. "Small business" means a business that either
5 had gross receipts for its preceding tax year of three
6 million dollars or less or employed not more than
7 fourteen full-time employees during its preceding tax
8 year.

9 d. "Workplace modifications" means physical
10 alterations to the work environment.

11 Sec. 201. Section 422.33, Code Supplement 1999, is
12 amended by adding the following new subsection:

13 NEW SUBSECTION. 8A. The taxes imposed under this
14 division shall be reduced by an assistive device tax
15 credit. A small business purchasing, renting, or
16 modifying an assistive device or making workplace
17 modifications for purposes of an individual with a
18 disability who is employed or will be employed by the
19 small business is entitled to receive this assistive
20 device tax credit which is equal to fifty percent of
21 the first five thousand dollars paid during the tax
22 year for the purchase, rental, or modification of the
23 assistive device or for making the workplace
24 modifications. Any credit in excess of the tax
25 liability shall be refunded with interest computed
26 under section 422.25. In lieu of claiming a refund, a
27 taxpayer may elect to have the overpayment shown on
28 the taxpayer's final, completed return credited to the
29 tax liability for the following tax year. If the
30 small business elects to take the assistive device tax
31 credit, the small business shall reduce the deduction
32 for the costs of purchasing, renting, or modifying an

33 assistive device or making workplace modifications by
 34 the amount of the credit.
 35 a. For purposes of this subsection, "assistive
 36 device" means any item, piece of equipment, or product
 37 system which is used to increase, maintain, or improve
 38 the functional capabilities of an individual with a
 39 disability in the workplace or on the job. "Assistive
 40 device" does not mean any medical device, surgical
 41 device, or organ implanted or transplanted into or
 42 attached directly to an individual. "Assistive
 43 device" does not include any device for which a
 44 certificate of title is issued by the state department
 45 of transportation, but does include any item, piece of
 46 equipment, or product system otherwise meeting the
 47 definition of "assistive device" that is incorporated,
 48 attached, or included as a modification in or to such
 49 a device issued a certificate of title.
 50 b. "Disability" means the same as defined in

Page 3

1 section 225C.46.
 2 c. "Small business" means a business that either
 3 had gross receipts for its preceding tax year of three
 4 million dollars or less or employed not more than
 5 fourteen full-time employees during its preceding tax
 6 year.
 7 d. "Workplace modifications" means physical
 8 alterations to the work environment."
 9 2. Page 5, by inserting after line 22 the
 10 following:
 11 "Sec. ____ EFFECTIVE AND RETROACTIVE APPLICABILITY
 12 DATE. Sections 200 and 201 of this Act, being deemed
 13 of immediate importance, take effect upon enactment
 14 and apply retroactively to January 1, 2000, for tax
 15 years beginning on or after that date."
 16 3. Title page, line 3, by inserting after the
 17 word "barns" the following: "and for the acquisition
 18 or modification of assistive technology or the
 19 modification of the workplace in order to assist
 20 persons with a disability in the workplace, and
 21 including an effective and retroactive applicability
 22 date provision:"

JOCHUM of Dubuque

H-9028

1 Amend House File 2559 as follows:
 2 1. Page 1, by striking lines 1 through 23, and
 3 inserting the following:
 4 "Section 1. Section 422.45, Code Supplement 1999,

5 is amended by adding the following new subsection:
6 NEW SUBSECTION. 26A. The gross receipts from the
7 sale of fuel used in machinery or equipment which is
8 used to dry, remove moisture from, ventilate, or
9 aerate harvested grain as defined in section 203.1.
10 Sec. 2. REFUNDS. Refunds of taxes, interest, or
11 penalties which arise from claims resulting from the
12 enactment of section 422.45, subsection 26A, as
13 provided in this".
14 2. Title page, line 1, by striking the words
15 "equipment and".

TEIG of Hamilton

H-9030

1 Amend Senate File 2332, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 16, the
4 following:
5 " _____. Promotion of public education concerning the
6 impact of domestic violence on children.
7 _____. Promotion of a batterers' education program
8 for a parent who has assaulted a partner, as a
9 requirement before that parent can have unsupervised
10 visitation with a child."
11 2. By relettering as necessary.

REYNOLDS of Van Buren

H-9031

1 Amend the amendment, H-9019, to House File 2560 as
2 follows:
3 1. Page 4, by striking lines 4 through 8 and
4 inserting the following:
5 "~~31. For a person who is disabled, or is fifty-~~
6 ~~five years of age or older, or is an individual or the~~
7 ~~surviving spouse of an individual or a survivor having~~
8 ~~an insurable interest in an individual who would have~~
9 ~~qualified for the exemption under this subsection for~~
10 ~~the tax year,".~~
11 2. Page 4, by striking lines 22 through 25 and
12 inserting the following: "income tax return.
13 However, a surviving spouse who is not disabled or
14 fifty-five years of age or older can only exclude the
15 amount of pension or retirement pay received as a
16 result of the death of the other spouse."

DIX of Butler

H-9032

- 1 Amend House File 2560 as follows:
2 1. Page 5, by inserting after line 22 the
3 following:
4 "Sec. ____ Section 422.45, Code Supplement 1999,
5 is amended by adding the following new subsection:
6 **NEW SUBSECTION.** 57. The gross receipts from the
7 rendering, furnishing, or performing of environmental
8 test laboratory services including services of a
9 mobile environmental testing laboratory and field
10 testing services by an environmental test laboratory."
11 2. Title page, line 3, by inserting after the
12 word "barns" the following: "and providing a sales
13 and use tax exemption for furnishing or performing
14 environmental test laboratory services".

WITT of Black Hawk

H-9038

- 1 Amend House File 2572 as follows:
2 1. Page 4, by inserting after line 2 the
3 following:
4 "Sec. ____ **PROPERTY TAX VALUATION OF RENTAL**
5 **HOUSING FOR PERSONS WITH LOW INCOME – INTERIM STUDY.**
6 The legislative council is requested to establish a
7 study committee for the 2000 interim to review local
8 practices in property assessment of rental housing
9 projects for persons with low income. The committee
10 should be directed to consider the various
11 methodologies used by assessors for valuation of such
12 projects, the relationship between the tax levies on
13 such projects and the restricted rental income owners
14 can charge, and other factors that affect the
15 consistency of property tax treatment of such projects
16 around the state. The committee should be directed to
17 obtain input from local government officials, state-
18 level agencies providing subsidies for such projects,
19 assessors, independent appraisers and developers, and
20 advocates for rental housing for persons with low
21 income. The committee should make recommendations no
22 later than January 15, 2001, for consideration during
23 the 2001 legislative session for developing a
24 consistent approach for property tax valuation of such
25 rental housing and for implementing other options to
26 support the development of quality and affordable
27 housing projects for persons with low income that are
28 financially viable."

29 2. By renumbering as necessary.

DRAKE of Pottawattamie
 BOAL of Polk
 SHOULTZ of Black Hawk
 VAN FOSSEN of Scott
 JENKINS of Black Hawk

H-9043

- 1 Amend the Senate amendment, H-9015, to House File
- 2 2205, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. By striking page 4, line 12 through page 5,
- 5 line 33.
- 6 2. By striking page 5, line 47 through page 6,
- 7 line 5.

VAN FOSSEN of Scott

H-9045

- 1 Amend House File 2576 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "provider" the following: "that occurred on or after
- 4 January 1, 1998,".
- 5 2. Page 2, by inserting after line 16, the
- 6 following:
- 7 "Sec. ___. RETROACTIVE APPLICABILITY. This Act
- 8 applies retroactively to January 1, 1998, to deaths in
- 9 the line of duty occurring on or after that date."
- 10 3. Title page, line 2, by striking the words
- 11 "duty and" and inserting the following: "duty,".
- 12 4. Title page, line 3, by inserting after the
- 13 word "appropriation" the following: ", and including
- 14 a retroactive applicability provision".
- 15 5. By renumbering as necessary.

EDDIE of Buena Vista

H-9049

- 1 Amend the amendment, H-8824, to Senate File 2338,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, by inserting after line 49 the
- 5 following:
- 6 "Sec. ___. Section 296.1, Code 1999, is amended to
- 7 read as follows:
- 8 296.1 INDEBTEDNESS AUTHORIZED.
- 9 Subject to the approval of the voters thereof,
- 10 school districts are hereby authorized to contract

11 indebtedness and to issue general obligation bonds to
 12 provide funds to defray the cost of purchasing,
 13 building, furnishing, reconstructing, repairing,
 14 improving, or remodeling a schoolhouse or schoolhouses
 15 and additions thereto, gymnasium, stadium, field
 16 house, school bus garage, teachers' or
 17 superintendent's home or homes, and procuring a site
 18 or sites therefor, or purchasing land to add to a site
 19 already owned, or procuring and improving a site for
 20 an athletic field, or improving a site already owned
 21 for an athletic field, and for any one or more of such
 22 purposes. Taxes for the payment of said bonds shall
 23 be levied in accordance with chapter 76, and ~~said~~ such
 24 bonds shall mature within a period not exceeding
 25 twenty years from date of issue, shall bear interest
 26 at a rate or rates not exceeding that permitted by
 27 chapter 74A, and shall be of such form as the board of
 28 directors of such school district shall by resolution
 29 provide, but the aggregate indebtedness of any school
 30 district shall not exceed five percent of the actual
 31 value of the taxable property within ~~said~~ the school
 32 district, as ascertained by the last preceding state
 33 and county tax lists. The bonds may be sold at public
 34 or private sale at a price as may be determined by the
 35 board of directors. Such bonds may be sold at not
 36 less than ninety-eight percent of par or may be
 37 exchanged for other bonds at not less than ninety-
 38 eight percent of par.

39 Sec. ____ Section 298.22, unnumbered paragraph 1,
 40 Code 1999, is amended to read as follows:

41 All of said bonds shall be substantially in the
 42 form provided for county bonds, but subject to changes
 43 that will conform them to the action of the board
 44 providing therefor; shall run not more than twenty
 45 years, and may be sooner paid if so nominated in the
 46 bond; bear a rate of interest not exceeding that
 47 permitted by chapter 74A, payable semiannually; be
 48 signed by the president and countersigned by the
 49 secretary of the board of directors; and ~~shall not be~~
 50 ~~disposed of for less than par value, nor issued for~~

Page 2

1 ~~other purposes than this chapter provides be sold at~~
 2 public or private sale at a price as may be determined
 3 by the board of directors. Such bonds may be sold at
 4 not less than ninety-eight percent of par or may be
 5 exchanged for other bonds at not less than ninety-
 6 eight percent of par.

7 Sec. ____ Section 422E.4, unnumbered paragraph 1,
 8 Code Supplement 1999, is amended to read as follows:
 9 The board of directors of a school district shall

10 be authorized to issue negotiable, interest-bearing
 11 school bonds, without election, and utilize tax
 12 receipts derived from the sales and services tax for
 13 school infrastructure purposes for principal and
 14 interest repayment. Proceeds of the bonds issued
 15 pursuant to this section shall be utilized solely for
 16 school infrastructure needs as school infrastructure
 17 is defined in section 422E.1, subsection 3. Issuance
 18 of bonds pursuant to this section shall be permitted
 19 only in a district which has imposed a local sales and
 20 services tax for school infrastructure purposes
 21 pursuant to section 422E.2. The provisions of
 22 sections 298.22 through 298.24 shall apply regarding
 23 the form, rate of interest, registration, redemption,
 24 and recording of bond issues pursuant to this section,
 25 with the exception that the maximum period during
 26 which principal on the bonds is payable shall not
 27 exceed a ten-year period, or the date of repeal stated
 28 on the ballot proposition. Bonds issued pursuant to
 29 this section may be sold at public or private sale at
 30 a price as may be determined by the board of directors
 31 of the school district. Such bonds may be sold at not
 32 less than ninety-eight percent of par or may be
 33 exchanged for other bonds at not less than ninety-
 34 eight percent of par." "
 35 2. By renumbering as necessary.

GRUNDBERG of Polk

H-9051

1 Amend Senate File 2453, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 7, by striking lines 5 through 14.
 4 2. By renumbering and correcting internal
 5 references as necessary.

RAYHONS of Hancock

H-9055

1 Amend Senate File 2433, as passed by the Senate, as
 2 follows:
 3 1. Page 16, by striking lines 2 through 9.

BRUNKHORST of Bremer

H-9060

1 Amend Senate File 2427, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking page 2, line 35, through page 3,
4 line 4.

KREIMAN of Davis

H-9061

1 Amend Senate File 2427, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, line 3, by striking the word "actual".

KREIMAN of Davis

H-9062

1 Amend the amendment, H-9053, to Senate File 2453,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 7, by striking the word "hold"
5 and inserting the following: "rotate the location
6 of".
7 2. Page 1, line 8, by striking the word "at" and
8 inserting the following: "among Iowa state university
9 of science and technology, the state university of
10 Iowa, and".

MILLAGE of Scott

H-9063

1 Amend House File 2572 as follows:
2 1. Page 2, by striking lines 20 through 28 and
3 inserting the following:
4 "Sec. __. Notwithstanding the amount of the
5 standing appropriation from the general fund of the
6 state in section 294A.25, subsection 1, there is
7 appropriated from the general fund of the state to the
8 department of education in lieu of the appropriation
9 made in section 294A.25, subsection 1, for the fiscal
10 year beginning July 1, 2000, and ending June 30, 2001,
11 the following amount:
12\$ 80,891,336"

MASCHER of Johnson

H-9068

1 Amend Senate File 2433, as passed by the Senate, as
2 follows:
3 1. Page 7, by inserting after line 1, the
4 following:
5 " __. To the department of management for

- 6 developing budget system programs for township
- 7 trustees:
- 8\$ 200,000"
- 9 2. By relettering as necessary.

HUSER of Polk

H-9070

- 1 Amend the House amendment, H-8421, to Senate File
- 2 2276, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, lines 17 through 19, by striking the
- 5 words "if ordered by the court at the time of the
- 6 inmate's sentence".
- 7 2. By renumbering as necessary.

LARSON of Linn
 KREIMAN of Davis
 PARMENTER of Story

H-9072

- 1 Amend House File 2572 as follows:
- 2 1. Page 3, by inserting after line 6 the
- 3 following:
- 4 "DIVISION ____
- 5 LIVESTOCK PRODUCTION TAX CREDIT
- 6 Sec. ____ Section 422.121, Code Supplement 1999,
- 7 is amended to read as follows:
- 8 422.121 APPROPRIATION - LIMITATION.
- 9 Beginning with For the fiscal year years begin ning
- 10 July 1, 1997, July 1, 1998, and July 1, 1999, there is
- 11 appropriated annually from the general fund of the
- 12 state two million dollars to refund the credits
- 13 allowed under this division. For the fiscal year
- 14 beginning July 1, 2000, there is appropriated from the
- 15 general fund of the state three million dollars to
- 16 refund the credits allowed under this division. For
- 17 the fiscal year beginning July 1, 2001, and each
- 18 subsequent fiscal year, there is appropriated annually
- 19 from the general fund of the state four million
- 20 dollars to refund the credits allowed under this
- 21 division. Notwithstanding section 422.120, for tax
- 22 years beginning on or after January 1, 1997, the
- 23 livestock production tax credit shall only be allowed
- 24 for cow-calf operations. In calculating the tax
- 25 credit for cow-calf operations for tax years beginning
- 26 in the 1997 calendar year, mature beef cows bred or
- 27 for breeding, bred yearling heifers, and breeding
- 28 bulls in the operations' inventory on December 31 of
- 29 the tax year which were also in the operations on July

30 1 of the tax year and stockers and feeders sold during
 31 the tax year may be counted. In calculating the tax
 32 credit for cow-calf operations for tax years beginning
 33 on or after January 1, 1998, only those bred cows,
 34 bred heifers, and breeding bulls in the operations'
 35 inventory on December 31 of the tax year which were
 36 also in the operations on July 1 of the tax year may
 37 be counted."

DOLECHECK of Ringgold
 ARNOLD of Lucas

H-9073

1 Amend House File 2572 as follows:
 2 1. Page 2, line 19, by inserting after the word
 3 "MONEYS" the following: " - ACADEMIC COMPETITION".
 4 2. Page 2, by inserting after line 28 the
 5 following:
 6 "Sec. __. DEPARTMENT OF EDUCATION. There is
 7 appropriated from the general fund of the state to the
 8 department of education for the fiscal year beginning
 9 July 1, 2000, and ending June 30, 2001, the following
 10 amount, or so much thereof as is necessary, to be used
 11 for the purpose designated:
 12 For providing grants to support qualifying teams
 13 for a worldwide academic competition:
 14\$ 10,000"

GREIMANN of Story

H-9081

1 Amend House File 2572 as follows:
 2 1. Page 1, line 15, by striking the figure
 3 "25,784,846" and inserting the following:
 4 "31,174,941".
 5 2. Page 1, line 26, by striking the figure
 6 "9,784,846" and inserting the following:
 7 "15,174,941".

MURPHY of Dubuque

H-9083

1 Amend the amendment, H-9074, to House File 2545, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 2, by inserting after line 18 the
 5 following:
 6 " __. Page 17, by inserting after line 22 the
 7 following:

8 " ____ TAXATION ON PROPERTY LEASED TO PRIVATE
 9 COMMERCIAL INTERESTS. It is the intent of the general
 10 assembly that the Iowa public employees' retirement
 11 system division pay property taxes on that part of its
 12 land and buildings leased to private commercial
 13 interests." "

BRUNKHORST of Bremer
 VAN ENGELENHOVEN of Mahaska

H-9088

1 Amend House File 2572 as follows:
 2 1. Page 1, line 15, by striking the figure
 3 "25,784,846" and inserting the following:
 4 "28,852,267".
 5 2. Page 1, line 26, by striking the figure
 6 "9,784,846" and inserting the following:
 7 "12,852,267".

MURPHY of Dubuque

H-9089

1 Amend the Senate amendment, H-9077, to House File
 2 2552, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, line 12, by striking the figure
 5 "21,300,914" and inserting the following:
 6 "21,500,732".
 7 2. Page 1, line 36, by striking the figure
 8 "4,261,670" and inserting the following: "4,225,316".
 9 3. Page 1, line 39, by striking the figure
 10 "11,708,518" and inserting the following:
 11 "11,667,912".
 12 4. Page 1, line 42, by striking the figure
 13 "8,875,900" and inserting the following: "8,835,294".
 14 5. Page 1, by striking lines 48 and 49 and
 15 inserting the following:
 16 " " \$ 12,392,844
 17 FTEs 231.50" "

GARMAN of Story

H-9096

1 Amend the Senate amendment, H-9094, to House File
 2 2560, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking lines 3 through 9.
 5 2. By striking page 1, line 29, through page 2,
 6 line 28.

7 3. Page 2, by striking lines 33 through 35.

JAGER of Black Hawk

H-9103

1 Amend the amendment, H-9097, to Senate File 2433,
2 as passed by the Senate, as follows:
3 1. Page 3, line 44, by inserting after the word
4 "certificate." the follows: "No more than one hundred
5 thousand dollars per site may be used for the costs of
6 a corrective action under this paragraph. This
7 paragraph does not confer a legal right on an owner or
8 operator of petroleum-contaminated property or on any
9 other person to receive benefits under this
10 paragraph."

DIX of Butler

H-9109

1 Amend House Resolution 125 as follows:
2 1. Page 1, by striking lines 3 through 27 and
3 inserting the following:
4 "A House Resolution requesting the United States
5 Congress to enact legislation clarifying that
6 conservation reserve payments are not subject to
7 self-employment social security taxes.
8 *Whereas*, many family farmers in Iowa participate in
9 the federal conservation reserve program and rely on
10 payments from this program to continue to operate
11 their family farms; and
12 *Whereas*, requiring family farmers in Iowa to remit
13 self-employment social security taxes on conservation
14 reserve payments would constitute an undue hardship on
15 family farmers in Iowa and work to defeat one of the
16 intended purposes of the conservation reserve program,
17 which is to preserve the family farm; and
18 *Whereas*, United States Representative Moran of
19 Kansas and United States Representative Pomeroy of
20 North Dakota have introduced legislation to clarify
21 that farmers are not required to pay self-employment
22 social security taxes on conservation reserve
23 payments; *Now Therefore*,
24 *Be It Resolved By The House Of Representatives*,
25 That the Iowa House of Representatives urges the
26 Congress of the United States to enact H.R. 4064,
27 introduced by Representatives Moran of Kansas and
28 Representative Pomeroy of North Dakota, that will
29 clarify the tax treatment of conservation reserve

30 payments, exempting such payments from self-employment
31 social security taxes."

WEIGEL of Chickasaw

H-9112

- 1 Amend the Senate amendment, H-9105, to House File
- 2 2549, as amended, passed, and reprinted by the House,
- 3 as follows:
 - 4 1. Page 19, by striking line 24 and inserting the
 - 5 following: "paragraph, at least".
 - 6 2. Page 19, by striking lines 27 and 28 and
 - 7 inserting the following: "producing and marketing
 - 8 alternative value-added agricultural crops, including
 - 9 but not".
 - 10 3. Page 19, by striking lines 32 through 37.

HUSER of Polk

RESOLUTIONS ADOPTED

Resolutions adopted during the Seventy-eighth General Assembly, 2000 Session, not otherwise printed in the House Journal.

1 House Concurrent Resolution 15
2 By Shoultz, Dotzler, Jenkins, and Witt
3 A Concurrent Resolution urging the Governor to
4 appoint a commission to develop design proposals
5 for Iowa's participation in the United States Mint's
6 50 state quarters program.
7 *Whereas*, the United States Mint has implemented a
8 program in accordance with Public Law No. 105-124, to
9 commemorate each of the 50 states in the order in
10 which the states ratified the United States
11 Constitution and joined the Union; and
12 *Whereas*, for the 10-year period 1999 through 2008,
13 the United States will annually issue five quarter
14 dollar coins with state designs displayed on the
15 reverse side of the coins; and
16 *Whereas*, each state has an opportunity to develop
17 and submit designs representative of the state; and
18 *Whereas*, quarter dollar coins have a commercial
19 lifespan of at least 30 years and are collected for
20 generations, providing an opportunity for wide
21 distribution of an enduring symbol of this state; and
22 *Whereas*, during World War II the five Sullivan
23 brothers of Waterloo, Iowa, and their surviving family
24 members became an enduring national symbol of the
25 importance of families in Iowa, following the
26 brothers' death upon the sinking of the U.S.S. Juneau
27 and the subsequent involvement of their parents and
28 sister in the war effort; and
29 *Whereas*, Iowa entered the Union as the twenty-ninth
30 state on December 28, 1846, and the quarter dollar

Page 2

1 honoring the state of Iowa will be issued in 2004; and
2 *Whereas*, the Governor will be contacted no later
3 than 2002 concerning Iowa's design submission; *Now*
4 *Therefore*,
5 *Be It Resolved By The House Of Representatives, The*
6 *Senate Concurring*, That the Governor is urged to
7 appoint a special commission charged with developing
8 designs to submit to the United States Mint for the
9 Iowa quarter dollar; and
10 *Be It Further Resolved*, That the commission be
11 directed to develop designs relating to the renowned
12 Sullivan brothers as a symbol for this state.

HCR 15 filed March 22, 1999; House adopted February 29, 2000;
Senate adopted April 19, 2000.

1 House Concurrent Resolution 103
2 By Grundberg and Doderer
3 A Concurrent Resolution relating to the fair treatment
4 of women in the drafting of wills and trusts by
5 estate planners, trust officers, investment advisers,
6 and other financial planners and advisers.
7 *Whereas*, the stature of women in society has risen
8 considerably during the last century, as they are now
9 able to vote, own property, and pursue independent
10 careers, and are granted equal rights and protections
11 under the law; and
12 *Whereas*, women are at least as fiscally responsible
13 as men, with more than half of all women having the
14 sole responsibility for managing daily family
15 finances; and
16 *Whereas*, many estate planners, trust officers,
17 investment advisers, and other financial planners and
18 advisers still use sales themes, tactics, and
19 practices detrimental to women, such as stereotyping
20 women as uncomfortable or incapable of handling
21 finances, and needing protection from their own
22 possible errors of judgment and from so-called fortune
23 hunters; and
24 *Whereas*, many estate planners, trust officers,
25 investment advisers, and other financial planners and
26 advisers still encourage the unjust and outdated
27 practice of leaving assets in trust for female heirs
28 and beneficiaries, along with senile parents, minors,
29 and mentally incompetent children; and
30 *Whereas*, these themes, tactics, and practices

Page 2

1 continue to be repeatedly demonstrated and reinforced
2 in training manuals and other publications by estate
3 planners, trust officers, investment advisers, and
4 other financial planners and advisers; and
5 *Whereas*, such portrayal of women is not only
6 archaic, patronizing, and condescending, but also
7 leads to disparate and unfair treatment of women in
8 the inheritance of property and as beneficiaries of
9 trusts, in comparison to the treatment of men in
10 similar circumstances; *Now Therefore*,
11 *Be It Resolved By The House Of Representatives, The*
12 *Senate Concurring*, That estate planners, trust
13 officers, investment advisers, and other financial
14 planners and advisers should eliminate examples in
15 their training materials and advertisements which

16 portray women as incapable or irresponsible with
 17 regard to the management of assets; and
 18 *Be It Further Resolved*, That estate planners, trust
 19 officers, investment advisers, and other financial
 20 planners and advisers should develop fairer and more
 21 balanced presentations that eliminate outmoded and
 22 stereotypical examples which lead clients to take
 23 actions that are sexist, patronizing, condescending,
 24 financially detrimental, and otherwise unfair to their
 25 female heirs and beneficiaries.

HCR 103 filed January 13, 2000; House adopted March 8, 2000;
 Senate adopted April 19, 2000.

1 House Concurrent Resolution 105
 2 By Sukup, Baudler, Metcalf, Jacobs, Dotzler, Falck,
 3 Holveck, Dix, Brunkhorst, Kettering, and Garman
 4 A Concurrent Resolution demanding the Iowa Housing
 5 Corporation return state moneys to the Iowa Finance
 6 Authority and requesting the Iowa Finance Authority
 7 to honor contractual obligations with the Iowa
 8 Housing Corporation.
 9 *Whereas*, the Iowa Housing Corporation was created
 10 in 1990 with \$8 million in public moneys from the Iowa
 11 Finance Authority; and
 12 *Whereas*, the issues surrounding the Iowa Housing
 13 Corporation and the State of Iowa's past and current
 14 role in the Iowa Housing Corporation's operation have
 15 been and continue to be complex and troublesome; and
 16 *Whereas*, Governor Tom Vilsack has requested that
 17 the Iowa Housing Corporation return \$8 million in
 18 state moneys to the Iowa Finance Authority as part of
 19 a comprehensive housing strategy; *Now Therefore*,
 20 *Be It Resolved By The House Of Representatives, The*
 21 *Senate Concurring*, That the General Assembly supports
 22 the Governor's call for the return of \$8 million to
 23 the Iowa Finance Authority; and
 24 *Be It Further Resolved*, That the General Assembly
 25 demands that the Iowa Housing Corporation comply with
 26 the request of the Governor in a prompt and prudent
 27 manner; and
 28 *Be It Further Resolved*, That the General Assembly
 29 requests that the Iowa Finance Authority honor
 30 contractual obligations with the Iowa Housing

Page 2

1 Corporation as necessary to ensure an orderly transfer
 2 of these public moneys.

HCR 105 filed February 7, 2000; House adopted February 10, 2000.

1 House Concurrent Resolution 106
2 By Johnson
3 A Concurrent Resolution relating to support of the
4 State of Minnesota's lawsuit against the federal
5 government and the United States Secretary of Health
6 and Human Services regarding disparate funding under
7 the federal Medicare program.
8 *Whereas*, the federal Medicare program was
9 established in 1965 to provide uniform health care
10 benefits and services to the elderly and certain
11 persons with disabilities; and
12 *Whereas*, beneficiaries of the federal Medicare
13 program contribute in equal percentages, based on
14 earnings, to the funding of the federal Medicare
15 program; and
16 *Whereas*, beginning in 1972, Congress amended the
17 federal Social Security Act to utilize managed care
18 principals in the federal Medicare program; and
19 *Whereas*, these changes have resulted in the use of
20 a reimbursement formula that has transformed a
21 nondiscriminatory, uniform national program into a
22 program in which the availability, cost, and scope of
23 additional health benefits available to participants
24 in a federal Medicare managed care health plan vary
25 drastically, depending upon the county and state in
26 which the beneficiary resides, despite the fact that
27 all beneficiaries still contribute in equal
28 percentages to the funding of the program; and
29 *Whereas*, congressional efforts to eliminate the
30 disparity in rates paid and in health care benefits

Page 2

1 and services provided have failed to eliminate the
2 disparity in the federal Medicare program under
3 managed care; and
4 *Whereas*, the Attorney General of Minnesota has
5 filed a lawsuit on behalf of the State of Minnesota
6 claiming that the federal Medicare program is
7 violative of the Constitution of the United States on
8 the bases of constitutionally protected state
9 sovereignty, equal protection, and the right to
10 travel; *Now Therefore*,
11 *Be It Resolved By The House Of Representatives, The*
12 *Senate Concurring*, That the Iowa General Assembly
13 supports the efforts of the Attorney General of
14 Minnesota on behalf of the State of Minnesota and
15 supports the plaintiff's prayer for declaratory and

16 injunctive relief in declaring the federal Medicare
17 managed care payment scheme violative of
18 constitutionally protected state sovereignty, equal
19 protection, and the right to travel, and in enjoining
20 the portion of the federal Medicare managed care
21 funding scheme that results in discriminatory, unequal
22 funding disparities.

HCR 106 filed February 9, 2000; House adopted February 14,
2000; Senate adopted April 4, 2000.

1 House Concurrent Resolution 108
2 By Davis, Larson, Jager, Barry, Dix, Heaton,
3 Arnold, Alons, Johnson, Warnstadt, and Connors
4 (Companion to LSB 5911SS By Drake)
5 A Concurrent Resolution requesting the Congress
6 of the United States to appropriate sufficient
7 funding to the United States Naval Fleet and the
8 United States Flag Merchant Marine Fleet.
9 *Whereas*, the continuing reduction of the United
10 States armed forces is dangerously straining the
11 ability of the United States to respond adequately to
12 regional threats, with the United States Naval Fleet
13 shrinking from nearly 600 ships in 1987 to less than
14 325 ships today; and
15 *Whereas*, the United States is currently building
16 military ships at half the rate needed to maintain
17 even a modest fleet, while the demands on the United
18 States sea power forces have increased significantly
19 since the end of the Cold War; and
20 *Whereas*, the United States is presently deploying
21 its Navy and Marines three times as often as the
22 United States did before the fall of the Soviet Union,
23 while procuring fewer ships than at anytime since
24 1932, with the current fleet being the smallest since
25 1917; and
26 *Whereas*, the safety and economic prosperity of the
27 United States are tied to the political stability of
28 every part of the globe, and the United States faces a
29 dangerous and challenging situation where, as the only
30 superpower, it has an obligation to ensure that

Page 2

1 conflicts do not escalate into major military or
2 humanitarian disasters; and
3 *Whereas*, the United States has a different and far
4 more complex duty now than during the Cold War, and
5 must be prepared to deploy air and sea power as well
6 as ground troops, upon short notice; and
7 *Whereas*, because the United States has closed many

8 military bases in the past decade, only the Naval
9 Fleet can transport large numbers of Army and Air
10 Force equipment, troops, and supplies around the world
11 to support military operations that deal with threats
12 to national security of the United States; and
13 *Whereas*, nations engaging in terrorist activities
14 have vast supplies of chemical and biological agents,
15 with several nations developing their own nuclear
16 weapons; and
17 *Whereas*, the health of the economy of the United
18 States depends on international stability, as vast
19 markets for the agricultural and manufactured products
20 of the United States and the world's investment
21 markets are intertwined; *Now Therefore*,
22 *Be It Resolved By The House Of Representatives, The*
23 *Senate Concurring*, That the Iowa General Assembly
24 requests that the Congress of the United States,
25 committed to the safety and economic security of the
26 United States, authorize and appropriate sufficient
27 funding to build at least 10 ships per year for the
28 next decade; and
29 *Be It Further Resolved*, That the Iowa General
30 Assembly call upon the Presidential candidates to

Page 3

1 express their commitment to rebuilding the United
2 States Naval Fleet and the United States Flag Merchant
3 Marine Fleet; and
4 *Be It Further Resolved*, That official copies of
5 this Resolution be transmitted to the President of the
6 United States, the President of the United States
7 Senate, the Speaker of the United States House of
8 Representatives, and the members of Iowa's
9 congressional delegation.

HCR 108 filed February 9, 2000; House adopted February 14,
2000; Senate adopted February 15, 2000.

1 House Concurrent Resolution 109
2 By Hansen
3 A Concurrent Resolution requesting that the
4 Governor annually designate the week in June
5 beginning with Father's Day, as prostate cancer
6 awareness week.
7 *Whereas*, the National Cancer Institute reports that
8 after skin cancer, prostate cancer is the most common
9 form of malignant cancer among the nation's males, and
10 is the second leading cause of death among males; and
11 *Whereas*, every three minutes a new prostate cancer
12 case is diagnosed making prostate cancer the most

13 diagnosed form of cancer in the nation, with 180,000
 14 new diagnoses and 37,000 deaths annually; and
 15 *Whereas*, the American Cancer Society recommends
 16 that every male age 40 and over should consult with a
 17 physician about having regular testing for prostate
 18 cancer as part of a regular annual examination, and
 19 every male age 50 and over should consult with a
 20 physician about having more specific annual tests as
 21 the aging process continues; and
 22 *Whereas*, the American Cancer Society reports that
 23 survival rates for all forms of prostate cancer have
 24 steadily improved, increasing from 50 percent to 80
 25 percent in the past 30 years; and
 26 *Whereas*, it is in the public interest to promote
 27 public awareness of the benefits and values of early
 28 detection, prevention, and treatment of prostate
 29 cancer; and
 30 *Whereas*, improved public awareness of the disparity

Page 2

1 in funding for prostate cancer research, as compared
 2 to the research funding for other major fatal
 3 diseases, can help bring a halt to this inequity and
 4 assist in saving men's lives; and
 5 *Whereas*, it is appropriate for the State of Iowa to
 6 join men, their families, and loved ones throughout
 7 the state in recognizing the importance of this
 8 disease; *Now Therefore*,
 9 *Be It Resolved By The House Of Representatives, The*
 10 *Senate Concurring*, That the Governor is requested to
 11 annually proclaim the week in June beginning with
 12 Father's Day, as prostate cancer awareness week to
 13 promote early detection, prevention, and treatment of
 14 prostate cancer and to encourage males to have an
 15 annual examination; and
 16 *Be It Further Resolved*, That upon passage of this
 17 resolution an official copy shall be transmitted to
 18 the Governor.

HCR 109 filed February 10, 2000; House adopted April 19, 2000;
 Senate adopted April 24, 2000.

1 House Concurrent Resolution 111
 2 By Thomson
 3 A Concurrent Resolution encouraging state and
 4 local governments, business interests, health care
 5 professionals, and individuals with interest in
 6 good health to help in educating the public to raise
 7 awareness regarding osteoporosis prevention,
 8 detection, and treatment.

9 *Whereas*, osteoporosis is a condition of reduced
10 bone mass that primarily affects women, resulting in
11 crippling bone fractures; and
12 *Whereas*, osteoporosis is a progressive disease that
13 generally is revealed with bone fractures occurring in
14 the hip, spine, and wrist; and
15 *Whereas*, the prevalence of osteoporosis in Iowa
16 continues to grow, and by 2015, the Iowa department of
17 public health estimates the annual cost to Iowans for
18 treatment, and long-term care, and other needs could
19 reach \$229 million; and
20 *Whereas*, osteoporosis can be prevented or slowed
21 with proper nutrition, especially consumption of
22 calcium, regular exercise beginning in childhood, and
23 education; and
24 *Whereas*, low-bone density and osteoporosis can be
25 detected through bone density testing and treated with
26 certain medications; and
27 *Whereas*, educational efforts to raise awareness
28 regarding osteoporosis should be targeted both to
29 youth, who are increasingly substituting consumption
30 of soft drinks in place of milk, and to adults; *Now*

Page 2

1 *Therefore*,
2 *Be It Resolved By The House Of Representatives, The*
3 *Senate Concurring*, That Iowa health care
4 professionals, county public health departments,
5 public and private schools, hospitals, area agencies
6 on aging, employer-operated wellness programs, health
7 care insurers and care management corporations,
8 women's groups, nonprofit organizations, professional
9 associations, religious organizations and other
10 community-based organizations, and others who can
11 provide educational information to youth and adults,
12 are encouraged to provide general educational
13 information concerning osteoporosis, as well as the
14 methods for preventing osteoporosis, importance of
15 bone-density testing and other means of detecting low-
16 bone density osteoporosis, and approaches for treating
17 osteoporosis; and
18 *Be It Further Resolved*, That upon passage of this
19 Resolution, an official copy shall be sent by the
20 Chief Clerk of the House of Representatives to the
21 Iowa department of public health for the department to
22 disseminate as part of its efforts to educate the
23 public concerning osteoporosis.

HCR 111 filed February 15, 2000; House adopted March 22, 2000;
Senate adopted April 13, 2000.

1 House Concurrent Resolution 114
 2 By Holveck and Grundberg
 3 (Companion to LSB 6738SS By Maddox)
 4 A Concurrent Resolution designating March 2000 as Iowa
 5 Women's History Month.
 6 *Whereas*, Iowa women of every race, class, and
 7 ethnic background have made historic contributions to
 8 the growth and strength of our state and nation in
 9 countless recorded and unrecorded ways, including
 10 those contributions realized through the struggle for
 11 women's rights; and
 12 *Whereas*, Iowa women have played and continue to
 13 play a critical economic, cultural, and social role by
 14 constituting a significant portion of the labor force,
 15 working inside and outside the home; and
 16 *Whereas*, Iowa women were particularly important in
 17 the establishment of early charitable, philanthropic,
 18 and cultural institutions in our state and the nation;
 19 and
 20 *Whereas*, Iowa women and men worked to amend the
 21 Iowa Constitution to read "All men and women are, by
 22 nature, free and equal, and have certain inalienable
 23 rights ... "; and
 24 *Whereas*, Iowa women were leaders in the
 25 abolitionist movement, the emancipation movement, the
 26 industrial labor movement, the civil rights movement,
 27 the peace movement, and the women's suffrage movement,
 28 creating a more equitable and just society for all;
 29 and
 30 *Whereas*, despite these contributions and those of

Page 2

1 women throughout the world, the role of women
 2 continues to be overlooked and undervalued in
 3 literature, teaching, and the study of history; *Now*
 4 *Therefore*,
 5 *Be It Resolved By The House Of Representatives, The*
 6 *Senate Concurring*, That the General Assembly designate
 7 the month of March 2000 as Iowa Women's History Month,
 8 and invite the citizens of Iowa to continue to
 9 discover, reveal, and celebrate the roles women have
 10 played throughout history.
 11 *Be It Further Resolved*, That the General Assembly
 12 request that the Governor issue a proclamation calling
 13 upon the people of Iowa to observe Iowa Women's
 14 History Month with appropriate programs, ceremonies,
 15 and activities.

HCR 114 filed February 29, 2000; House adopted March 8, 2000.

1 House Concurrent Resolution 115

2 By Shoultz and Schrader

3 A Concurrent Resolution urging citizen participation in
4 and cooperation with the conducting of the year 2000
5 census.

6 *Whereas*, the Constitution of the United States
7 requires the conducting of a census every 10 years in
8 order to reapportion the membership of the United
9 States House of Representatives among the states; and

10 *Whereas*, the information obtained from the census
11 governs the distribution of over \$180 billion in
12 federal funds annually and assists state and local
13 governments in planning and allocating funds for many
14 projects; and

15 *Whereas*, the twenty-second decennial census of this
16 country will be conducted April 1 of this year; and

17 *Whereas*, the legitimacy and usefulness of census
18 numbers depend on a complete and accurate count of
19 every resident of Iowa and the nation; and

20 *Whereas*, the confidentiality of census information
21 obtained is protected by federal law; *Now Therefore*,

22 *Be It Resolved By The House Of Representatives, The*
23 *Senate Concurring*, That the general assembly

24 encourages all Iowans to fully participate in order to
25 be counted during the census this year; and

26 *Be It Further Resolved*, That the general assembly
27 salutes the efforts of the thousands of census takers
28 and support personnel hired to ensure that all Iowans
29 are counted; and

30 *Be It Further Resolved*, That governmental,

Page 2

1 business, and civic leaders of this state are urged to
2 publicize the importance of the census and to
3 encourage each resident of this state to provide
4 accurate and complete information during the
5 conducting of the census this year.

HCR 115 filed March 14, 2000; House adopted March 21, 2000;
Senate adopted April 18, 2000.

1 House Concurrent Resolution 116

2 By Barry, Houser, Drake, Whitead, Warnstadt,

3 Boggess, Klemme, Holmes, Jenkins, and Hansen

4 A Concurrent Resolution urging the Governor to
5 appoint a commission to develop design proposals
6 for Iowa's participation in the United States Mint's
7 50 state quarters program and to direct the commission
8 to develop designs incorporating the Loess Hills as a
9 symbol for the state.

10 *Whereas*, the United States Mint has implemented a
 11 program in accordance with Public Law No. 105-124, to
 12 commemorate each of the 50 states in the order in
 13 which the states ratified the United States
 14 Constitution and joined the Union; and
 15 *Whereas*, for the 10-year period 1999 through 2008,
 16 the United States will annually issue five quarter
 17 dollar coins with state designs displayed on the
 18 reverse side of the coins; and
 19 *Whereas*, each state has an opportunity to develop
 20 and submit designs representative of the state; and
 21 *Whereas*, quarter dollar coins have a commercial
 22 lifespan of at least 30 years and are collected for
 23 generations, providing an opportunity for wide
 24 distribution of an enduring symbol of this state; and
 25 *Whereas*, Iowa's Loess Hills land formation, located
 26 on the western edge of the state near the Missouri
 27 River, is known internationally for its unique
 28 physical qualities, prairie plants and lifeforms, and
 29 archeological deposits; and
 30 *Whereas*, Iowa entered the Union as the twenty-ninth

Page 2

1 state on December 28, 1846, and the quarter dollar
 2 honoring the state of Iowa will be issued in 2004; and
 3 *Whereas*, the Governor will be contacted no later
 4 than 2002 concerning Iowa's design submission; *Now*
 5 *Therefore*,
 6 *Be It Resolved By The House Of Representatives, The*
 7 *Senate Concurring*, That the Governor is urged to
 8 appoint a special commission charged with developing
 9 designs to submit to the United States Mint for the
 10 Iowa quarter dollar; and
 11 *Be It Further Resolved*, That the commission be
 12 directed to develop designs incorporating the Loess
 13 Hills as a symbol for the state.

HCR 116 filed March 23, 2000; House adopted March 29, 2000;
 Senate adopted April 19, 2000.

1 House Concurrent Resolution 118
 2 By Thomas and Heaton
 3 (Companion to LSB 7252SS By McKean)
 4 A Concurrent Resolution requesting the office
 5 of the attorney general to establish an operating
 6 while intoxicated (OWI) task force to review the
 7 clarity, complexity, and functionality of current
 8 operating while intoxicated Code provisions and to
 9 make recommendations to the general assembly.
 10 *Whereas*, the provisions relating to operation of a

11 vehicle while a person is intoxicated in Code chapter
12 321J and related Code chapters have been amended over
13 the years in a manner which renders the provisions
14 difficult to monitor and understand; *Now Therefore,*
15 *Be It Resolved By The House Of Representatives, The*
16 *Senate Concurring,* That the office of the attorney
17 general is requested to establish an operating while
18 intoxicated (OWI) task force to review the clarity,
19 complexity, and functionality of the OWI provisions in
20 Code chapter 321J and related Code chapters, including
21 the provisions relating to administrative revocation
22 of driver's licenses; and
23 *Be It Further Resolved,* That the members of the
24 task force should be appointed or determined and the
25 names of such members submitted to the office of the
26 attorney general by July 1, 2000; and
27 *Be It Further Resolved,* That the members of the
28 task force should include, but not be limited to, a
29 person appointed by the governor, the director of
30 transportation or the director's designee, the

Page 2

1 commissioner of public safety or the commissioner's
2 designee, and representatives from the office of the
3 attorney general, the state public defender's office,
4 the Iowa state bar association, the Iowa county
5 attorneys association, and the Iowa police executive
6 forum; and
7 *Be It Further Resolved,* That the task force shall
8 submit a preliminary report recommending changes in
9 the scope, operation, or administration of the current
10 OWI provisions in Code chapter 321J and related Code
11 chapters to the general assembly and to the chairs and
12 ranking members of the house and senate standing
13 committees on judiciary by January 1, 2001, with the
14 primary purpose of the recommendations being the
15 clarification, simplification, and streamlining of the
16 current OWI provisions in Code chapter 321J and
17 related Code chapters, and may submit further
18 recommendations with the preliminary report if
19 necessary; and
20 *Be It Further Resolved,* That the task force shall
21 submit to the general assembly and to the chairs and
22 ranking members of the house and senate standing
23 committees on judiciary a final report on the findings
24 and recommendations of the task force relating to
25 proposed changes in the current OWI provisions in Code
26 chapter 321J and related Code chapters by January 1,
27 2002, if necessary; and
28 *Be It Further Resolved,* That this Concurrent
29 Resolution, being deemed of immediate importance,

30 takes effect upon enactment.

HCR 118 filed April 4, 2000; House adopted April 5, 2000; Senate adopted April 13, 2000.

1 House Concurrent Resolution 119
2 By Welter, Bradley, and Huser
3 (Companion to LSB 7268SS By Drake)
4 A Concurrent Resolution requesting the state
5 department of transportation to review federal
6 outdoor advertising bonus program restrictions on
7 signing and advertising adjacent to the interstate
8 highway system and to make recommendations to the
9 general assembly.
10 *Whereas*, Iowa has complied with the federal outdoor
11 advertising bonus program restrictions on signing and
12 advertising adjacent to the interstate highway system
13 set out in Title 23 of the United States Code for over
14 30 years; and
15 *Whereas*, the outdoor advertising bonus program
16 restrictions and the implementing regulations
17 unreasonably restrict advertising and billboards to
18 locations in commercial and industrial zones traversed
19 by segments of the interstate system within municipal
20 boundaries as they existed on September 21, 1959,
21 where the use of the property adjacent to the
22 interstate system is subject to municipal regulation
23 and control or where the property on September 21,
24 1959, was zoned for industrial or commercial purposes;
25 and
26 *Whereas*, the United States Department of
27 Transportation refuses to allow Iowa to update the
28 boundary restrictions from the September 21, 1959,
29 restrictions; and
30 *Whereas*, for almost 20 years the federal government

Page 2

1 has failed in its obligation to provide outdoor
2 advertising bonus program payments to states for
3 advertising control under the federal law; *Now*
4 *Therefore*,
5 *Be It Resolved By The House Of Representatives, The*
6 *Senate Concurring*, That the state department of
7 transportation is requested to review the federal
8 outdoor advertising bonus program restrictions on
9 signing and advertising adjacent to the interstate
10 highway system as set out in Title 23 of the United
11 States Code; and
12 *Be It Further Resolved*, That the state department
13 of transportation should submit findings and

14 recommendations based on its review of the federal
15 outdoor advertising bonus program restrictions to the
16 general assembly by January 1, 2001.

HCR 119 filed April 6, 2000; House adopted April 12, 2000; Senate
adopted April 13, 2000.

1 House Concurrent Resolution 121
2 By Arnold, Teig, Gipp, Klemme, Dix, Barry,
3 Drake, Houser, Brauns, Garman, Welter,
4 Tyrrell, Van Engelenhoven, Eddie, Rayhons,
5 Weidman, Alons, Hahn, Hoffman, Kettering,
6 Baudler, Horbach, Boggess, Carroll, Sukup,
7 Sunderbruch, Greiner, Huseman, Johnson, Heatoh, Drees,
8 O'Brien, May, Larkin, Cohoon, Mertz, Bell, Fallon,
9 Thomas, Mundie, Reynolds, and Kuhn
10 A Concurrent Resolution to urge and petition the
11 United States Department of Agriculture to make
12 lands which are under the conservation reserve
13 program eligible for grazing by livestock.
14 *Whereas*, the state of Iowa, one of the major
15 agricultural states in the United States, is a leading
16 producer of livestock and livestock products which
17 represents a multibillion dollar industry; and
18 *Whereas*, the economic viability and welfare of this
19 nation is contingent upon food and materials
20 efficiently produced by farmers and ranchers receiving
21 a fair market price for their goods; and
22 *Whereas*, the conservation reserve program provided
23 in 7 U.S.C., chapter 45, subchapter III, authorizes
24 the United States Secretary of Agriculture to enter
25 into contracts and make payments to eligible owners
26 and operators of eligible cropland to assist them in
27 conserving and improving the soil and water resources
28 of their farms and ranches by converting cropland to
29 land with permanent vegetation cover; and
30 *Whereas*, farmers and ranchers in this state, like

Page 2

1 those in many states, have conscientiously entered
2 into contracts with the United States Secretary of
3 Agriculture to set aside highly erodible land in order
4 to conserve soil and water resources; and
5 *Whereas*, Iowa, like other agricultural states, has
6 not received adequate rainfall, threatening the
7 economic viability of areas suffering hardship due to
8 the lack of water required to sustain livestock; and
9 *Whereas*, the United States Department of
10 Agriculture's policy prohibiting the grazing of
11 livestock on land subject to contract under the

12 conservation reserve program will force the depletion
 13 of livestock herds, resulting in depressed commodity
 14 markets, unnecessary economic hardship on producers,
 15 and the premature slaughter of livestock; *Now*
 16 *Therefore,*
 17 *Be It Resolved By The House Of Representatives, The*
 18 *Senate Concurring,* That the Iowa General Assembly
 19 hereby petitions the Congress of the United States,
 20 the President of the United States, and the United
 21 States Secretary of Agriculture to take all necessary
 22 actions to ensure that livestock immediately be
 23 allowed to graze on land subject to contract under the
 24 conservation reserve program; and
 25 *Be It Further Resolved,* That copies of this
 26 resolution be submitted to the President of the United
 27 States, the United States Secretary of Agriculture,
 28 and the members of Iowa's congressional delegation.

HCR 121 filed April 12, 2000; House adopted April 13, 2000;
 Senate adopted April 18, 2000.

1 House Resolution 101
 2 By Baudler
 3 A Resolution honoring Mr. Steve Lose for his heroism
 4 in assisting the Iowa State Patrol.
 5 *Whereas,* Mr. Steve Lose observed a routine traffic
 6 stop by Iowa State Patrol Trooper Ken Haas on January
 7 10, 2000; and
 8 *Whereas,* the traffic stop resulted in a high-speed
 9 chase that ended in gunfire; and
 10 *Whereas,* Mr. Lose put himself in harm's way by
 11 assisting Trooper Haas in bringing an end to the
 12 dangerous situation and in restoring safety to the
 13 immediate area; *Now Therefore,*
 14 *Be It Resolved By The House Of Representatives,*
 15 That Mr. Steve Lose be commended by the House of
 16 Representatives for his quick thinking, his courage,
 17 and his heroism, without regard to his own personal
 18 safety, in assisting the Iowa State Patrol.

HR 101 filed January 18, 2000; House adopted January 19, 2000.

1 House Resolution 102
 2 By Wise
 3 A Resolution honoring the Keokuk firefighters who
 4 died in the line of duty.
 5 *Whereas,* assistant fire chief Dave McNally, age 48
 6 and a 25-year department veteran, firefighter Jason
 7 Bitting, age 29 and a department member for six and
 8 one-half years, and firefighter Nate Tuck, age 39 and
 9 a department member for four and one-half years,

10 attempted to save three children from a burning Keokuk
11 apartment building on December 22, 1999; and
12 *Whereas*, the firefighters, in their selfless effort
13 to save 7-year-old Jessica McFarland and 1-year-old
14 twins Robert and Rebecca Cooper, died in the blaze
15 along with the children; and
16 *Whereas*, this tragedy serves as a reminder of the
17 ultimate risk that all firefighters face while
18 protecting their communities against the rages of fire
19 and other perils; *Now Therefore*,
20 *Be It Resolved By The House Of Representatives*,
21 That Keokuk firefighters Dave McNally, Jason Bitting,
22 and Nate Tuck, be honored posthumously and remembered
23 by the citizens of the State of Iowa for their
24 remarkable courage, heroism, and self-sacrifice in the
25 line of duty.

HR 102 filed February 1, 2000; House adopted February 16, 2000.

1 House Resolution 105
2 By Rants, Alons, Arnold, Barry, Baudler, Blodgett,
3 Boal, Boddicker, Boggess, Bradley, Brauns,
4 Brunkhorst, Carroll, Cormack, Davis, Dix, Dolecheck,
5 Drake, Eddie, Garman, Gipp, Greiner, Grundberg,
6 Hahn, Hansen, Heaton, Hoffman, Holmes, Horbach,
7 Houser, Huseman, Jacobs, Jager, Jenkins, Johnson,
8 Kettering, Klemme, Larson, Lord, Martin, Metcalf,
9 Millage, Nelson-Forbes, Raecker, Rayhons, Shey,
10 Siegrist, Sukup, Sunderbruch, Teig, Thomson, Tyrrell,
11 Van Engelenhoven, Van Fossen, Weidman, and Welter
12 (Companion to LSB 6626SS By Iverson)
13 A Resolution honoring Kayne Robinson, Chairman of the
14 Republican Party of Iowa, and the Republican Party
15 of Iowa for outstanding achievements in bringing
16 about nationwide recognition for the year 2000
17 presidential precinct caucuses.
18 *Whereas*, every two years the major political
19 parties in the State of Iowa hold precinct caucuses to
20 select delegates from each major political party to
21 attend the county conventions; and
22 *Whereas*, since 1976, the precinct caucuses held in
23 presidential election years by the two major political
24 parties have been used for determining support for
25 presidential candidates and have served as our
26 nation's first important test of the presidential
27 candidates; and
28 *Whereas*, the Iowa voters are civic-minded citizens
29 who take their caucus responsibilities seriously; and
30 *Whereas*, the presidential precinct caucuses held in

Page 2

1 the year 2000 benefited Iowa's economy by bringing
 2 thousands of volunteers to the state for several
 3 months, by serving as a base for national media and
 4 for nationally telecast news and interview shows, and
 5 by showcasing Iowa to citizens throughout the world;
 6 and
 7 *Whereas*, Kayne Robinson, Chairman of the Republican
 8 Party of Iowa, ably served as a spokesperson for the
 9 Republican Party of Iowa during the caucuses and
 10 effectively coordinated the caucus activities for the
 11 Republican Party of Iowa; and
 12 *Whereas*, Kayne Robinson coordinated the efforts of
 13 thousands of Republican Party activists as the
 14 Republican Party of Iowa successfully hosted 2,134
 15 precinct caucuses; *Now Therefore*,
 16 *Be It Resolved By The House Of Representatives*,
 17 That the House of Representatives extends its
 18 heartiest congratulations to Kayne Robinson, Chairman
 19 of the Republican Party of Iowa, and to the Republican
 20 Party of Iowa, for their outstanding achievements in
 21 bringing about nationwide recognition for the year
 22 2000 presidential precinct caucuses; and
 23 *Be It Further Resolved*, That an official copy of
 24 this Resolution be prepared and presented to Chairman
 25 Robinson.

HR 105 filed from the floor; House adopted February 8, 2000.

1 House Resolution 106
 2 By Schrader, Bell, Bukta, Cataldo, Chiodo, Cohoon,
 3 Connors, Doderer, Dotzler, Drees, Falck, Fallon,
 4 Foege, Ford, Frevert, Greimann, Holveck, Huser,
 5 Jochum, Kreiman, Kuhn, Larkin, Mascher, May, Mertz,
 6 Mundie, Murphy, Myers, O'Brien, Osterhaus,
 7 Parmenter, Reynolds, Richardson, Scherrman, Shoultz,
 8 Stevens, D. Taylor, T. Taylor, Thomas, Warnstadt,
 9 Weigel, Whitead, Wise, and Witt
 10 (Companion to LSB 6627SS By Gronstal)
 11 A Resolution honoring Rob Tully, Chairman of the Iowa
 12 Democratic Party, and the Iowa Democratic Party for
 13 outstanding achievements in bringing about nation-
 14 wide recognition for the year 2000 presidential
 15 precinct caucuses.
 16 *Whereas*, every two years the major political
 17 parties in the State of Iowa hold precinct caucuses to
 18 select delegates from each major political party to
 19 attend the county conventions; and
 20 *Whereas*, since 1976, the precinct caucuses held in
 21 presidential election years by the two major political

22 parties have been used for determining support for
23 presidential candidates and have served as our
24 nation's first important test of the presidential
25 candidates; and
26 *Whereas*, the Iowa voters are civic-minded citizens
27 who take their caucus responsibilities seriously; and
28 *Whereas*, the presidential precinct caucuses held in
29 the year 2000 benefited Iowa's economy by bringing
30 thousands of volunteers to the state for several

Page 2

1 months, by serving as a base for national media and
2 for nationally telecast news and interview shows, and
3 by showcasing Iowa to citizens throughout the world;
4 and
5 *Whereas*, Rob Tully, Chairman of the Iowa Democratic
6 Party, ably served as a spokesperson for the Iowa
7 Democratic Party during the caucuses and effectively
8 coordinated the caucus activities for the Iowa
9 Democratic Party; and
10 *Whereas*, Rob Tully coordinated the efforts of
11 thousands of Democratic Party activists as the Iowa
12 Democratic Party successfully hosted 2,134 precinct
13 caucuses; *Now Therefore*,
14 *Be It Resolved By The House Of Representatives*,
15 That the House of Representatives extends its
16 heartiest congratulations to Rob Tully, Chairman of
17 the Iowa Democratic Party, and to the Iowa Democratic
18 Party, for their outstanding achievements in bringing
19 about nationwide recognition for the year 2000
20 presidential precinct caucuses; and
21 *Be It Further Resolved*, That an official copy of
22 this Resolution be prepared and presented to Chairman
23 Tully.

HR 106 filed from the floor; House adopted February 8, 2000.

1 House Resolution 107
2 By Hoffman
3 A Resolution to honor Shelley Fabares for her
4 contributions to the memory of Donna Reed.
5 *Whereas*, Shelley Fabares, a successful performing
6 artist in television, film, and song, played the
7 teenage daughter of Denison native Donna Reed on "The
8 Donna Reed Show" for eight seasons; and
9 *Whereas*, Shelley Fabares was a key member in the
10 formation of the Donna Reed Foundation in 1987; and
11 *Whereas*, the Donna Reed Foundation, based in
12 Denison, Iowa, honors the accomplishments of Donna
13 Reed and operates to recognize, encourage, and support

14 talented individuals pursuing an education and career
 15 in the performing arts; and
 16 *Whereas*, the Donna Reed Foundation provides a
 17 national scholarship program for the support of
 18 performing arts students, conducts an annual festival
 19 of performing arts workshops taught by industry
 20 professionals from across the nation, and works
 21 towards supporting a performing arts center based in
 22 Denison dedicated to developing new artists; and
 23 *Whereas*, Shelley Fabares has been actively involved
 24 in the Donna Reed Foundation since its inception and
 25 currently serves as President of its Board of
 26 Directors; *Now Therefore*,
 27 *Be It Resolved By The House Of Representatives*,
 28 That the House of Representatives honor Shelley
 29 Fabares, recognizing her contributions to the memory
 30 of Donna Reed and her deep commitment to helping and

Page 2

1 educating young performing artists.

HR 107 filed February 16, 2000; House adopted April 5, 2000.

1 House Resolution 108
 2 By Mertz, Holveck, Wise, Larson, Brauns, Carroll,
 3 Myers, Shoultz, Reynolds, Osterhaus, Scherrman,
 4 Frevert, Thomas, D. Taylor, T. Taylor,
 5 Doderer, Mascher, Witt, Tyrrell, Jenkins, Weigel,
 6 Greiner, Boggess, Falck, Heaton, Gipp, Dix,
 7 Welter, Shey, Boddicker, and Thomson
 8 A Resolution to honor Cedar Rapids Gazette
 9 Statehouse reporter and senior editor Ken Sullivan.
 10 *Whereas*, Ken Sullivan, born and raised in Charles
 11 City, Iowa, started his career in journalism in 1958
 12 as news director of KCHA Radio in Charles City; and
 13 *Whereas*, Ken Sullivan, from 1960 to 1963, served as
 14 city editor of the Oelwein Daily Register; and
 15 *Whereas*, Ken Sullivan, in 1963, started at the
 16 Cedar Rapids Gazette as City Hall reporter, and,
 17 throughout the years, has served as assistant city
 18 editor, state editor, lifestyle editor, outdoor
 19 columnist, and, most recently, political reporter and
 20 senior editor; and
 21 *Whereas*, Ken Sullivan has covered politics since
 22 Election Day 1978, focusing on the Iowa legislative
 23 sessions along with county, district, state, and
 24 national politics; and
 25 *Whereas*, Ken Sullivan's weekly political columns
 26 have provided readers thoughtful insight and analysis
 27 of local, state, and national political developments;

28 and

29 *Whereas*, Ken Sullivan, after working for more than
30 thirty-six years with The Gazette, is retiring this

Page 2

1 year; *Now Therefore*,

2 *Be It Resolved By The House Of Representatives*,

3 That the House of Representatives honor Ken Sullivan

4 for his work as a journalist, recognizing his

5 longstanding commitment to providing thoughtful

6 political insight and commentary to the public, and

7 congratulating him on his retirement.

HR 108 filed February 17, 2000; House adopted April 5, 2000.

1 House Resolution 109

2 By Jager

3 A Resolution honoring Masons and Masonic bodies

4 in the State of Iowa for their continued outstanding

5 philanthropic efforts across our entire state.

6 *Whereas*, the outstanding efforts of Masons and

7 Masonic bodies in philanthropic causes include, but

8 are not limited to, nonprofit hospitals and clinics,

9 Masonic nursing homes, medical research, scholarships,

10 youth programs, museums, libraries, and community

11 services; and

12 *Whereas*, in numerous ways each and every day

13 individual Masons, Lodges, Scottish Rite Masons, the

14 York Rite Bodies, Shriners, and Eastern Star assist

15 individuals and families, Masons and non-Masons alike,

16 in improving their lot in life, and aid their health,

17 educational, and moral needs, with more than \$2

18 million donated every day across the United States to

19 these worthy causes; and

20 *Whereas*, these Iowa Masons and Masonic bodies,

21 being an integral part of this worldwide fellowship,

22 conduct good works on behalf of humankind, with some

23 of these undertakings including Christmas Day dinners

24 in Des Moines and Carroll, Clothe a Child projects in

25 Marion and Cedar Rapids, the Scottish Rite Childhood

26 Language Disorder Clinic at the University of Iowa

27 Hospitals and Clinics, Alzheimer's research at the

28 University of Iowa, the Knights Templar Eye

29 Foundation, the Shriners Hospitals for Children and

30 Burn Institutes, and higher education scholarships by

Page 2

1 local lodges and the Grand Lodge of Iowa; *Now*

2 *Therefore*,

3 *Be It Resolved By The House Of Representatives,*
 4 That the House of Representatives honor and recognize
 5 Masons and Masonic bodies in the State of Iowa for
 6 their continued outstanding philanthropic efforts
 7 across our entire state.

HR 109 filed February 22, 2000; House adopted February 28, 2000.

1 House Resolution 110
 2 By Connors, Siegrist, and Schrader
 3 A Resolution honoring pianist Roger Williams.
 4 *Whereas,* the world renowned pianist Roger Williams
 5 grew up in Des Moines, Iowa, as Louis Weertz; and
 6 *Whereas,* Roger Williams graduated from West Junior
 7 High School and North High School in Des Moines; and
 8 *Whereas,* Roger Williams, as a child, developed
 9 exceptional musical talents and composed, arranged,
 10 and conducted musical groups as early as high school;
 11 and
 12 *Whereas,* Roger Williams, a graduate of Drake
 13 University and the Juilliard School of Music, burst
 14 onto the popular music scene in 1955 when he recorded
 15 "Autumn Leaves", which still stands as the greatest
 16 selling piano recording of all time; and
 17 *Whereas,* Roger Williams, as the greatest selling
 18 pianist in history, has recorded over 115 albums and
 19 has been awarded an astounding 18 gold and platinum
 20 albums; and
 21 *Whereas,* Roger Williams has performed at numerous
 22 major venues, including Carnegie Hall, the Hollywood
 23 Bowl, and the White House, the latter earning him the
 24 title of "Pianist to the Presidents" for having played
 25 for eight chief executives; and
 26 *Whereas,* Roger Williams, who turned 75 in October,
 27 celebrated his birthday by playing a 12 hour piano
 28 marathon, and recently released a new compact disc;
 29 *Whereas,* the Public Broadcasting Service (PBS) has
 30 produced a special musical salute starring Roger

Page 2

1 Williams, entitled "Pop Goes the Ivories," and has
 2 offered it to PBS stations for telecasting as a part
 3 of their annual fund-raising efforts; and
 4 *Whereas,* Iowa Public Television, Iowa's PBS
 5 affiliate, will feature Roger Williams live on March
 6 6, 2000, during its showing of "Pop Goes the Ivories";
 7 and
 8 *Whereas,* Roger Williams has received many honors
 9 and awards for his talents, including selection as the
 10 first person inducted into the Steinway Hall of Fame,

11 and induction into the Des Moines North High School
 12 Hall of Fame, as one of its first 10 members; *Now*
 13 *Therefore,*
 14 *Be It Resolved By The House Of Representatives,*
 15 That the House of Representatives honor Iowan Roger
 16 Williams for his lifetime of achievement as a pianist,
 17 recognizing not only his tremendous success, but also
 18 his artistry in playing the piano and his ageless
 19 passion for entertaining audiences worldwide.

HR 110 filed March 3, 2000; House adopted March 6, 2000.

1 House Resolution 112
 2 By Fallon
 3 A Resolution honoring Melvin and Phyllis Yates.
 4 *Whereas,* throughout history, people with different
 5 abilities and disabilities have been mistreated and
 6 misunderstood; and
 7 *Whereas,* the humanity and dignity of all people
 8 should be respected, regardless of their apparent
 9 abilities or disabilities; and
 10 *Whereas,* Melvin and Phyllis Yates, brother and
 11 sister, spent the majority of their youth in Glenwood
 12 State Hospital for the Retarded, even though they were
 13 not disabled, but rather were the victims of an
 14 abusive and negligent home life that inhibited their
 15 mental growth; and
 16 *Whereas,* as children, Melvin, 5, and Phyllis, 4,
 17 after living in a hostile household environment, were
 18 taken by authorities and sent to Glenwood in 1943
 19 after intelligence tests identified them as
 20 feebleminded; and
 21 *Whereas,* in 1956, Melvin and Phyllis, as teenagers
 22 in the Glenwood institution, underwent sterilization
 23 without their fully informed knowledge and consent;
 24 and
 25 *Whereas,* in 1957, a new Glenwood superintendent,
 26 Alfred Sasser, discovered that 178 patients, including
 27 Melvin and Phyllis, were being wrongfully held at
 28 Glenwood, which Iowa Governor Herschel Loveless called
 29 "a shame on humanity"; and
 30 *Whereas,* in the next few years following the

Page 2

1 discovery of the wrongful insitutionalization, about
 2 90 people were released from Glenwood, including
 3 Melvin in 1958 and Phyllis in 1960; and
 4 *Whereas,* Melvin married in 1966 and moved to
 5 Carrier Mills, Illinois, and, after working in a
 6 variety of jobs, started a cleaning business with his

7 wife in 1989; and
 8 *Whereas*, Phyllis, for job training with Goodwill
 9 Industries, moved to Omaha, Nebraska, in 1960, and
 10 married in 1968; and
 11 *Whereas*, Melvin and Phyllis managed to overcome the
 12 adversity of their past and lead fruitful and
 13 rewarding lives; and
 14 *Whereas*, Melvin and Phyllis deserve compassion for
 15 the mistreatment they suffered many years ago that
 16 drastically altered their lives; *Now Therefore*,
 17 *Be It Resolved By The House Of Representatives*,
 18 That the House of Representatives honor Melvin and
 19 Phyllis Yates for their perseverance and courage in
 20 overcoming the adversity of their past mistreatment,
 21 and recognize that all people, regardless of their
 22 apparent abilities or disabilities, should be treated
 23 with equal respect and dignity.

HR 112 filed March 8, 2000; House adopted April 4, 2000.

1 House Resolution 114
 2 By Nelson-Forbes
 3 A Resolution honoring Iowa Valley Community
 4 College District.
 5 *Whereas*, Iowa Valley Community College District has
 6 received a prestigious Bellwether Finalist Award from
 7 the 2000 Community College Futures Assembly; and
 8 *Whereas*, the Bellwether Awards are sponsored by the
 9 Institute of Higher Education at the University of
 10 Florida, and were created to recognize outstanding and
 11 innovative practices that successfully lead community
 12 colleges into the future; and
 13 *Whereas*, finalists were selected on how well the
 14 programs addressed the theme of the 2000 Community
 15 College Futures Assembly, identified an issue critical
 16 to community colleges, and documented the required
 17 criteria; and
 18 *Whereas*, the category of Planning, Governance and
 19 Finance entries included programs designed and
 20 successfully implemented to improve efficiency and
 21 effectiveness in the community college; and
 22 *Whereas*, the program created by Iowa Valley
 23 Community College District, entitled "Contribution
 24 Margin Budgeting," was designed to offer a rational
 25 management tool for sound fiscal and academic
 26 management for higher education, and was selected from
 27 60 competing presenters to finish second in the
 28 category of Planning, Governance and Finance; and
 29 *Whereas*, the knowledge, dedication, and
 30 professionalism of administrators serving the Iowa

Page 2

1 Valley Community College District have been nationally
 2 recognized by the receipt of this quality award; and
 3 *Whereas*, the "Contribution Margin Budgeting"
 4 process will be published in an upcoming issue of the
 5 Community College Journal of Research and Practice;
 6 *Now Therefore*,
 7 *Be It Resolved By The House*, That the House
 8 congratulates and honors Iowa Valley Community College
 9 District.
 10 *Be It Further Resolved*, That an official copy of
 11 this Resolution be prepared and presented to the Iowa
 12 Valley Community College District.

HR 114 filed March 22, 2000; House adopted March 27, 2000.

1 House Resolution 115
 2 By Arnold and Kreiman
 3 A Resolution honoring bass-baritone singer
 4 Simon Estes.
 5 *Whereas*, Simon Estes was born in Centerville, Iowa,
 6 attended the University of Iowa and was granted an
 7 honorary degree from Iowa State University; and
 8 *Whereas*, Simon Estes was admitted to the Julliard
 9 School of Music in New York City in 1964 and has been
 10 a professor at that esteemed institution since 1985;
 11 and
 12 *Whereas*, Simon Estes made his professional debut as
 13 Ramfis in Aida at the Deutsche Opera in Berlin in
 14 1965, his Bayreuth debut in 1978, and his Metropolitan
 15 Opera debut in 1982, and received the bronze medal at
 16 the Tchaikovsky Competition in Moscow in 1966; and
 17 *Whereas*, Simon Estes has gone on to perform
 18 internationally on the operatic and concert stages in
 19 over 100 roles, and has performed opera, show tunes,
 20 spirituals, and contemporary music; and
 21 *Whereas*, Simon Estes has not forgotten his Iowa
 22 roots, and has conducted master classes; visited,
 23 lectured, and performed with students and community
 24 choruses and bands; and displayed his talent in
 25 numerous concert performances in his home state of
 26 Iowa, and received, in 1996, the Iowa Award from Iowa
 27 Governor Terry Branstad; and
 28 *Whereas*, Simon Estes has been recognized as having
 29 a great talent and an extraordinary, imposing,
 30 voluminous, and elegant voice, and is considered one

Page 2

1 of the leading bass-baritones in the world; and

2 *Whereas*, Simon Estes has demonstrated his
3 compassion and humanity by establishing the Simon
4 Estes Educational Foundation in Oklahoma, which has
5 awarded over \$1 million in merit-based scholarships;
6 by establishing Children in Switzerland in 1993 to
7 provide support for child health needs in Switzerland
8 and Bulgaria; by establishing the Simon Estes School
9 in South Africa; and by sponsoring, with Rotary
10 District 6000, the attendance in Des Moines area high
11 schools and performances by 40 musically gifted
12 students from South Africa; *Now Therefore*,
13 *Be It Resolved By The House Of Representatives*,
14 That the House of Representatives honors Iowan Simon
15 Estes for his achievements as a vocal artist,
16 recognizing not only his amazing talent and career
17 accomplishments but his compassionate humanitarian
18 efforts as well.

HR 115 filed from the floor; House adopted March 27, 2000.

1 House Resolution 116
2 By Ford and Jacobs
3 A Resolution congratulating the Des Moines Dragons
4 International Basketball Association Basketball Team.
5 *Whereas*, the citizens of Iowa are greatly pleased
6 and justly proud that the Des Moines Dragons won their
7 first-ever Championship Final, winning the
8 championship title in their third year of existence as
9 a team; and
10 *Whereas*, the Des Moines Dragons have set single-
11 game attendance and season attendance records for the
12 league for three years running, and were chosen by the
13 league as Organization of the Year for each of the
14 three years they have been a member of the
15 International Basketball Association; and
16 *Whereas*, the Des Moines Dragons entered postseason
17 competition for the second year in a row, and this
18 season won the East Division title, and advancing to
19 and winning the Championship Final of the
20 International Basketball Association; and
21 *Whereas*, Head Coach Glenn Duhon has masterfully
22 brought talent and hard work into focus to provide
23 players in this developmental league with every
24 opportunity to improve their skills, and in so doing,
25 has presented basketball fans in the state with a
26 competitive, successful team, providing them access to
27 the fast-paced and exciting game of semiprofessional
28 basketball; and
29 *Whereas*, the Des Moines Dragons also embody a
30 spirit of community, in that they have provided

Page 2

1 internship opportunities for students, presented
2 community performers with an opportunity to perform as
3 half-time entertainment during home games, and have
4 given away over 11,000 free tickets to families,
5 youth, and community groups; and
6 *Whereas*, the Des Moines Dragons, Coach Glenn Duhon,
7 and the coaching staff have thrilled and delighted
8 Iowans with their hard work, teamwork, and well-earned
9 victories; *Now Therefore*,
10 *Be It Resolved By The House Of Representatives*,
11 That the House of Representatives congratulates Coach
12 Glenn Duhon and the Des Moines Dragons on their
13 championship season, thanks them for the honor they
14 have brought to the State of Iowa and for the
15 excitement and entertainment they have provided to the
16 basketball fans of the state, and wish them good luck
17 in the future.

HR 116 filed March 29, 2000; House adopted March 30, 2000.

1 House Resolution 117
2 By Raecker, Ford, Siegrist, Rants, Schrader, Alons,
3 Arnold, Barry, Baudler, Blodgett, Boal, Boddicker,
4 Boggess, Bradley, Brauns, Brunkhorst, Carroll,
5 Cormack, Davis, Dix, Dolecheck, Drake, Eddie, Garman,
6 Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton,
7 Hoffman, Holmes, Horbach, Houser, Huseman, Jacobs,
8 Jager, Jenkins, Johnson, Kettering, Klemme, Larson,
9 Lord, Martin, Metcalf, Millage, Nelson-Forbes,
10 Rayhons, Shey, Sukup, Sunderbruch, Teig, Thomson,
11 Tyrrell, Van Engelenhoven, Van Fossen, Weidman,
12 Welter, Bell, Bukta, Cataldo, Chiodo, Cohoon, Connors,
13 Doderer, Dotzler, Drees, Falck, Fallon, Foege,
14 Greimann, Holveck, Huser, Jochum, Kreiman, Kuhn,
15 Larkin, Mascher, May, Mertz, Mundie, Murphy, Myers,
16 O'Brien, Osterhaus, Parmenter, Reynolds, Richardson,
17 Scherrman, Shoultz, Stevens, D. Taylor, T. Taylor,
18 Thomas, Warnstadt, Weigel, Whitead, Wise, and Witt
19 A Resolution congratulating the Drake Women's
20 Basketball Team.
21 *Whereas*, the fans of Drake University and the
22 citizens of Iowa are greatly pleased that the Drake
23 Women's Basketball Team had a spectacular season in
24 compiling a 23-7 record and its fourth consecutive 20-
25 victory season; and
26 *Whereas*, the Drake Women's Basketball Team made its
27 fans and all Iowans proud by receiving a bid as an
28 eighth seed in the Women's NCAA Tournament; and
29 *Whereas*, the Drake Women's Basketball Team thrilled

30 its fans and delighted the citizens of Iowa by

Page 2

1 finishing first in the Missouri Valley conference with
 2 a conference record of 15-3 and by winning the
 3 Missouri Valley Conference Tournament Championship;
 4 and
 5 *Whereas*, the citizens of Iowa recognize the
 6 academic accomplishments of the Drake Women's
 7 Basketball Team for having the eighth highest grade
 8 point average in the United States at 3.34; and
 9 *Whereas*, the citizens of Iowa recognize the Drake
 10 Women's Basketball Team as mythical State Champions,
 11 with victories over the University of Iowa, the
 12 University of Northern Iowa, and Iowa State
 13 University; and
 14 *Whereas*, the citizens of Iowa applaud Drake Women's
 15 Basketball Head Coach Lisa Bluder for her outstanding
 16 coaching and for being a fine role model for her
 17 players and basketball fans around the state; *Now*
 18 *Therefore*,
 19 *Be It Resolved By The House Of Representatives*,
 20 That the House of Representatives congratulates Coach
 21 Lisa Bluder and the Drake Women's Basketball Team on
 22 their successful season and thanks them for the honor
 23 and excitement they brought to the State of Iowa.

HR 117 filed April 4, 2000; House adopted April 12, 2000.

1 House Resolution 119
 2 By Ford and Raecker
 3 A Resolution congratulating Cameron Hawkins.
 4 *Whereas*, Cameron D. Hawkins is a student at Hoover
 5 High School in Des Moines, Iowa; and
 6 *Whereas*, Cameron Hawkins has distinguished himself
 7 in many academic areas, and has been named a member of
 8 the National Honor Society, and has been recognized
 9 All-Academic by the Central Iowa Metropolitan League;
 10 and
 11 *Whereas*, Cameron Hawkins has further distinguished
 12 himself by competing and winning the State Legislative
 13 Debate Championship in March, and by going on to
 14 compete in the National Legislative Debate
 15 Championship; and
 16 *Whereas*, Cameron Hawkins has also won the Central
 17 Iowa Optimists Club Oratorical Contest; and
 18 *Whereas*, Cameron Hawkins aspires to attend college
 19 at Stanford or Howard University; and
 20 *Whereas*, Cameron Hawkins embodies talents, skills,
 21 discipline, and drive which will no doubt serve him

22 well in his further education and career, and which
 23 are deserving of public acclaim and recognition; *Now*
 24 *Therefore,*
 25 *Be It Resolved By The House Of Representatives,*
 26 That the House of Representatives congratulates
 27 Cameron D. Hawkins for his outstanding academic
 28 accomplishments, and wishes him great success in his
 29 future endeavors.

HR 119 filed April 10, 2000; House adopted April 11, 2000.

1 House Resolution 120
 2 By Myers
 3 A Resolution congratulating the University of
 4 Iowa Hawkeyes Wrestling Team.
 5 *Whereas,* the citizens of Iowa are justly thrilled
 6 that the University of Iowa Wrestling Team won the
 7 NCAA Division I Wrestling Tournament, their 6th
 8 consecutive national title and their 8th title in nine
 9 seasons, winning the national title for the 20th time
 10 in the past 26 years; and
 11 *Whereas,* the University of Iowa Wrestling Team also
 12 won the Big Ten Conference Wrestling Tournament, which
 13 was its 26th Big Ten title in 27 years; and
 14 *Whereas,* the team members are to be congratulated
 15 on their individual efforts, without which team
 16 success would not be possible; and
 17 *Whereas,* Head Coach Jim Zalesky was named Big 10
 18 Coach of the Year after the final meet of the Big Ten
 19 Conference tournament, and in 1999 was named Coach of
 20 the Year by the National Wrestling Coaches
 21 Association; and
 22 *Whereas,* the consistent performance of the
 23 University of Iowa Wrestling Team over time has
 24 prompted Sports Illustrated magazine to recognize the
 25 program as one of the top 20 favorite sports
 26 dynasties; *Now Therefore,*
 27 *Be It Resolved By The House Of Representatives,*
 28 That the House of Representatives congratulates the
 29 University of Iowa Wrestling Team, Head Coach Jim
 30 Zalesky, and the coaching staff on their successful

Page 2

1 season, thanks them for the honor and excitement they
 2 brought to the State of Iowa, and wishes them the very
 3 best in the future.

HR 120 filed from the floor; House adopted April 11, 2000.

1 House Resolution 121
2 By Siegrist
3 A Resolution congratulating the Iowa
4 State Cyclones Wrestling Team.
5 *Whereas*, the citizens of Iowa are justly proud that
6 the Iowa State Wrestling Team took first place at the
7 2000 Cliff Keen/National Wrestling Coaches Association
8 National Dual Championships, and finished in second
9 place at the Big 12 Championships and at the National
10 Collegiate Athletic Association Championships (NCAA);
11 and
12 *Whereas*, the Iowa State Wrestling Team individually
13 received five All-America honors, and the award for
14 the NCAA Championships' Most Outstanding Wrestler for
15 the second straight year, making the first time a
16 wrestler has won the award two years in a row; and
17 *Whereas*, the team members are to be congratulated
18 on their individual efforts, without which team
19 success would not be possible; and
20 *Whereas*, the Iowa State Wrestling Team is also to
21 be congratulated on its academic successes, in that
22 six of the Cyclone wrestlers were on the 2000
23 Wrestling Academic All-Big 12 Team; and
24 *Whereas*, Head Coach Bobby Douglas was named Big 12
25 Coach of the Year for the second year in a row; *Now*
26 *Therefore*,
27 *Be It Resolved By The House Of Representatives*;
28 That the House of Representatives congratulates the
29 Iowa State Wrestling Team, Head Coach Bobby Douglas,
30 and his coaching staff on their successful season,

Page 2

1 thanks them for the honor and excitement they brought
2 to the State of Iowa, and wishes them the very best in
3 the future.

HR 121 filed April 11, 2000; House adopted April 12, 2000.

SUPPLEMENT TO HOUSE JOURNAL**BILLS APPROVED, VETOED, OR ITEM VETOED
SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills passed by the 2000 Regular Session of the Seventy-eighth General Assembly and which action was had subsequent to the date of final adjournment.

- H.J.R. 2014 – Authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation. Approved 5-3-00.
- H.F. 475 – Concerning nonsubstantive gender-related provisions in the Code. Approved 5-15-00.
- H.F. 620 – Relating to persons with disabilities by providing for the use of wheelchair parking cones, providing for persons with disabilities registration plates for trailers, and providing for penalties. Approved 5-19-00.
- H.F. 683 – Relating to mediation services related to custody, visitation, and support of a child, and providing effective dates. Approved 5-3-00.
- H.F. 723 – Prohibiting the mistreatment of animals and providing for penalties. Approved 4-28-00.
- H.F. 754 – Relating to individual and group accident and sickness insurance, nonprofit health service plans, and health maintenance organizations, by mandating coverage for anesthesia and certain hospital charges associated with the provision of dental care services. Approved 5-16-00.
- H.F. 2008 – Providing residency status to certain members of the armed forces for purposes of hunting, fishing, and fur harvesting. Approved 5-9-00.
- H.F. 2090 – Changing the name of the forests and forestry division of the department of natural resources to the forests and prairies division and expanding its responsibilities. Approved 5-3-00.
- H.F. 2145 – Providing for the utilization of budget enrollment in determining gifted and talented program funding, and providing an effective date. Approved 4-27-00.
- H.F. 2197 – Relating to the determination of fair value of the shares of dissenting shareholders of a bank or bank holding company. Approved 5-26-00.
- H.F. 2205 – Relating to electronic commerce by establishing requirements for electronic transactions and electronic records, relating to sales and use

tax exemption for access to electronic commerce, and providing penalties. Approved 5-15-00.

- H.F. 2206 – Providing for the waiver or variance of administrative rules by state agencies. Approved 5-9-00.
- H.F. 2351 – Relating to a sales and use tax exemption for the sales of clothing and footwear for a limited time period annually and including an effective date. Approved 5-26-00.
- H.F. 2373 – Relating to the Iowa finance authority by providing for the issuance of closing protection letters, amending provisions regarding mortgage release certificates, and providing for the allocation of the state ceiling of federally tax-exempt private activity bonds. Approved 5-4-00.
- H.F. 2433 – Relating to community college governance. Approved 5-4-00.
- H.F. 2437 – Relating to disclosure by a postsecondary education institution of information to the parent or guardian of a student. Approved 5-3-00.
- H.F. 2458 – Relating to aviation transportation and providing an effective date. Approved 5-11-00.
- H.F. 2463 – Relating to the department of personnel by providing for the duties of the department, the administration of the department, and benefits provided state employees, and providing effective and retroactive applicability dates. Approved 5-8-00.
- H.F. 2473 – Providing civil and criminal immunity for a school employee related to the employee's participation in reporting and investigating violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function. Approved 5-3-00.
- H.F. 2474 – Providing for the adoption of administrative rules requiring school districts and accredited nonpublic schools to adopt policies relating to health services, media services programs and guidance programs as part of the accreditation standards applicable to school districts. Approved 5-5-00.
- H.F. 2477 – Relating to nonhighway transportation, including aircraft registration and passenger rail service. Approved 5-4-00.
- H.F. 2491 – Providing for the production of life science products, and providing for penalties and an effective date. Approved 5-18-00.
- H.F. 2496 – Providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date. Approved 5-18-00.

- H.F. 2519 – Relating to probation and parole by extending the repeal of the sixth judicial district pilot project concerning probation revocation hearings and by establishing the position of vice chairperson of the board of parole, and providing an effective date. Approved 5-9-00.
- H.F. 2528 – Relating to the condemnation of private property for certain public purposes and providing an effective date. Approved 5-10-00.
- H.F. 2540 – Relating to economic development programs and related tax credits and including effective and retroactive applicability date provisions. Approved 5-26-00.
- H.F. 2541 – Expanding the number of counties that may designate unincorporated areas containing private lakes as rural improvement zones and setting the limits for the standby taxes imposed in those zones. Approved 5-15-00.
- H.F. 2545 – Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters. Approved 5-19-00 with the exception of Section 9, subsection 6, unnumbered paragraph 2; Section 11; Section 27, unnumbered paragraph 5; Section 34; Section 38. See Governor's Item Veto Message.
- H.F. 2548 – Relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, sales and use, hotel and motel, real estate transfer, environmental protection charge on petroleum diminution, property, motor fuel, special fuel, cigarette and tobacco products, and inheritance taxes, treatment of motor fuel under the local option taxes, and authorizing tax agreements with Indian tribes, and including effective and retroactive applicability date provisions. Vetoed 5-19-00. See Governor's Veto Message.
- H.F. 2549 – Relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates. Approved 5-10-00 with the exception of Section 8; Section 9; Section 11, subsection 3, paragraph c, last unnumbered paragraph; Section 19. See Governor's Item Veto Message.
- H.F. 2550 – Relating to the Iowa educational savings plan trust and providing an effective date. Approved 5-3-00.
- H.F. 2552 – Relating to and making appropriations to the justice system, making related statutory changes, and providing an effective date. Approved 5-17-00 with the exception of Section 6, 21, 23 and 28. See Governor's Item Veto Message.
- H.F. 2554 – Relating to and making appropriations to the judicial branch. Approved 5-16-00.

- H.F. 2555 – Relating to and making appropriations from the tobacco settlement fund, providing an effective date, and providing for retroactive applicability. Approved 5-5-00.
- H.F. 2557 – Relating to the state's disposition of unclaimed property law by setting a limit on the retention of abandoned property records and requiring the filing of rules setting requirements and conditions for hiring independent auditors. Approved 5-15-00.
- H.F. 2560 – Providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns, an alternative method for computing the individual and corporate income tax credit for increasing research and development, an assistive device tax credit under the individual and corporate taxes for assisting persons with a disability in the workplace, and an increase in the deduction for pension and retirement income for income tax purposes, and a property tax exemption for increasing the value of certain barns as a result of the rehabilitation of the barns, and a property tax exemption for increasing the value of one-room schoolhouses as a result of the rehabilitation of the one-room schoolhouses, and including applicability dates. Approved 5-16-00.
- H.F. 2561 – Providing for interest on delinquent assessments payable to the Iowa egg council. Approved 5-3-00.
- H.F. 2562 – Relating to the treatment for sales and use tax purposes of sales where the substance of the transactions is delivered by electromagnetic waves, digitally, or by way of cable or fiber optics, the exemption from the sales and use taxes of the furnishing, sale, or rental of information services, providing of refunds, requesting a task force be established, and including an effective and retroactive applicability date provision. Approved 5-16-00.
- H.F. 2563 – Exempting from the sales and use taxes the gross receipts from all sales of goods and services used in fulfillment of a construction contract for a nonprofit hospital, providing for refunds, and including an effective and retroactive applicability date provision. Approved 5-19-00.
- H.F. 2565 – Relating to tobacco use prevention and control and providing an effective date. Approved 5-15-00.
- H.F. 2569 – Exempting the sale of livestock ear tags by certain nonprofit organizations from the sales and use taxes. Approved 5-4-00.
- H.F. 2579 – Creating a tobacco settlement authority Act, authorizing the issuance of bonds, providing for a repeal, and providing an effective date. Approved 5-19-00.
- H.F. 2581 – Relating to the authorization of the Iowa higher education loan authority to make loans and issue obligations to make loans to entities other than educational institutions, and to finance projects to be leased

to educational institutions, and providing that the obligations and income from obligations are exempt from taxation. Approved 5-19-00.

- S.F. 228 - Authorizing school districts and nonpublic schools to perform certain abuse record checks. Approved 5-3-00.
- S.F. 292 - Providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential. Approved 5-19-00.
- S.F. 419 - Applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine. Approved 5-15-00.
- S.F. 441 - Providing an exemption from certain requirements of self-insured dental insurance plans provided by school corporations. Approved 5-19-00.
- S.F. 466 - Relating to the remediation of agrichemical sites, and establishing a fund. Approved 5-15-00.
- S.F. 2010 - Relating to the traditional livestock producer's linked investment loan program by modifying eligibility requirements, and providing for a temporary preference in executing agreements. Approved 5-9-00.
- S.F. 2092 - Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective dates. Approved 5-3-00.
- S.F. 2113 - Relating to the licensing of individuals engaged in the healing art of massage therapy. Approved 5-15-00.
- S.F. 2144 - Relating to regulation and inspection of health care facilities including the establishment of a quality-based inspections system. Approved 5-11-00.
- S.F. 2214 - Relating to residential landlord-tenant law, by making certain changes related to forcible entry and detainer actions. Approved 5-23-00.
- S.F. 2241 - Relating to penalties and regulations concerning certain criminal offenses and liquor licenses and permits. Approved 5-19-00.
- S.F. 2243 - Relating to the placement in treatment programs of offenders sentenced for operating while intoxicated violations. Approved 5-19-00.
- S.F. 2245 - Relating to law enforcement agencies, and to the enforcement of criminal offenses and local ordinances, and making penalties applicable. Approved 5-19-00.

- S.F. 2246 – Relating to the accumulation of credit upon an inmate's sentence for Iowa inmates incarcerated in another jurisdiction. Approved 5-19-00.
- S.F. 2252 – Eliminating the future repeal of the school finance formula and providing for periodic legislative review. Approved 5-15-00.
- S.F. 2265 – To provide an additional sentence of parole or work release for certain persons who commit the crime of lascivious acts with a child. Approved 5-4-00.
- S.F. 2276 – Relating to the application of earned time credits against a criminal sentence and providing an effective date. Approved 5-9-00.
- S.F. 2327 – Relating to certain procedures for the purchase or condemnation of interest in private property by a utility subject to the jurisdiction of the Iowa utilities board. Approved 5-10-00.
- S.F. 2331 – Relating to the interest a member of the board of directors of a school corporation may have in a contract with the director's school corporation. Approved 5-15-00.
- S.F. 2390 – Relating to the duties of divisions within the department of inspections and appeals and codifying the establishment and duties of the existing health facilities division. Approved 5-3-00.
- S.F. 2419 – Providing for limitations on investments by city hospitals. Approved 5-3-00.
- S.F. 2427 – Relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes and providing for a fee, an appropriation, and a civil penalty. Vetoed 5-23-00. See Governor's Veto Message.
- S.F. 2428 – Appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making related statutory changes, and providing an effective date. Approved 5-18-00 with the exception of Section 1, subsection 2a, unnumbered paragraph 3; Section 12, subsection 5, unnumbered paragraph 2; Section 19; Section 27. See Governor's Item Veto Message.
- S.F. 2429 – Relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's office of drug control policy, and the commission of veterans affairs, and providing effective dates and retroactive applicability provisions. Approved 5-8-00.
- S.F. 2430 – Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing effective dates. Approved 5-11-00.

- S.F. 2433 – Relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date. Approved 5-13-00 with the exception of Section 4, unnumbered paragraph; Section 5, subsection 2d; Sections 23, 24, 25 and 26. See Governor's Item Veto Message.
- S.F. 2435 – Relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, providing effective dates, and providing for retroactive applicability. Approved 5-17-00 with the exception of Section 4, subsection 1f; Section 8, subsection 11; Section 8, subsection 15; Section 8, subsection 17; Section 11, subsection 5; Section 16, unnumbered paragraph 3; Section 16, subsection 16; Section 20, subsection 7; Section 24, subsection 2; Section 29, subsection 4; Section 29, subsection 5; Section 31, subsection 2d; Section 36; Section 46, subsections 2, 3 and 8. See Governor's Item Veto Message.
- S.F. 2438 – Relating to the creation of a water quality district, providing for the levy of a tax, and providing for other properly related matters. Approved 5-11-00.
- S.F. 2439 – Relating to the accelerated career education program, providing a tax credit from withholding, creating an accelerated career education grant program and fund, relating to the transfer of job training withholding to the workforce development fund account, and providing an effective date. Approved 5-18-00.
- S.F. 2444 – Relating to the taxation of property used by the Iowa national guard. Approved 5-19-00.
- S.F. 2447 – Relating to public improvements and providing financial assistance to communities and school districts by creating a school infrastructure program and fund, continuing the community attraction and tourism program and fund, creating a vision Iowa board, creating a vision Iowa program and fund, providing bonding authority to the treasurer of state, and exempting certain income from taxation. Approved 5-9-00.
- S.F. 2452 – Relating to public expenditure and regulatory matters, making appropriations, and including effective date and retroactive applicability provisions. Approved 5-23-00 with the exception of Section 19; Section 30; Section 78. See Governor's Item Veto Message.
- S.F. 2453 – Relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department of natural resources, the department of agriculture and land stewardship, the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the

state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates. Approved 5-11-00 with the exception of Section 18; Section 22, subsection 2; Section 24; Section 25, subsection 6; Section 28; Section 33. See Governor's Item Veto Message.

- S.F. 2455 – Relating to eligibility for United States armed forces retired special motor vehicle license plates. Approved 5-3-00.
- S.F. 2459 – Relating to the deadline for municipalities to file annual financial reports for urban renewal areas. Approved 5-3-00.

GOVERNOR'S VETO MESSAGES

May 19, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 2548, an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, sales and use, hotel and motel, real estate transfer, environmental protection charge on petroleum diminution, property, motor fuel, special fuel, cigarette and tobacco products, and inheritance taxes, treatment of motor fuel under the local option taxes, and authorizing tax agreements with Indian tribes, and including effective and retroactive applicability date provisions.

I am unable to approve House File 2548 and hereby transmit it to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

House File 2548 includes many worthwhile provisions asked for by the Department of Revenue and Finance. I regret that one provision, not requested by the department but included in the bill, is a change in way moist snuff tobacco products are taxed. Under current law, moist snuff tobacco products are taxed at 22 percent of the wholesale price. House File 2548 changes the taxation to a \$.42 per ounce flat tax.

I cannot approve House File 2548 with this tobacco tax policy change included in the bill. Iowa has one of the highest moist snuff usage rates in the country; ranking ninth out of 33 states that monitor moist snuff usage by males over the age of 18 years. As tobacco prices increase in the future, a taxation rate based upon a percentage of the cost will continue to impose a tax that is proportionate with the cost of the product. However, taxation on a per ounce basis will remain the same, regardless of the cost of the product. This results in a potential loss of tax revenue to the state. It may eventually create an incentive for persons to purchase moist snuff products since they will be available at a lower overall cost than other snuff or other tobacco products. This is a policy direction I cannot approve.

Concerns have also been raised regarding the confusing definition of "moist snuff" in the bill. Current law does not define snuff, but House File 2548 defines moist snuff as "any finely cut, ground or powdered tobacco intended to be placed in the oral cavity, except dry snuff". The definition of moist snuff introduces the term "dry snuff" which is unused and undefined elsewhere in the Iowa Code, in federal law or in House File 2548 itself.

Finally, the method of taxation described in the bill creates differing treatment of products, with no apparent rational basis. Under current law in Iowa, cigarettes are taxed in the same manner, regardless of the type of cigarette. Similarly, under federal law smokeless tobacco products, including snuff, are taxed in the same manner in that a flat rate of tax is imposed on a per unit basis. Under current Iowa law, all snuff products are taxed on the same basis, a percentage of cost. However, under House File

2548, a distinction is made between moist and dry snuff so that the two products are taxed in a different manner, creating unnecessary work for both retailers and for the Department of Revenue and Finance in determining the appropriate amount of tax to be paid and collected.

For the above reasons, I hereby respectfully disapprove House File 2548.

Sincerely,
Thomas J. Vilsack
Governor

May 23, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 2427, an act relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes and providing for a fee, an appropriation, and a civil penalty.

I am unable to approve Senate File 2427 and hereby transmit it to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 2427 amends Iowa Code chapter 103A dealing with the State Building Code. It expands the definition of factory-built structures to include mobile homes, manufactured homes and modular homes and requires installers of these structures to be certified by the Commissioner of Public Safety. It also provided for the assessment of a civil penalty for violations of the act.

The act also contains a provision which reads:

A person who is injured in person or property by reason of another person's violation of any of the standards adopted pursuant to this chapter for the installation of a manufactured home may bring a civil action for actual damages against the violator.

While I am supportive of the provisions requiring certification of installers and enforcement of this process, I am unable to approve the bill as a whole. The above language is ambiguous. Based upon prior court decisions, it is reasonable to believe that a court would interpret this language to preclude an award of punitive damages. This bill was intended to increase consumer protection and I do not want to put consumers at risk of losing the ability to pursue remedies that currently exist under law by signing it into law.

For this reason, I hereby respectfully disapprove Senate File 2427.

Sincerely,
Thomas J. Vilsack
Governor

GOVERNOR'S ITEM VETO MESSAGES

May 19, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 2545, an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Iowans expect and deserve government that is accountable. The administration and regulation appropriations bill provides funding for the agencies and offices that keep the rest of government running as smoothly and efficiently as possible.

The state departments included in this bill include the Department of Management, the Department of Personnel, the Department of General Services, the Department of Commerce, the Department of Inspections and Appeals including the State Foster Care Review Board and the Iowa Racing and Gaming Commission and the Department of Revenue and Finance. State offices included in this bill include the Office of the Governor and the Lieutenant Governor, the Auditor of State, the Secretary of State, the Treasurer of State, and the Ethics and Campaign Disclosure Board.

There are many services that aid government efficiency and provide important services to Iowans in this bill. Among these are inspections for nursing homes to ensure that residents receive good care, and inspections for grocery stores and restaurants give us confidence that Iowans can enjoy a safe food supply. The Secretary of State's Iowa Student Political Awareness Club serves a vital purpose because it educates young people about democracy and the political process, and I sincerely hope we can build on this in the future. The Secretary of State's money back guarantee for corporate filings demonstrates our confidence that we provide Iowa's businesses with a high quality of services.

My recommended budget centered on making sound investments to promote an accountable government. I am therefore disappointed that the Legislature failed to fund the Medicaid fraud investigator in my recommended budget, since this would have saved the State of Iowa several hundred thousand dollars through recoveries and prevented Medicaid fraud at a cost to the State of only \$16,033.

House File 2545 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve Section 9, subsection 6, unnumbered paragraph 2 in its entirety. This is language that prohibits certain state agencies from spending appropriated funds to construct or repair employee smoking shelters. The Department of General Services began this pilot project in an attempt to solve some of the problems associated with employees and visitors who are required to go outside in order to smoke. These shelters ensure that building entrances are cleaner, are less cluttered

and remain free of second hand smoke. The Department reports that employee acceptance of the shelters is encouraging.

I am unable to approve Section 11 in its entirety. This language calls for the Governor to identify and recommend at least \$10 million in General Fund savings each year for four years beginning in FY 2001 and ending in FY 2004. During the 2000 legislative session, I recommended, and the legislature approved, a fiscal year 2000 General Fund budget savings proposal totaling \$19 million. For FY 2001, I recommended nearly \$27 million in budget reductions in addition to \$20 million in budget reallocations. I support the Legislature's intent in this language of generating at least \$10 million in General Fund savings annually for four years. However, we disagree on the statutory limits placed into this language.

I am unable to approve Section 27, unnumbered paragraph 5 in its entirety. This language prohibits the Department of Personnel from requesting a General Fund appropriation for FY 2002 to pay premiums for workers' compensation claims. While I applaud the Legislature's efforts to return some control over workers' compensation claims back to all state agencies, I believe this prohibition against the Department of Personnel unfairly handicaps the agency from reacting to potential unforeseen increases in workers' compensation claim costs. The Department will still provide a centralized workers' compensation management and oversight function. In this capacity, they are better suited to request and distribute additional workers' compensation funding, if needed, when compared to the alternative which would involve piecemeal appropriations on an agency by agency basis.

I am unable to approve Section 34 in its entirety. I am concerned that the language in Section 34 would create a different standard for the departments and agencies funded in this bill than others in state government. While I share the Legislature's concern with vacant unfunded positions in state government, I believe that we must develop an enterprise-wide approach to this issue.

I am unable to approve Section 38 in its entirety. The Health and Human Rights appropriation bill, Senate File 2429, which I signed into law on May 8, 2000 contained amendments to Chapter 232.190, which removed the reference to Chapter 8A among other operations. My approval of corresponding provisions in Senate File 2429 render this change proposed in Section 38 duplicative and therefore unnecessary.

For the above reasons, I hereby respectfully approve House File 2545 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

May 10, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 2549, relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates.

House File 2549 provides funding to help Iowans attain their educational goals. I am particularly pleased with the commitment to early childhood education through local empowerment areas, the Jobs for Americas Graduates program, Americorps after school plans, teacher induction and mentoring, National Board certified teachers support, vocational/technical student grants, Iowa Tuition Grants, national guard education assistance, the UNI masters in social work program, and the ISU plant science initiative, which were approved as I had recommended.

Significant additional support contained in House File 2549 for teacher shortage loans, local libraries, education innovations, community colleges, the UI college of public health, and public television is also worthy of note, although it fell short of the level of support I recommended.

Clearly, there are shortcomings in this legislation in some other areas, which I hope can be better addressed in the future. I am disappointed that funding in this bill for state universities fell significantly below my recommended level. While we were able to improve these allocations in negotiation with legislative leaders late in the session, they clearly fell short of our goals, and will need more attention in the year ahead, along with several other issues.

I am hopeful that legislators will work with me in the coming year to provide the resources necessary to further enhance educational opportunities for all Iowans. House File 2549 is, therefore, approved on this date, with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 8 in its entirety. This language requires the Board of Educational Examiners to conduct a study of the use of school days for the professional development of teachers. Requiring school districts and Area Education Agencies to submit to the Board, by August 1, data relating to the use of school days for professional development is unrealistic. Additionally, I am concerned that the scope of the proposed study would require the BOEE to divert resources from the critical task of licensing teaching professionals, since no additional resources were allocated for the study. I believe the BOEE should focus on their core function rather than this study in the coming year.

I am unable to approve the item designated as Section 9 in its entirety. This language requires the Commission of Libraries to conduct a study of the state library structure. The Commission has voted to undertake a study of library service, inclusive of all types of libraries in Iowa. In the next few weeks, I understand the Commission will appoint a task force, representative of the Iowa library community and other stakeholders, to undertake the study. I anticipate this study will be completed prior to the next legislative session. Based on this information, I believe a useful study of library services in the state will be accomplished without the necessity of the legislative mandate contained in this bill.

I am unable to approve the designated portion of Section 11, subsection 3, paragraph c, last unnumbered paragraph. This would direct the cooperative extension service at Iowa State University, in consultation with the department of human services, to identify educational materials, seminars, and assistance which are duplicative, directly or in subject areas, of educational materials, seminars, and assistance offered by the department of human services. In the absence of additional resources provided for either agency to conduct this study, I am concerned the completion of this project would result in the diversion of time and resources from the core services these agencies provide to Iowans. I believe it is more appropriate for the extension service and the human services department to focus on the delivery of services to Iowans rather than to perform the study requested in this bill.

I am unable to approve the item designated as Section 19 in its entirety. This language directs the University of Iowa to develop and maintain a comprehensive database regarding treatment options and success rates related to neonatal brachial plexus injury and treatment. It is my understanding that the University officials have held discussions on these treatment options with interested parties, and have indicated to me their willingness to continue discussions that could lead to better communication with concerned families. I have encouraged them to continue such efforts in the coming year, and based on their assurances that they will do so, I believe the language contained in Section 19 is unnecessary.

For the above reasons, I hereby respectfully approve House File 2549 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

May 17, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 2552, an act relating to and making appropriations to the justice system, making related statutory changes, and providing an effective date.

Safe communities are a priority of all Iowans, and I am pleased that this bill provides additional opportunities to move closer to this goal. Notable achievements in this bill include: four new narcotics agents to continue the fight against the illegal drug markets in our communities, additional criminal laboratory personnel to work toward more timely processing of criminal evidence, and new fire inspectors to assure that fire and safety code standards are followed. Within the Department of Corrections budget, many efforts also were included to ensure safer communities for all Iowans. This is evidenced by the expansion of drug courts to stop the cycle of the non-violent drug offenders, the addition of 20 new Community Based Corrections personnel to help monitor those on probation and parole, funding for the new Community Based

Corrections beds, as well as for beds added at the recently expanded Fort Dodge and Mitchellville prison facilities.

House File 2552 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the items designated as Sections 6, 23, and 28 in their entirety. Section 6 appropriates funds for educational and vocational programming from the inmate telephone rebate fund. Section 23, also regarding the inmate telephone rebate fund, would only allow expenditures by the legislative appropriation process. While I agree with the intent of using funds from inmate telephone rebates for educational and vocational programs, the Department of Corrections has, since 1998, used telephone rebate funds well above this level for educational and vocational projects. The Department of Corrections, with oversight from the Board of Corrections will continue in the coming fiscal year to utilize the authority to spend telephone rebate funds for educational and vocational programs that are for the benefit of inmates, without the need for a specific legislative mandate to do so. The Department will expend in excess of the \$300,000 identified by the legislature for educational and vocational programs in both fiscal years 2000 and 2001. To improve oversight of these expenditures in the past year, I asked the Board of Corrections to review all projects prior to departmental action. At this time, it appears that the process is working well and I see no need to approve this additional legislative mandate. Section 28 sets the enactment date for Section 23, therefore, is not needed.

I am unable to approve the designated portion of Section 21. This item limits the time frame for any building plan review process to within sixty days of submission of the plan. Unless otherwise acted upon, this language would mandate that all plans automatically be approved after the expiration of the sixty-day period. I do not think it is wise governmental policy to have plans deemed automatically approved because of the elapse of an arbitrary time frame. Building access and safety codes should not be compromised, or deemed approved, without the necessary review.

However, the expectation of a sixty-day turnaround is a proper goal. Therefore, although I will veto this section, I also am directing the Department of Public Safety, Fire Marshall Office Division, to submit for approval by administrative rule a sixty-day turnaround on building plan reviews, and offer a 'money back guarantee,' if they are unable to meet the deadline.

For the above reasons, I hereby respectfully approve House File 2552 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

May 18, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 2428, an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, the public employment relations board, making related statutory changes, and providing an effective date.

Economic development touches all Iowans, and I am pleased that this bill seeks to provide additional opportunities throughout our state. It is notable that several initiatives the Lieutenant Governor and I developed to create more Iowans, younger Iowans, and better paid Iowans are contained within this bill. Our state will benefit from additional worker training opportunities at community colleges through the ACE program, assistance to businesses that provide new employment opportunities for Iowans with disabilities and minority population, additional immigration services, and worker safety. These are quality of life issues that better our state and make it more attractive to those looking for a place to live and work.

Senate File 2428 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve section 1, subsection 2a, unnumbered paragraph 3. This would require the department of economic development and the small business development centers to develop a written report on services provided by each and identify the distinct services to be provided by the department and the small business development centers and recommend actions that would eliminate any duplication of services. The department and the small business development centers undertook this exercise prior to the last legislative session. It would be more appropriate for them to continue working on resolving issues under consideration from that report than to restart the process from the beginning.

I am unable to approve the designated portion of section 12, subsection 5, unnumbered paragraph 2. This prevents the department of workforce development from allocating additional penalty and interest revenues prior to January 30, 2001. In the past, the department has had the flexibility to identify projects or target areas that would receive funding and report these expenditures to the legislature. The language contained in this bill is unduly prescriptive, usurps normal executive branch functions, and could hamper administration of the fund.

I am unable to approve section 19 in its entirety. This would expand the acceptable uses of the physical infrastructure fund to include program capital costs for the accelerated career education program. Senate File 2453 already provides \$5.3 million for accelerated career education program capital projects; the \$2.5 million for the physical infrastructure assistance fund should be targeted toward community infrastructure improvement projects, such as, for example, child care facilities, that do not have an alternative funding source.

I am unable to approve section 27 in its entirety. Subsection 1 would require the information technology services division of the department of general services to study the workforce investment one-stop program and submit a report by January 15, 2001. This issue has already received thorough study, and I believe that there are more productive uses for the division and the department's time. Subsection 2 would require the department of workforce development to submit a written report by August 10,

2000 for a plan for financing the state's system of workforce development centers after the administrative contribution surcharge is repealed. The short time frame provided for the completion of the study will make it difficult for the department to adequately address these issues as well as those involved in meeting their statutory requirements under Iowa Code Chapter 8.23.

For the above reasons, I hereby respectfully approve Senate File 2428 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

May 13, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 2433, an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, and providing an effective date.

Senate File 2433 is a bill I will approve reluctantly, as it contains a number of useful provisions which will begin to upgrade and modernize technology operations in state government, but falls far short of meeting the identified needs. If we are to truly run our state government "like a business," the legislature must do much better, in the future, to provide an adequate, dedicated funding stream for technology projects, just as many businesses do. In this electronic day and age, as we are attempting to manage the large enterprise of state government, and provide easier, round the clock access to government services to all Iowans, we must have adequate resources to upgrade technology. This bill provides needed operational funding for information technology, but at levels notably below my recommendations. This bill provides needed funding for technology projects that will allow services to be more efficiently delivered to Iowans, but at levels greatly below — perhaps as much as 50% below — the level needed.

I am hopeful that legislators will understand the need for us to work together in the coming year, as we begin to implement both the new Information Technology Department, and the provisions of this bill, to do significantly better next year on providing the necessary adequate, dedicated funding for technology. We will only succeed at providing the greatest management efficiencies and access to government services for Iowa taxpayers when we have done so. This bill does not fully accomplish those goals.

I hereby approve Senate File 2433, with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 4, unnumbered paragraph, in its entirety. This item requires the approval of the Department of Management prior to any possible fee increases by the new Information Technology Department. Given the underfunding of the ITD operations budget by the legislature, there is a distinct possibility that fee increases may be necessary. I have received assurances that the two Departments will work cooperatively to examine any proposed fee or rate increases, without the necessity of the legislative mandate.

I am unable to approve the item designated as Section 5, Subsection 2d, in its entirety. This item allocated \$200,000 to the Department of Management to develop an automated budget program for Township Trustees. This request was not submitted for review by the Information Technology Infrastructure Advisory Committee, and to my knowledge was not even a part of any committee discussion during the legislative process. For these reasons, I believe it is premature to earmark funds for the project, or to elevate it above other worthy projects already evaluated. If this project is submitted for review later this year by the advisory committee, I will give it further consideration at that time.

I am unable to approve the items designated as Sections 23, 24, 25, and 26 in their entirety. These items amend portions of Senate File 2395, the Information Technology Department bill, which was previously passed. These sections deal with the development and implementation of technology standards in state government. I appreciate the efforts of legislators to improve the language in these sections by amendment late in the process. Upon further review, however, I have come to the conclusion that the language in these sections, even as amended, is not needed.

For the above reasons, I hereby respectfully approve Senate File 2433 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

May 17, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 2435, an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, providing effective dates, and providing for retroactive applicability.

The human services appropriations bill is a vitally important measure for literally hundreds of thousands of Iowans. For many of our neighbors, family members, and friends, it provides the services they most need to assist families, assure basic health care for children, nursing home care for senior citizens, treatment for those with

mental illness, and assistance for those with mental retardation or developmental disabilities.

I am grateful that we, legislators and myself, were able to work together in several areas to bring about funding for needed services. This includes an additional \$650,000 to expand the number of school liaisons to an additional 25 schools and expand the family support subsidy program so that an additional 50 youngsters with mental retardation may remain in their own homes. Senate File 2435 also includes the addition of \$3.55 million to assist low income, working parents with child care and an additional \$2.55 to community empowerment programs to assist communities with their efforts in child care and helping families reach self sufficiency.

While I am supportive of some efforts this Legislature made, Senate File 2435 also provides funding that is \$3.6 million below the level that I recommended at the beginning of the session. It also contains sections that are either flawed or negatively impact the Department of Human Services efforts to carry out its duties in an effective manner. Therefore, I am unable to approve Senate File 2435 in its entirety.

Senate File 2435 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 4, subsection 1f in its entirety. This language would put restrictions on implementing electronic benefit transfer in the most cost effective manner as required by federal regulations.

I am unable to approve the designated portion of Section 8, subsection 11. This item purports to encourage the department to implement an adult mental health rehabilitation option under the medical assistance program. While I am supportive of this effort, this language relates to scheduling meetings for the next session and may have the opposite effect of the intended language by slowing down the process. For this reason, I am unable to support the designated portion of this item.

I am unable to approve the item designated as Section 8, subsection 15 in its entirety. This language proposes that the department pursue options to provide additional medical services that are not permitted under federal regulations to adults with special needs. While I am sympathetic to the intent of this section, no funding has been provided for this purpose. Without adequate resources, additional options are not viable.

I am unable to approve the item designated as Section 8, subsection 17 in its entirety. This language directs the department to study and provide options for personal assistance services. This same topic is addressed in subsection 14 which directs the Department of Human Services to pursue options for personal assistance services. The language in subsection 17 is very prescriptive, and additional funds were not added to the Medical Assistance program for this purpose. Striking this language allows us to retain the proposed \$100,000 for its original intended purpose of providing services to people for their health needs, rather than diverting these dollars to this proposed study.

I am unable to approve the item designated as Section 11, subsection 5 in its entirety. Here again, the bill contains language scheduling a meeting for the next

legislative session. In this case, it applies to community action agencies that are not part of the department.

I am unable to approve the item designated as Section 16, unnumbered paragraph three. This item supports the department's initiatives in the area of revising reimbursement methodologies. However, it ties the language to a methodology that has been pending and may be under consideration by the federal government for an undetermined period of time. While this is pending, I am directing the department to proceed with the pilot proposal in the most effective manner possible.

I am unable to approve the item designated as Section 16, subsection 16 in its entirety. This section allocates \$50,000 for a child welfare services work group. However, no additional funds were added to the appropriation for this purpose. While appropriations for this work group's operation have been requested, its funding over the past several years have largely been the result of diverting funds from other purposes. The state would benefit more from utilizing appropriations, as originally intended, for services that directly affect Iowa children and families.

I am unable to approve the item designated as Section 20, subsection 7 in its entirety. This would require each mental health institute to continue the net budgeting accounting test of managing revenues and expenditures attributable to the mental health institutes, and submit a status report in October 2000 that identifies the advantages and disadvantages of utilizing this budget approach. The institutes have previously conducted this test and reported the results. Given that the Legislature's budgets for mental health institutions were significantly reduced below my recommendations, and absent an appropriation to accomplish these tasks, the state will benefit more from utilizing appropriations for services that directly assist Iowa children and families.

I am unable to approve the item designated as Section 24, subsection 2 in its entirety. This item would reimburse certain intermediate care facilities for the mentally retarded that predominantly care for persons with a head or brain injury in a different manner than other similar facilities. I am sensitive to the need for services for people with brain or head injuries. I had initially proposed new funding for programs that included brain injury which the legislature chose not to fund. This provision does not provide additional funding, but rather, it takes funds from state cases which serve persons with mental illness or developmental disabilities. It also gives the appearance of expanding services to additional people when it does not. Therefore, rather than implementing this section, I am directing the department to evaluate the system to determine if resources can be spent in a more efficient and effective manner.

I am unable to approve the item designated as Section 29, subsection 4 in its entirety. This would require the department to redirect state-county technical support staff. The result would be dramatically reduced services to counties. The department must retain the flexibility necessary to make staffing decisions based upon the need to provide services to Iowa children and families.

I am unable to approve the item designated as Section 29, subsection 5 in its entirety. This language addresses the department's efforts to seek and or revise reimbursement methodologies that would best provide the results needed for Iowa's families and children. While the thrust of the language is supportive of the

department's efforts, this language appears to be flawed, and therefore, I am unable to support this item. However, the department will continue to work with the legislative branch in developing methodologies that will bring about the best results for Iowa's families.

I am unable to approve the item designated as Section 31, subsection 2d in its entirety. Here again, the bill contains language scheduling a meeting for next legislative session, in this case, with persons in the nursing industry.

I am unable to approve the item designated as Section 36 in its entirety. This item requires the department to conduct an evaluation of the child protection system, including "a determination of whether the system changes have improved the safety of children and the support of families in the community, and should identify indicators of increased community involvement in child protection." This study has been requested, but no funds have been appropriated to complete the study for the last three years. The department will contract with consultants from nationally respected child welfare organizations, using funds from private sources to complete an assessment of the child protection system. However, the requirements of Section 36 would increase the scope of that assessment and increase the cost. Rather than using state funding intended for other programs to meet this requirement, the state would benefit more from utilizing current appropriations for services that directly affect Iowa children and families.

I am unable to approve the items designated as Section 46, subsections 2, 3 and 8. These items, relating to effective dates, are not approved to be consistent with other actions disapproved in this bill.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2435 are hereby approved as of this date.

Sincerely,
Thomas J. Vilsack
Governor

May 23, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 2452, an act relating to public expenditure and regulatory matters, making appropriations, and including effective date and retroactive applicability provisions.

Senate File 2452 is the annual standing appropriations bill and provides for many technical changes and corrections in numerous bills passed during this session. The bill provides for a two percent increase in fiscal year 2002 for county mental health/mental retardation/developmental disabilities appropriation. The bill also provides for a new program to pay death benefit claims for volunteer fire fighters,

emergency medical care providers, and emergency rescue technicians who are killed in the line of duty.

I am unable to approve the item designated as Section 19 in its entirety. This section establishes a Microsoft Settlement Fund and requires that the state's portion of any monies paid to the state by Microsoft in settlement of its federal antitrust lawsuit be deposited into this fund and used only as appropriated by the general assembly. In previous years, including the current year, the legislature has authorized the Department, in the Department of Justice appropriation bill, to retain damages, costs and attorney fees awarded to the state in antitrust cases. These monies are held in a non-reverting fund that is to be used exclusively for the enforcement of the Iowa competition law. While the state's antitrust litigation against Microsoft does not include a request for monetary damages, the Department of Justice has incurred significant costs in the case, and the Department will seek to recover these costs and attorneys fees for this time from Microsoft. These costs should be placed in the antitrust fund like all other antitrust cases – not in a separate fund.

I am unable to approve the item designated as Section 30 in its entirety. This section strikes in Senate File 2453, the opportunity for the Department of General Services to include a recommendation of long-term leases from the study for additional facilities for state agencies. This elimination unnecessarily limits the options available for the Department to include in the study.

I am unable to approve the item designated as Section 78 in its entirety. This section makes a technical amendment to House File 2486 that deals with residency requirements to obtain fishing and hunting licenses. However, House File 2008, which was approved by the Legislature, corrected the deficiency. Therefore, the amendment in Senate File 2452, Section 78 is inaccurate and should be removed.

For the above reasons, I hereby respectfully approve Senate File 2452 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

May 11, 2000

The Honorable Chester Culver
Secretary of State
State Capitol
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 2453, an act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department of natural resources, the department of agriculture and land stewardship, the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of

treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

I appreciate the efforts of Republicans and Democrats in allocating approximately \$11.2 million toward the creation of the Clean Water Initiative. This investment will create a comprehensive set of initiatives aimed at improving Iowa's water resources. The package includes the establishment of buffer strips, efforts to restore and construct wetlands, and expansion of water quality monitoring and watershed programs.

These projects not only provide cleaner and safer water, but they will protect our natural resources, protect our public infrastructure – like roads and bridges – from flood damage, and protect our aquatic wildlife. Most importantly, we need to make sure that our commitment to clean, safe drinking water does not end this year.

For these reasons, Senate File 2453 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the designated portion of Section 18. This item prohibits any of the community attraction and tourism funds from being expended for development and promotional purposes. The Legislature specifically authorized the use of these funds for these purposes in last year's infrastructure appropriations bill. I believe it is appropriate to allow the new Vision Iowa Board to determine if they want to continue that practice.

I am unable to approve the designated portion of section 22, subsection 2. This item would carry unused balances of the environment first fund appropriations to the subsequent fiscal year. Because the legislature has overspent from the infrastructure budget this year, it is necessary to develop a mechanism to balance it. The effect of this item veto, coupled with those below, will be to allow unspent resources in the environment first fund to return to the rebuild Iowa infrastructure fund at the end of the fiscal year. This will help correct the Legislature's infrastructure budget deficit.

I am unable to approve section 24 in its entirety. This item would extend the restore the outdoors program through fiscal year 2004. The restore the outdoors program is a statutory appropriation that is already funded in the coming fiscal year. It makes more sense to deal with extending the program next year, when all other FY 2002 budget issues are being discussed.

I am unable to approve section 25, subsection 6 in its entirety. This item appropriates \$1,300,000 for the agricultural drainage well system assistance program. This is an important program, and I regret that the Legislature's overspending requires me to make an item veto of these funds. However, there is currently \$5.5 million available from previous appropriations for this assistance which will sustain the fund for FY '01. If the Legislature will submit a properly balanced infrastructure budget next year, I would be willing to restore funding for this purpose.

I am unable to approve section 28 in its entirety. This item would carry unused balances of appropriations made from the environment first fund to the subsequent fiscal year. Once again, this is necessary to ensure that the infrastructure budget deficit presented to me by the legislature is eliminated.

I am unable to approve section 33 in its entirety. This item relates to the billing of services by the department of general services. This is an executive branch function that should not be legislatively imposed.

For the above reasons, I hereby respectfully approve Senate File 2453 with the exceptions noted above.

Sincerely,
Thomas J. Vilsack
Governor

IN MEMORIAM

House

A memorial adopted by the House of Representatives, 2000 Regular Session of the Seventy-eighth General Assembly, commemorating the life, character, and public service of the former members of the House of Representatives.

GLENN F. BROCKETT.....May 5, 1910 – July 20, 1999
 DANIEL P. FOGARTY August 21, 1924 – November 28, 1999
 WILLIAM RILEY GILLETTE..... March 19, 1924 – July 25, 1999
 INGWER L. HANSENAugust 8, 1912 – February 7, 2000
 HERBERT C. HINKHOUSE..... May 11, 1917 – February 27, 2000
 CURTIS G. RIEHMDecember 23, 1914 – August 24, 1998
 HOWARD N. SOKOL June 2, 1912 – January 2, 1999
 HARVEY W. WARE..... March 31, 1924 – August 20, 1998
 LORNE R. WORTHINGTON..... June 14, 1938 – August 21, 1999

GLENN F. BROCKETT

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Glenn F. Brockett begs to submit the following Memorial:

Glenn F. Brockett was born May 5, 1910, in Boone, Iowa, son of Ellis D. and Jennie Brockett. He married Pearl C. Collins in 1940.

He graduated from Carlisle High School in 1928. He earned a B.S. in mechanical engineering from Iowa State University in 1935. He was Vice-president of marketing for Fisher Controls Corporation from 1962-70 and marketing consultant for Fisher Controls Corporation from 1970-75. Mr. Brockett participated from 1942-46 in the Manhattan District Project (Atomic Bomb). He was former director of the YMCA, General Chairman of United Way in 1972, Fellow of the Instrument Society of America, Rotarian, and Chairman of the Capitol Planning Commission.

A Republican, Mr. Brockett was a member of the Sixty-fifth, Sixty-sixth, and Sixty-seventh General Assemblies.

Glenn F. Brockett died July 20, 1999, at the Marshalltown Medical and Surgical Center. Survivors include a son, Glenn Brockett, Jr. of Rye, New Hampshire, and two daughters, Diane Brockett of Washington D.C., and Pat Brockett of Des Moines, Iowa.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Glenn F. Brockett, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

BEVERLY NELSON-FORBES
BILL DOTZLER
TERESA GARMAN

Committee

DANIEL P. FOGARTY

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Daniel P. Fogarty begs to submit the following Memorial:

Daniel Patrick Fogarty was born August 21, 1924, near Rodman, Iowa. He was the son of William and Lorena (Neary) Fogarty. He married Gertrude Kliegl in 1946.

He graduated from Rodman in 1942. Daniel served in the U.S. Navy from 1943 to 1946 during WWII. Daniel farmed near Cylinder for many years retiring in 1997. He also was employed by Hite Implement from 1946 to 1952. He served as the Assessor

and was on the Palo Alto County Board of Supervisors from 1976 to 1980. He served on the Cylinder Bank Board and the Cylinder Elevator Board. He was on the Palo Alto County Fair Board and had been active with the fair for thirty years. He was an advocate for the elderly serving on the Northwest Aging Association Board, the Palo Alto County Council on Aging and Older Iowans Legislature. He served on the Horizons Unlimited Board for three years and had been the chairman of the Democratic party for Palo Alto County.

Mr. Fogarty was a member of Holy Family Parish and Knights of Columbus in Emmetsburg. He was also a member of a V.F.W. Post #2295 in Emmetsburg and American Legion Post #1 in Spencer.

A Democrat, Mr. Fogarty was a member of the Seventieth, Seventy-first, Seventy-second, Seventy-third, Seventy-fourth, and Seventy-fifth General Assemblies.

Mr. Fogarty died November 28, 1999, at PARC Hall in Emmetsburg, Iowa at the age of 75. Survivors include his wife, Gertrude of Cylinder, Iowa; three brothers, Keyron of Cylinder, Iowa, Terrance of Emmetsburg, Iowa, and Martin of Lincoln, Nebraska; two sisters, Joan Fox of Omaha, Nebraska and Rosella Rosacker of Spencer, Iowa; several nieces and nephews; as well as many other relatives and friends.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Daniel P. Fogarty, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MARCELLA FREVERT
RUSSELL EDDIE
DOLORES MERTZ

Committee

WILLIAM RILEY GILLETTE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable William Riley Gillette begs to submit the following Memorial:

William Riley Gillette was born March 19, 1924, near Fostoria, Iowa. He was the son of Lester and Cecilia Murray Gillette. He married Doris Morningstar in 1949.

Mr. Gillette graduated from Milford High School and Iowa State University. He served in the U.S. Army Air Corps in WWII. He was awarded the Air Medal, WWII Victory Medal, European African Middle Eastern Campaign Medal, and the American Campaign Medal. Due to the Korean Conflict, Riley was called back to duty with the Air Force where he was in the Navigation School and the Bombardment School until

his discharge. Mr. Gillette raised sheep, fed cattle, and crop farmed until retiring in 1991.

Mr. Gillette was a lifelong member of the St. Joseph Catholic Church and member of the Knights of Columbus.

A Democrat, Mr. Gillette was a member of the Sixty-first General Assembly.

Mr. Gillette died July 25, 1999, at the age of 75. Survivors include his wife, Doris Gillette of Spencer, Iowa; a daughter, Corinne Peterson of Milford; two sons, Michael of West Des Moines, Iowa, and Charles of Lake Park, Iowa; six grandchildren, two brothers, Dr. John Gillette of Tucson, Arizona, and Dr. Charles Gillette of Milwaukee, Wisconsin; three sisters, Mary Maurer of Spencer, Iowa, Rita Gillette of Astoria, Oregon, Frances-Mrs. Jack Neuzil of Solon, Iowa; as well as other relatives and friends.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable William Riley Gillette, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MARCELLA FREVERT
RUSSELL EDDIE
DOLORES MERTZ

Committee

INGWER L. HANSEN

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Ingwer L. Hansen begs to submit the following Memorial:

Ingwer L. Hansen was born August 8, 1912, in Hartley, Iowa. He was the son of Ernest and Augusta (Jurgens) Hansen. He married Patricia Greenlee in 1939.

Mr. Hansen was raised in Hartley and graduated from Hartley High School. He served in the U.S. Army from 1944 to 1946. His awards and decorations include American Service Medal, Good Conduct Medal, and World War II Victory Medal. He was employed as a rural mail carrier for 42 years. He was a member of Rural Letter Carriers Association, Trinity United Church of Christ, Consistory, Masonic Lodge, Abu Bekr Temple, Shrine Club, American Legion, Lions Club, Order of the Eastern Star, O'Brien County Board of Education, and Chamber of Commerce. He was an original board member and first president of Community Memorial Hospital. He served on the board of directors for Village Northwest, Iowa Department of Aging, Iowa Beer and Liquor Control Commission, Northwest Iowa Community College and served as president of the college foundation.

A Republican, Ingwer L. Hansen was a member of the Sixty-fifth, Sixty-sixth, Sixty-seventh, and Sixty-eighth General Assemblies. He served as an assistant majority leader.

Mr. Hansen died on February 7, 2000, at the age of 87. Survivors include a son, Ingwer "Orv" Jr. of Sheldon, Iowa; two daughters, Mary Ann Gregory of Dysart, Iowa, and Jane Kauzlarich of Le Mars, Iowa; two grandchildren; a sister, LuVerne Katz of Chatham, New Jersey; and a brother, Kermit of Thousand Oaks, California.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Ingwer L. Hansen, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

DAVID JOHNSON
GREG STEVENS
DANIEL HUSEMAN

Committee

HERBERT C. HINKHOUSE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Herbert C. Hinkhouse begs to submit the following Memorial:

Herbert C. Hinkhouse was born May 11, 1917, in West Liberty, Iowa. He was the son of Fredrick W. and Clara Pearson Hinkhouse. He married Doris Guthrie in 1941.

Mr. Hinkhouse graduated from Springdale High School in 1935 and attended Iowa State University for two years. Mr. Hinkhouse was a veteran of WWII serving with the Corps of Engineers where he received the Bronze Star. Herb and his wife farmed in Springdale and West Branch for many years.

Herb was a life-long member of the West Branch Friends Church. He also was a member of the Cedar County Farm Bureau, and had served on both the West Branch School Board and West Branch State Bank Board of Directors. He belonged to various Cattleman's Associations and received the Iowa "Master Farmer" Award.

A Democrat, Mr. Hinkhouse was a member of the Sixty-sixth, Sixty-seventh, and Sixty-eighth General Assemblies.

Herbert C. Hinkhouse died on February 27, 2000, at Mercy Hospital in Iowa City following an extended illness. Survivors include his wife, Doris Hinkhouse; four sons, Richard and Glenn, both of West Branch, Cliff and Stanley, both of West Liberty; a daughter, Hilda M. Bowers of West Branch; a sister, Helen Simmons of Iowa City, and eight grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Herbert C. Hinkhouse, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

DAN BODDICKER
MINNETTE DODERER
DAVID JOHNSON

Committee

CURTIS G. RIEHM

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Curtis G. Riehm begs to submit the following Memorial:

Curtis G. Riehm was born December 23, 1914, in Britt, Iowa. He was the son of Fred William and Jennie Liberty (Manuel) Riehm. He married Florine McDermott in 1943.

Mr. Riehm was educated in the public schools in Britt and Garner, Iowa. He obtained a B.A. at the University of Iowa College of Commerce and a J.D. at the College of Law. He concentrated on his law practice and buying and selling real estate. Mr. Riehm served four years with the army (C.E.) in European and Pacific theatres, World War II, and seven years active army reserve. He served as county attorney for four years, and town attorney for the towns of Garner and Kanawha. He was a member of the United Methodist Church, Masonic Lodge, American Legion Gifford Olson Post #256, Garner V.F.W. Post, Hancock County Bar Association, Iowa Bar Association, Rotary Club, Garner Chamber of Commerce, Winnebago Council Boy Scouts of America, and the Za-Ga-Zig Shrine in Des Moines.

A Republican, Curtis G. Riehm was a member of the Fifty-sixth and Fifty-seventh General Assemblies.

Mr. Riehm died on August 24, 1998, at his home. Survivors include his wife, M. Florine Riehm of Garner; three children, Beverly Riehm of San Francisco, California, Charles Riehm of Richardson, Texas, and Carol Bertilson of Fithian, Illinois; a sister, Bernice Eisenman of Britt; grandchildren, nieces and nephews.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Curtis G. Riehm, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

HENRY RAYHONS
DOLORES MERTZ
GARY BLODGETT

Committee

HOWARD N. SOKOL

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Howard N. Sokol begs to submit the following Memorial:

Howard N. Sokol was born on June 2, 1912, in Sibley, Iowa. He was the son of Agnes and George Sokol. He married Ruth Hawley in 1934.

A graduate of Iowa State University, Mr. Sokol spent 28 years in the building materials and concrete products business. During World War II, he was a flight instructor and American Red Cross Field Director. After leaving the construction business, Mr. Sokol graduated from the College of Law at the University of Iowa in 1967. He was an attorney with Legal Services and was a member of the Johnson County Bar Association. He was an active member of the Iowa City Noon Rotary Club and put in over 2,500 hours as a patient visitor volunteer at University Hospitals.

A Republican, Howard N. Sokol was a member of the Sixtieth General Assembly.

Mr. Sokol died on January 2, 1999, in Iowa City. Survivors include his son, Robert of Port Townsend, Washington; two daughters, Betsie Brown and Sally Brown, both of Churdan, Iowa; one brother, John of Scotsdale, Arizona; one sister, Ann Heath of Dallas, Texas; ten grandchildren; and fourteen great-grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Howard N. Sokol, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

DAVID JOHNSON
GREG STEVENS
DAN HUSEMAN

Committee

HARVEY W. WARE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Harvey W. Ware begs to submit the following Memorial:

Harvey W. Ware was born March 31, 1924, at State Center, Iowa. He was the son of William and Mildred Dilley Ware. He married Dorothy L. Smith in 1946.

Mr. Ware was a graduate of Ottumwa High School in 1942 and attended the University of Minnesota and the University of Iowa. He was drafted into World War II, where he served as a Lt. and navigator with Army Air Corp. He then graduated from Iowa Wesleyan College, magna cum laude, and received his master's degree from the University of Iowa. He retired from teaching in 1986.

A Republican, Mr. Ware was a member of the Fifty-ninth General Assembly.

Harvey W. Ware died August 20, 1998, at University Hospitals in Iowa City. Survivors include his wife, Dorothy; a daughter, Marcia L. Weite of Des Moines; two sons, John of Kirksville, Missouri and Timothy of Ottumwa; three grandchildren; two great-grandchildren; and three sisters, Betty Kelley of Oatho, Sandy Corder of Ottumwa and Cherie Doud of Moravia.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Harvey W. Ware, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

SANDRA GREINER
REBECCA REYNOLDS
GALEN DAVIS

Committee

LORNE R. WORTHINGTON

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Lorne R. Worthington begs to submit the following Memorial:

Lorne R. Worthington was born on June 14, 1938, in Penticon, B.C. Canada, the son of Paul and Alice Worthington of Spokane, Washington. He married Veneta Sneathen in 1959.

Mr. Worthington was elected State Auditor in 1964 and was appointed Iowa's commissioner of insurance by Governor Hughes in 1966. He served in that capacity for 5 years.

A Democrat, Mr. Worthington was a member of the Sixtieth General Assembly. At age 24, he was one of the youngest members ever elected.

Mr. Worthington died on August 21, 1999, at the age of 61. Survivors include four daughters, Penelope Thomas of Lincoln, Nebraska, Deborah Worthington of Middletown, New Jersey; Suzanne Menard and Nisa Ulep, both of Washington, D.C.; three sons, Michael of Ashland, Virginia, Jonathan of Des Moines and Chad of Washington, D.C.; and 12 grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-eighth General Assembly of Iowa, That in the passing of the Honorable Lorne R. Worthington, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

CECIL DOLECHECK
RICHARD ARNOLD
DAVID SCHRADER

Committee

GENERAL INDEX

ADDRESSED THE HOUSE—

(See also JOINT CONVENTION and/or SPECIAL PRESENTATION)

The Honorable Christopher C. Rants, Majority Leader—8-9, 1929-1931

The Honorable David Schrader, Minority Leader—10-11, 1927-1929

The Honorable Brent Siegrist, Speaker of the House—11-13, 1931-1934

Mr. John Ruan—136

Dr. Borlaug—136

Mr. Kenneth M. Quinn—136

Ambassador Stephen S.F. Chen from China—267

Mr. Roger Williams, pianist—549

Miss Iowa, Jennifer Caudle—549

Marian Wright Edelman, Washington, D.C.—650

Senator Mary Jackman, Irish Dignitary—809

Mr. Simon Estes—992

Jessie Kraayenbrink, Queen of the 2000 Pella Tulip Festival—1202

High School Teacher from Ukraine—1308

Wrestling Coach Jim Zalesky, University of Iowa—1382

Basketball Coach Lisa Bluder, Drake University—1448-1449

The Honorable Robert Ray—1473

Students from the Nora Springs-Rock Falls Peacemakers—1520

ADMINISTRATION AND RULES, COMMITTEE ON—

Appointed—17

Recommendations—156, 1371

Reports—21-24, 114-115, 698-701, 1767

Resolution offered—158

Subcommittee assignments—1370

ADMINISTRATIVE RULES REVIEW COMMITTEE—

Bill introduced—254

AGRICULTURE, COMMITTEE ON—

Amendment filed—648

Amendment offered—1436

Appointed—17

Bills introduced—120, 127, 325, 354, 398, 447, 465

Recommendations—110-111, 124, 278-279, 343, 392-393, 408, 430, 647, 803-804,
818

Resolution offered—299

Subcommittee assignments—68, 69, 83, 117, 118, 152, 297, 371, 388, 761, 817

ALONS, DWAYNE—Representative **Sioux** County

Amendments filed—541, 595, 610, 878, 937, 1345, 1362, 1372, 1421, 1673-1681

Amendments offered—607, 610, 615, 1049, 1362

Amendment withdrawn—607

Bills introduced—52, 72, 81, 87, 112, 149, 175, 305, 324, 349, 357, 400, 436

Committee appointments—17, 18, 19

Explanation of vote—1653

Leave of absence—1617

Presided at sessions of the House—1519

Resolutions offered—119, 264, 1222, 1344, 1427, 1460, 1835

Subcommittee assignments—69, 83, 92, 117, 230, 258, 405, 818

AMENDMENTS—

(See also INDIVIDUAL HEADINGS)

Amendments filed, not otherwise printed during session—1947-2353

Amendments out of order—255, 455, 485, 505, 528, 529, 569, 583, 604, 622, 691, 710, 796-797, 812, 865, 881, 911, 924, 975, 1043, 1094, 1131, 1274, 1303, 1363, 1395, 1404, 1421, 1467, 1485, 1493, 1588, 1602, 1640, 1646, 1647, 1686, 1703, 1783, 1825, 1855, 1859, 1879, 1921

Amendment back in order—1399

Filed—111, 148, 158, 233, 251, 264-265, 279, 288-289, 299, 313-314, 347, 363, 377, 396, 414, 434, 441-442, 463, 497-498, 517-518, 526-527, 541-542, 546, 561-562, 594-596, 648, 674-675, 704-705, 766, 806-807, 819, 822, 844-845, 877-878, 934-937, 983-984, 1014-1015, 1100-1101, 1137, 1167-1168, 1199-1200, 1222, 1283, 1344-1345, 1372, 1428, 1461, 1518, 1574, 1615-1616, 1658-1659, 1773, 1835-1836, 1944

Filed from the floor—62, 63, 164, 255, 320-321, 455, 480-481, 508, 537, 580, 581, 583, 609-610, 610, 611, 612, 612-614, 622, 667, 680, 711, 723-724, 755, 756, 779, 791, 795, 795-796, 796, 797, 824, 861, 863, 865, 866-867, 902, 911-912, 912, 913, 914, 917, 921, 989, 1002, 1004, 1039-1040, 1040, 1041-1042, 1042, 1043, 1044, 1045, 1046-1047, 1047-1048, 1048, 1048-1049, 1049, 1050-1079, 1080, 1081, 1081-1083, 1083-1088, 1089, 1090, 1090-1092, 1092, 1093-1094, 1094, 1106, 1107, 1110, 1111, 1111-1113, 1117, 1120, 1131, 1160, 1161-1162, 1181, 1210-1212, 1215-1216, 1235, 1238-1240, 1257-1258, 1276, 1277, 1296, 1303, 1310, 1312-1327, 1330, 1362, 1392-1395, 1395, 1395-1396, 1396-1397, 1397, 1399, 1400-1401, 1401, 1402-1403, 1403-1404, 1404, 1405, 1405-1406, 1406, 1407, 1408-1409, 1409, 1409-1410, 1410, 1413, 1414, 1417, 1418-1420, 1420, 1421, 1451, 1452, 1453, 1454-1455, 1455, 1456, 1469, 1471-1472, 1475-1479, 1479-1480, 1480, 1480-1481, 1485, 1488-1492, 1492, 1492-1493, 1497, 1500, 1501-1502, 1504, 1505-1506, 1506, 1506-1507, 1511-1512, 1512-1513, 1547, 1550-1560, 1560, 1563, 1583-1586, 1586-1587, 1587, 1588, 1590-1600, 1600-1601, 1601, 1602, 1608, 1624-1629, 1630, 1630-1631, 1631-1632, 1632, 1633, 1634, 1635, 1635-1636, 1636, 1636-1637, 1637-1638, 1639, 1640, 1641, 1642-1643, 1643, 1643-1644, 1644-1645, 1645, 1646, 1646-1647, 1647, 1670-1671, 1671, 1673-1681, 1681, 1682-1685, 1686, 1686-1687, 1688, 1689, 1693, 1694, 1694-1695, 1695, 1701, 1707, 1734-1735, 1754-1755, 1757, 1758, 1758-1759, 1760, 1761-1762, 1762, 1762-1763, 1763, 1764, 1765, 1791, 1792, 1821, 1821-1822, 1822, 1822-1823, 1825-1827, 1858-1859, 1865, 1876-1877, 1877, 1877-1879, 1919-1921, 1921-1922, 1922-1923, 1937, 1937-1938

Lines of amendments out of order—792, 1421, 1502, 1547, 1785

Senate amendments considered—349, 903, 954, 1034, 1089, 1121, 1138, 1142, 1174, 1190, 1203, 1208, 1225, 1242, 1268, 1287, 1291, 1308, 1350, 1357, 1378, 1412, 1430, 1464, 1520, 1525, 1581, 1605, 1612, 1621, 1660, 1710, 1715, 1723, 1732, 1787, 1838, 1842, 1861, 1884, 1888

Senate amendments filed—313, 845, 877, 934, 983, 1100, 1101, 1137, 1168, 1199, 1222, 1283, 1345, 1372, 1428, 1461, 1518, 1616, 1658, 1701, 1773, 1835, 1836

Withdrawn—62, 164, 292, 333, 334, 336, 488, 504, 522, 528, 537, 569, 580, 604, 607, 612, 616, 617, 618, 626, 627, 639-640, 660, 661, 666, 707, 711, 749, 751, 755, 775, 781, 784, 789, 791, 796, 826, 828, 830, 835, 836, 837, 855, 883, 884, 913, 914, 919, 922, 923, 924, 926, 942, 949, 950, 956, 964, 965, 976, 989, 993, 994, 1001, 1002, 1009, 1022, 1024, 1042, 1047, 1050, 1081, 1103, 1110, 1111, 1117, 1120, 1131, 1149, 1155, 1157, 1159, 1160, 1161, 1162, 1163, 1187, 1212, 1214, 1264, 1276, 1296, 1312, 1329, 1330, 1331, 1336, 1374, 1376, 1387, 1399, 1401, 1403, 1404, 1405, 1406, 1407, 1409, 1413, 1414, 1417, 1453, 1467, 1468, 1469, 1470, 1471, 1473, 1475, 1487, 1493, 1496, 1497, 1500, 1504, 1506, 1507, 1509, 1513, 1543, 1547, 1563, 1601, 1608, 1618, 1631, 1632, 1639, 1640, 1641, 1641-1642, 1646,

1647, 1681, 1686, 1688, 1689, 1694, 1695, 1703, 1713, 1730, 1759, 1763, 1775, 1778, 1783, 1785, 1791, 1821, 1840, 1855, 1865, 1871, 1877, 1881, 1923

APPOINTMENTS—

(See INTERIM APPOINTMENTS)

APPROPRIATIONS, COMMITTEE ON—

Amendments filed—414, 935, 1101, 1137, 1215, 1485, 1670-1671

Amendments offered—424, 1484, 1485, 1499, 1670

Appointed—17

Bills introduced—53, 520, 573, 715, 929, 979, 985, 1164, 1382, 1383, 1441, 1449

Recommendations—51, 96, 408-409, 517, 593, 672, 933, 982, 1099-1100, 1137, 1167, 1198, 1427, 1460, 1615, 1670, 1727-1728

Subcommittee assignments—69, 91, 92, 93, 99, 117, 258, 259, 260, 338, 339, 359, 387, 388, 405, 493, 494, 540, 644, 671, 801, 981, 1615, 1657, 1700

APPROPRIATIONS SUBCOMMITTEES—

Appointments to—20-21

ARNOLD, RICHARD D.—Representative Appanoose-Clarke-Lucas-Wayne Counties

Amendments filed—705, 935, 1421, 1461, 1673-1681, 1701, 1773

Amendment offered—1757

Bills introduced—52, 87, 113, 149, 221, 222, 305, 316, 415, 436

Committee appointments—19, 565

Explanation of vote—1279

Leave of absence—1224

Presented resolution to Mr. Simon Estes—992

Requested his name withdrawn as sponsor of House File 2080—116

Resolutions offered—264, 1222, 1344, 1427, 1460

Subcommittee assignments—49, 67, 68, 69, 118, 131, 143, 152, 167, 168, 245, 258, 259, 260, 276, 338, 339, 358, 359, 371, 388, 516, 541, 644, 645, 671

ASSISTANT MAJORITY LEADERS—

Donna Barry—Representative **Harrison-Pottawattamie** Counties

(See BARRY, DONNA—Representative **Harrison-Pottawattamie** Counties, Assistant Majority Leader)

Gary B. Blodgett—Representative **Cerro Gordo** County

(See BLODGETT, GARY B.—Representative **Cerro Gordo** County, Assistant Majority Leader)

Barry Brauns—Representative **Johnson-Louisa-Muscatine** Counties

(See BRAUNS, BARRY—Representative **Johnson-Louisa-Muscatine** Counties, Assistant Majority Leader)

Danny Carroll—Representative **Jasper-Mahaska-Marshall-Poweshiek** Counties

(See CARROLL, DANNY—Representative **Jasper-Mahaska-Marshall-Poweshiek** Counties, Assistant Majority Leader)

Chuck Gipp—Representative **Allamakee-Winneshiek** Counties

(See GIPP, CHUCK—Representative **Allamakee-Winneshiek** Counties, Assistant Majority Leader)

ASSISTANT MINORITY LEADERS—

John H. Connors—Representative **Polk** County

(See CONNORS, JOHN H.—Representative **Polk** County, Assistant Minority Leader)

Pam Jochum—Representatives **Dubuque** County

(See JOCHUM, PAM—Representatives **Dubuque** County, Assistant Minority Leader)

Richard Myers—Representative **Johnson** County

(See MYERS, RICHARD—Representative **Johnson** County, Assistant Minority Leader)

Steven Warnstadt—Representative **Woodbury** County

(See WARNSTADT, STEVEN—Representative **Woodbury** County, Assistant Minority Leader)

Keith Weigel—Representative **Chickasaw**-Howard-Winneshiek Counties

(See WEIGEL, KEITH—Representative **Chickasaw**-Howard-Winneshiek Counties, Assistant Minority Leader)

AWARDS AND GIFTS—

Certificates of excellence to House Pages—532, 1669-1670

Plaques presented to retiring members and leaders—1860

BARRY, DONNA—Representative **Harrison**-Pottawattamie Counties, Assistant Majority Leader

Amendments filed—541, 936, 937, 1345, 1421, 1673-1681

Amendments offered—993, 995, 1001

Amendment withdrawn—1001

Bills introduced—52, 87, 102, 113, 283, 305, 324, 381, 400, 415, 436, 573

Committee appointments—17, 18

Leave of absence—1

Presented to the House students from Woodbine Elementary who performed a musical program—1102

Presided at sessions of the House—1242, 1466

Resolutions offered—264, 983, 1222, 1344, 1427, 1460

Ruling made (as acting Speaker)—1265

Subcommittee assignments—91, 92, 1370

BAUDLER, CLEL—Representative **Adair**-Guthrie-Madison Counties

Amendments filed—347, 546, 561, 705, 877, 937, 1100, 1168, 1199, 1345, 1421, 1547, 1616, 1673-1681

Amendments offered—352, 605, 1508

Amendments withdrawn—956, 1507, 1840

Bills introduced—52, 87, 140, 175, 222, 283, 284, 305, 324, 349, 365, 381, 400, 415, 436, 573

Committee appointments—17, 18, 19, 1462

Explanations of vote—426, 546, 1832

Leave of absence—1774

Resolutions offered—85, 233, 1222, 1344, 1428, 1460

Subcommittee assignments—83, 130, 131, 143, 152, 230, 276, 388, 645, 760

BELL, PAUL A.—Representative **Jasper** County

Amendments filed—347, 935, 936, 1100, 1101, 1106, 1107, 1199, 1759, 1825-1827

Amendments offered—1106, 1107

Bills introduced—87, 237, 267, 291, 301, 316, 324, 325, 349, 364, 416, 421, 422, 446

Committee appointments—17, 18, 19, 1462

Leave of absence—1242
Presented to the House Stephen S.F. Chen, Representative to the United States and other officials from China—267
Report—3-5
Resolutions offered—1222, 1428, 1461
Subcommittee assignments—74, 91, 143, 245, 276, 308, 493, 645

BILLS—

(See also action on HOUSE JOINT RESOLUTIONS, HOUSE FILES, SENATE JOINT RESOLUTIONS and SENATE FILES in LEGISLATIVE INDEX VOLUME)

Approved by governor—107, 127-128, 258, 426, 513, 702, 758-759, 820, 1134, 1166, 1192-1194, 1280, 1365-1366, 1458, 1515, 1569-1571, 1614, 1655, 1698-1699, 1768-1770, 1833, 1941-1942

Approved, vetoed or item vetoed subsequent to adjournment—2383-2390

Bills removed from calendar—875-876

Consideration of—62, 96, 164, 223, 238, 255, 268, 292, 318, 328, 351, 367, 382, 402, 423, 449, 471, 477, 504, 520, 550, 569, 574, 600, 604, 651, 664, 682, 707, 716, 769, 778, 809, 823, 847, 861, 880, 909, 939, 961, 987, 993, 1018, 1038, 1103, 1128, 1140, 1145, 1170, 1216, 1238, 1257, 1294, 1311, 1348, 1374, 1385, 1386, 1435, 1443, 1463, 1466, 1522, 1578, 1590, 1618, 1624, 1670, 1703, 1775, 1840, 1867

Consideration of resolution—1442

Deferred—632, 814, 816

Deferred, retained on calendar—776, 810, 862, 897, 1108, 1132, 1191, 1216, 1727

Final disposition of motions to reconsider—1940

House Concurrent Resolution withdrawn—1926

Introduction of—14-16, 31-33, 51-54, 72, 77-78, 81, 86-87, 95-96, 101-102, 104, 112-114, 120-121, 125-127, 135-140, 149-150, 159-161, 161-163, 174-175, 221-223, 234-237, 252-255, 266-267, 281-285, 290-291, 300-303, 304-306, 315-318, 323-327, 348-349, 354-358, 364-366, 378-382, 397-401, 415-423, 436-440, 444-446, 446-447, 456, 464-468, 472-474, 499, 519-520, 543, 563, 573-574, 650, 663, 676, 706, 715, 908, 929, 953, 979, 985, 1164, 1169, 1192, 1236-1237, 1285, 1340, 1347, 1356, 1382-1383, 1441, 1449, 1485, 1565, 1604, 1617, 1623, 1651, 1673

Item veto messages—2545, 2549, 2552

Item veto messages after session—2394-2407

Motion to withdraw from committee lost—500-501

Passed on file—1020

Placed on calendar—457

Placed on unfinished business calendar—605, 632, 814, 816, 978, 979

Referred to committees—288, 313, 358, 403, 413, 456, 457, 1440

Removed from calendar—875-876

Rereferred to committees—98, 115, 140, 306, 337, 358, 385, 491, 800

Resolutions adopted, not otherwise printed in journal—2354-2382

Resolution withdrawn—1926

Sent to governor—81-82, 106, 369, 386, 758, 1011-1012, 1097, 1133-1134, 1165-1166, 1192, 1219, 1279-1280, 1341, 1364, 1424, 1457-1458, 1519, 1569, 1614, 1654, 1768, 1832, 1941

Substitutions—164, 318, 424, 556, 557, 569, 577, 710, 775, 814, 850, 884, 968, 993, 1004, 1005, 1019, 1022, 1025, 1140, 1145, 1156, 1171, 1179, 1257, 1260, 1327, 1331, 1385, 1442, 1549, 1560, 1619, 1630, 1721, 1754, 1870

Veto messages—1194-1196, 1366-1368, 1516, 1571-1572, 1833-1834

Veto messages after session—2391-2393

Vetoed bills returned to Secretary of State—1944

Withdrawn—105, 114, 165, 322, 425, 557, 558, 578, 588, 626, 712, 780, 854, 891, 969,
1003, 1005, 1006, 1020, 1023, 1026, 1141, 1146, 1161, 1172, 1180, 1328, 1339,
1386, 1430, 1466, 1561, 1562, 1620, 1648, 1730, 1731, 1766

Withdrawn from committee—507

BILLS SENT TO GOVERNOR—

(See **BILLS**, subheading, Sent to Governor)

BLODGETT, GARY B.—Representative **Cerro Gordo** County, Assistant Majority Leader

Amendments filed—497, 517, 518, 561, 562, 595, 766, 807, 844, 845, 877, 914, 935,
984, 1101, 1137, 1168, 1199, 1222, 1397, 1400-1401, 1407, 1408-1409, 1574, 1602,
1634, 1673-1681

Amendments offered—536, 552, 721, 812, 873, 874, 1215, 1273, 1332, 1397, 1401,
1407, 1502, 1602, 1618, 1619, 1634, 1779, 1783

Amendments withdrawn—855, 914, 1009, 1214, 1467, 1500, 1618

Bills introduced—52, 87, 113, 254, 305, 316, 415, 436

Committee appointments—17, 18, 19, 567

Leave of absence—1774

Resolutions offered—1222, 1428

Subcommittee assignments—74, 122, 123, 152, 167, 260, 286, 308, 338, 339, 459,
645, 802, 1221, 1282, 1459

BOAL, CARMINE—Representative **Polk** County

Amendments filed—824, 845, 937, 1480, 1673-1681, 1682-1685, 1701

Amendments offered—823, 824, 1682

Bills introduced—52, 87, 175, 283, 305, 324, 400, 415, 436

Committee appointments—6-7, 18, 19

Explanations of vote—1279, 1614

Petitions presented—72, 86

Report—10

Resolutions offered—251, 1222, 1344, 1428

Subcommittee assignments—73, 92, 123, 130, 245, 259, 260, 286, 296, 308, 339, 370,
371, 459, 494, 515, 591, 760, 761, 802, 818

BOARDS, COMMISSIONS, COMMITTEES AND/OR COUNCILS—

(See **APPOINTMENTS** and/or **COMMUNICATIONS FROM**, subheading Reports
and/or **INDIVIDUAL HEADINGS**)

BODDICKER, DANIEL J.—Representative **Cedar-Clinton-Jones** Counties

Amendments filed—347, 396, 463, 517, 541, 766, 845, 877, 935, 937, 1100, 1461,
1636-1637, 1673-1681

Amendments offered—452, 488, 522, 783, 792, 872, 959, 1025, 1376, 1636

Amendments withdrawn—488, 522, 826, 1024

Bills introduced—52, 87, 113, 283, 290, 305, 349, 356, 415, 436

Committee appointments—18, 569

Leave of absence—508

Memorial resolution offered—568

Presented to the House Mrs. Opal Zesch and her husband Earl, who presented a
monetary gift for the restoration of the Westward mural in the Capitol Building—

Resolutions offered—362, 1222, 1428

Subcommittee assignments—73, 109, 123, 130, 143, 167, 230, 259, 260, 308, 359, 370, 371, 388, 515, 645, 760, 802, 818

BOGGESE, EFFIE LEE—Representative Adams-Page-**Taylor** Counties

Amendments filed—1199, 1421, 1461, 1488-1492, 1497, 1631-1632, 1673-1681, 1758

Amendments offered—1484, 1488, 1497

Bills introduced—52, 87, 236, 305, 381, 436, 573

Committee appointments—6, 17, 18

Resolutions offered—362, 983, 1222, 1344, 1427, 1460

Subcommittee assignments—83, 91, 131, 152, 167, 359, 493

BRADLEY, CLYDE E.—Representative **Clinton**-Scott Counties

Amendments filed—463, 541, 806, 935, 1222, 1283, 1330, 1345, 1372, 1428, 1673-1681

Amendments offered—383, 745, 861, 1145, 1329, 1330

Amendment withdrawn—1330

Bills introduced—33, 52, 87, 138, 175, 283, 305, 436

Committee appointments—17, 18, 19

Resolutions offered—1221, 1222, 1344, 1428

Subcommittee assignments—68, 69, 70, 93, 144, 260, 276, 515, 516, 540, 541, 671, 704, 1282

BRAUNS, BARRY—Representative Johnson-Louisa-**Muscatine** Counties, Assistant Majority Leader

Amendments filed—648, 807, 1421, 1673-1681

Amendments offered—450, 855

Bills introduced—15, 52, 87, 113, 283, 305, 315, 324, 349, 400, 415, 436

Committee appointments—17, 19, 1945

Explanations of vote—274, 358, 385, 426, 491, 539, 589, 642, 800, 1096

Presided at sessions of the House—894, 1265

Resolutions offered—362, 1221, 1222, 1344, 1428, 1460, 1615

Subcommittee assignments—69, 74, 99, 117, 153, 245, 259, 260, 286, 339, 371, 405, 591, 645, 671

BRUNKHORST, ROBERT J.—Representative Black Hawk-**Bremer** Counties

Amendments filed—62, 62-63, 251, 288, 289, 441, 463, 518, 541, 595, 705, 845, 877, 912, 937, 1048, 1100, 1283, 1461, 1475-1479, 1673-1681, 1761-1762, 1773, 1791

Amendments offered—485, 754, 771, 910, 912, 923, 1048, 1445, 1475, 1761

Amendments withdrawn—62, 1475, 1791, 1881

Bills introduced—33, 52, 72, 87, 113, 114, 121, 126, 222, 252, 266, 301, 304, 305, 324, 326, 349, 415, 436

Committee appointments—17, 18

Explanations of vote—242, 1653

Resolutions offered—233, 1222, 1344, 1427

Subcommittee assignments—83, 92, 109, 123, 131, 230, 259, 276, 802, 818

BUDGET MESSAGE—

(See STATE OF THE STATE AND BUDGET MESSAGES)

BUKTA, POLLY—Representative Clinton County

Amendments filed—313, 314, 497-498, 819, 878, 935, 936, 1587, 1637-1638, 1759
 Amendment offered—1587
 Appointed to the Child Support Advisory Committee—24
 Appointed to the Medical Assistance Advisory Council—25
 Bills introduced—87, 95, 112, 150, 160, 175, 267, 291, 303, 324, 325, 357, 364, 421, 422, 446, 447
 Committee appointments—18, 19
 Petition presented—120
 Resolutions offered—1222, 1344, 1427
 Subcommittee assignments—29, 74, 260, 276, 286, 592, 802, 818

BURNETT, CECELIA—Representative Story County

Resignation—2

CARROLL, DANNY—Representative Jasper-Mahaska-Marshall-Poweshiek Counties, Assistant Majority Leader

Amendments filed—233, 363, 463, 497, 518, 541, 766, 807, 845, 877, 878, 902, 935, 1100, 1101, 1222, 1238-1240, 1283, 1345, 1421, 1480, 1601, 1673-1681
 Amendments offered—455, 585, 881, 884, 896, 902, 1156, 1157, 1158, 1238, 1334, 1336, 1337, 1601, 1830
 Amendments withdrawn—660, 883, 1601
 Bills introduced—14, 15, 16, 52, 53, 87, 113, 121, 150, 235, 283, 305, 348, 349, 415, 436
 Committee appointments—17, 18, 19, 34
 Explanations of vote—98, 668-669, 841
 Leave of absence—51, 95, 499, 808, 938-939
 Petition presented—879
 Presentation of visitors (as acting Speaker)—559, 876, 1134-1135, 1196, 1458-1459, 1516-1517, 1572, 1614-1615, 1834
 Presentation to retiring members and leaders—1860
 Presided at sessions of the House—549, 676, 852, 871, 908, 938, 1038, 1128, 1132, 1138, 1144, 1171, 1217, 1285, 1294, 1401, 1452, 1466, 1509, 1565, 1608, 1647, 1713, 1831, 1877
 Reports—34, 114-115, 698-701, 1767
 Resolutions offered—362, 1222, 1428, 1460
 Rulings made (as acting Speaker)—1305, 1513
 Son Curtis Carroll played the violin before the House—1462
 Subcommittee assignments—69, 73, 74, 92, 122, 245, 276, 339, 359, 405, 646, 760, 802, 818

CATALDO, MICHAEL J.—Representative Polk County

Amendments filed—877, 878, 935, 936, 1014, 1168, 1759
 Amendments offered—914, 922, 925
 Amendment withdrawn—922
 Bills introduced—54, 87, 237, 267, 291, 301, 316, 325, 364, 416, 421-422, 446, 447
 Committee appointments—17, 19
 Explanations of vote—513, 758, 1423
 Leave of absence—464, 743, 1224, 1285, 1346
 Resolutions offered—251, 1222, 1428
 Subcommittee assignments—49, 68, 69, 93, 131, 167, 245, 516

CERTIFICATES OF ELECTION—

Of Representatives—3-5

CERTIFICATES OF RECOGNITION—

28-29, 48-49, 67, 73, 82-83, 90, 98-99, 108-109, 116-117, 122, 128-129, 141-143, 151-152, 166-167, 218-219, 229-230, 243-244, 258, 275, 295-296, 306-308, 338, 358, 370, 386-387, 404, 427-428, 458-459, 492-493, 514-515, 540, 559-560, 589-591, 644, 670-671, 703-704, 759-760, 800-801, 817, 841-842, 931-932, 980-981, 1012-1014, 1098, 1135-1136, 1166-1167, 1196-1198, 1220-1221, 1281-1282, 1342-1343, 1368-1370, 1425-1426, 1459, 1517, 1572-1573, 1656-1657, 1699-1700, 1770-1772, 1834-1835, 1943

CHAPMAN, KAY—Representative **Linn** County

Resignation—3

CHIEF CLERK OF THE HOUSE, Elizabeth A. Isaacson

Acknowledgements—3-5

Communications received and on file—1-3, 25-28, 64-66, 88-90, 102-103, 107-108, 116, 128, 141, 151, 175, 180, 229, 243, 273, 275, 295, 306, 337-338, 370, 426-427, 457, 491, 513-514, 643, 702, 759, 817, 930, 1012, 1220, 1342, 1424, 1652-1653, 1699, 1770, 1942-1943

Reports:

Certificates of recognition—28-29, 48-49, 67, 73, 82-83, 90, 98-99, 108-109, 116-117, 122, 128-129, 141-143, 151-152, 166-167, 218-219, 229-230, 243-244, 258, 275, 295-296, 306-308, 338, 358, 370, 386-387, 404, 427-428, 458-459, 492-493, 514-515, 540, 559-560, 589-591, 644, 670-671, 703-704, 759-760, 800-801, 817, 841-842, 931-932, 980-981, 1012-1014, 1098, 1135-1136, 1166-1167, 1196-1198, 1220-1221, 1281-1282, 1342-1343, 1368-1370, 1425-1426, 1459, 1517, 1572-1573, 1656-1657, 1699-1700, 1770-1772, 1834-1835, 1943

Committee recommendations—51, 96, 110-111, 119, 124, 134, 147, 156-158, 173, 219-220, 232-233, 250-251, 263-264, 278-279, 287-288, 297-299, 310-313, 343-347, 362, 374-377, 392-395, 408-414, 430-434, 440-441, 459-463, 494-496, 517, 541, 561, 593-594, 647-648, 672-674, 762-765, 803-806, 818-819, 820-821, 843-844, 933-934, 981-983, 1099-1100, 1136-1137, 1167, 1198, 1282-1283, 1343-1344, 1371, 1426-1427, 1441-1442, 1460, 1573, 1615, 1657-1658, 1670, 1700, 1727-1728

Enrolled bills—81-82, 106, 369, 386, 758, 1011-1012, 1097, 1133-1134, 1165-1166, 1192, 1219, 1279-1280, 1341, 1364, 1424, 1457-1458, 1519, 1569, 1614, 1654, 1768, 1832, 1941

Resolution relating to:

House Resolution 103—158, 239-242 adopted

Vetoed bills returned to Secretary of State—1944

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable Arthur A. McGiverin

(See SUPREME COURT OF IOWA)

CHIODO, FRANK J.—Representative **Polk** County

Amendments filed—313, 561, 877, 921, 935, 936, 983, 984, 1168, 1345, 1480, 1480-1481, 1505-1506, 1616, 1759

Amendments offered—332, 910, 987, 1480, 1505

Amendment withdrawn—1480

Bills introduced—87, 113, 237, 253, 267, 291, 301, 316, 317, 325, 357, 364, 416, 421, 422, 446, 447
 Committee appointments—17, 19
 Explanations of vote—589, 669, 1457, 1514
 Leave of absence—234, 626, 650, 1429, 1462
 Resolutions offered—251, 1222, 1428
 Subcommittee assignments—29, 49, 68, 70, 130, 153, 168, 260, 308, 405, 592, 671, 818

CLAIMS—

(See CLAIMS FILED)
 (See MANAGEMENT, DEPARTMENT OF)
 (See STATE APPEAL BOARD)

CLAIMS FILED—

(See also MANAGEMENT, DEPARTMENT OF)
 (See also STATE APPEAL BOARD)
 Claims filed & approved—180-218
 Claims filed & disapproved—176-180, 273-274, 1653
 Communications from State Appeal Board—175, 180, 273, 1652

COHOON, DENNIS M.—Representative Des Moines County

Amendments filed—766, 935, 936, 1586-1587, 1588, 1637-1638, 1757, 1760
 Amendments offered—1586, 1757
 Bills introduced—77, 87, 139, 266, 291, 303, 364, 416, 421, 422, 446, 447
 Committee appointments—18, 19
 Report—3-5
 Resolutions offered—251, 1222, 1344, 1427, 1461
 Subcommittee assignments—117, 153, 167, 245, 296, 371, 405, 802, 818

COLLEGE STUDENT AID COMMISSION—

Communications from—25, 1012

COMMERCE-REGULATION, COMMITTEE ON—

Amendments filed—233, 264, 363, 377
 Amendments offered—328, 533, 600, 825
 Appointed—17
 Bills introduced—281, 300, 327, 365, 399, 519
 Recommendations—232, 263-264, 298, 343-344, 362, 374, 494, 762, 804
 Subcommittee assignments—67, 68, 69, 70, 73, 74, 93, 123, 168, 245, 260, 308, 338, 592, 671, 704, 801, 802, 818

COMMISSIONS, COMMITTEES, BOARDS AND/OR COUNCILS—

(See APPOINTMENTS and/or COMMUNICATIONS, sub-heading Reports and/or INDIVIDUAL HEADINGS)

COMMITTEE ASSIGNMENTS—

(See HOUSE COMMITTEE ASSIGNMENTS)

COMMITTEE OF THE WHOLE—

Subcommittee assignment—802, 818

COMMITTEE RECOMMENDATIONS—

Administration and Rules—156, 1371

Agriculture—110-111, 124, 278-279, 343, 392-393, 408, 430, 647, 803-804, 818

Appropriations—51, 96, 408-409, 517, 593, 672, 933, 982, 1099-1100, 1136-1137, 1167, 1198, 1427, 1460, 1615, 1670, 1727-1728

Commerce-Regulation—232, 263-264, 298, 343-344, 362, 374, 494, 762, 804

Economic Development—232, 287, 374-375, 393, 409, 440-441

Education—157, 173, 250, 311-312, 344, 375, 409-410, 430-432, 762-763, 843

Environmental Protection—410, 432, 843

Human Resources—119, 157, 287-288, 344-345, 375-376, 393, 410, 432, 460, 672, 763, 820-821, 843-844, 1427

Judiciary—157, 219, 232-233, 250-251, 264, 298, 312, 345, 376, 393-394, 411-412, 494-496, 593, 647, 672-673, 763-764, 804-805, 819, 821, 844

Labor and Industrial Relations—147, 412, 805-806

Local Government—158, 219-220, 288, 345-346, 376, 394-395, 412-413, 441, 460-463, 673, 764, 821, 844

Natural Resources—119, 288, 433, 441, 673, 806

State Government—111, 158, 279, 312-313, 346-347, 395, 413, 433, 647-648, 765, 821, 844, 1343

Transportation—134, 288, 299, 347, 376-377, 414, 434, 441, 561, 593-594, 806, 1460, 1700

Ways and Means—279, 313, 362, 496, 517, 541, 594, 673-674, 934, 982-983, 1100, 1198, 1282-1283, 1343-1344, 1371, 1441-1442, 1573, 1657-1658

COMMITTEES, COMMISSIONS, BOARDS AND/OR COUNCILS—

(See APPOINTMENTS and/or COMMUNICATIONS, sub-heading Reports and/or INDIVIDUAL HEADINGS)

COMMITTEES, SPECIAL—

Appointments—5, 6, 35, 54, 55, 56, 1945

Escorted Representative Dick Taylor to his legislative seat—5

Escorted Representatives Jane Greimann and Patrick Shey to their legislative seats—6

Escorted the President of the Senate—34, 55

Escorted the Secretary of the Senate—34, 55

Escorted Lieutenant Governor Sally Pederson—35

Escorted Chief Justice Arthur A. McGiverin—56, 61

From Senate—11, 1945

Notify and escort Governor Thomas J. Vilsack—6, 35, 47, 56, 61, 1944-1945

Notify Senate—6-7, 34, 54, 1945

Reports—10, 34, 55, 1945

COMMUNICATIONS FROM—

Agriculture and Land Stewardship, Department of—25, 370, 514

Appeal Board, State—175, 180, 273, 1652

Auditor of State—1342, 1770

Blind, Department for the—643

Capitol Planning Commission—759

Civil Rights Commission—88, 1699

College Student Aid Commission—25, 1012

Commerce, Department of—88, 426-427

Corrections, Department of—25-26, 65, 88-89, 107, 370

Cultural Affairs, Department of—65, 1942
 Economic Development, Department of—26, 65, 306, 514
 Education, Department of—26, 275, 457
 Elder Affairs, Department of—89
 Finance Authority, Iowa—427
 General Services, Department of—491
 Governor—1945-1946
 Governor's Alliance on Substance Abuse—337-338
 Higher Education Loan Authority—28
 Human Rights, Department of—26, 65, 128, 229, 243
 Human Services, Department of—26, 65, 107, 151, 702, 1220
 Inspections and Appeals, Department of—65
 Iowa Communications Network—1424
 Law Enforcement Academy—116
 Legislative Service Bureau—89-90, 128, 427, 514
 Lewis and Clark Rural Water System, Inc.—90
 Library, State—103
 Management, Department of—102, 275, 295
 Mental Health and Development Disabilities Commission—26
 Municipal Fire and Police Retirement System of Iowa—457
 National Guard—817
 Natural Resources, Department of—26-27, 89, 102, 1943
 Personnel, Department of—27, 65, 243, 1943
 Public Health, Department of—27, 66, 89, 107, 128, 141, 151, 930
 Public Safety, Department of—107, 1012, 1943
 Racing and Gaming Commission—28
 Regents, Board of—25, 65, 88, 107
 Revenue and Finance, Department of—27, 66
 State Pseudorabies Advisory Committee—90
 Status of African-Americans, Commission on the—26
 Supreme Court—66, 108
 Telecommunications and Technology Commission—28
 Transportation, Department of—27-28, 66, 89, 128, 1770, 1943
 Treasurer of State—141
 University of Iowa—66
 Utilities Board, Iowa—66
 Workforce Development, Department of—89, 108, 151, 1424

COMPANION BILLS—

(See HOUSE AND SENATE COMPANION BILLS listed in LEGISLATIVE INDEX VOLUME)

CONDITION OF THE STATE MESSAGE—

(See STATE OF THE STATE and BUDGET MESSAGES)

CONFERENCE COMMITTEES—

Appointed—1462

CONGRESS AND/OR PRESIDENT OF THE UNITED STATES—

(See PRESIDENT OF THE UNITED STATES, CONGRESS AND/OR FEDERAL AGENCIES)

CONNORS, JOHN H.—Representative **Polk** County, Assistant Minority Leader

Amendments filed—795-796, 796, 935, 936, 937, 1759

Amendment offered—1129

Appointed to the Legislative Council—105

Bills introduced—87, 101, 126, 237, 267, 291, 301, 316, 324, 325, 357, 364, 416, 421, 422, 446, 447

Committee appointments—17, 18, 19, 1945

Explanation of vote—513

Inducted into the National Golden Gloves Hall of Fame—1868

Petition presented—464

Presented to the House Mr. Kenneth M. Quinn, World Food Prize director—136

Presented Doorkeeper Kathleen L. O'Leary a certificate of recognition—163

Presented to the House renown pianist, Roger Williams—549

Presentation to retiring members and leaders—1860

Resolutions offered—251, 264, 546, 1222, 1428

Subcommittee assignments—49, 67, 68, 69, 130, 131, 143, 167, 168, 258, 259, 276, 359, 388, 591, 671, 818

CORBETT, RON J.—Representative **Linn** County

Resignation—2

CORMACK, MICHAEL G.—Representative **Webster** County

Amendments filed—288, 289, 463, 498, 518, 680, 819, 845, 1417, 1418-1420, 1428, 1616, 1646, 1646-1647, 1673-1681

Amendments offered—680, 1445

Amendments withdrawn—913, 1646

Bills introduced—52, 53, 87, 112, 113, 140, 222, 357, 436

Committee appointments—17, 18, 19

Presided at sessions of the House—101

Resolutions offered—1222, 1344, 1427

Subcommittee assignments—83, 91, 93, 99, 117, 245, 258, 259, 338, 339, 387, 388, 493, 801, 981, 1615, 1700

CREDENTIALS, COMMITTEE ON—

Supplemental report—3-5

DAVIS, GALEN M.—Representative **Wapello** County

Amendments filed—347, 441, 561, 845, 937, 1100, 1101, 1168, 1401, 1409, 1417, 1418-1420, 1428, 1518, 1673-1681, 1825-1827

Amendments offered—487, 488, 584, 850, 1273, 1418, 1546

Amendments withdrawn—1214, 1409, 1417

Appointed to the Indigent Defense Advisory Commission—25

Bills introduced—52, 54, 86, 87, 102, 112, 113, 121, 138, 236, 283, 290, 324, 326, 349, 400, 415, 416, 436, 1651

Committee appointments—18, 19, 568, 1462

Petitions presented—234, 415, 443, 706

Requested his name be added as a sponsor of the following bills:

House File 2018—98

House File 2020—98

House File 2021—98

House File 2022—98

House File 2023—98

House File 2025—98
 House File 2026—98
 House File 2028—98
 House File 2029—98
 House File 2030—98
 House File 2031—98
 House File 2032—98
 House File 2034—98
 House File 2038—98
 House File 2041—98
 House File 2072—115
 House File 2337—369
 House File 2342—369
 House File 2345—369

Resolutions offered—264, 1222, 1344, 1427-1428

Subcommittee assignments—49, 68, 69, 109, 130, 131, 143, 152, 167, 230, 259, 286,
 308, 370, 387, 388, 494, 516, 546, 760

DIX, BILL—Representative **Butler**-Grundy Counties

Amendments filed—580, 675, 705, 845, 1392-1395, 1574, 1673-1681, 1681, 1773,
 1836, 1877, 1877-1879

Amendments offered—769, 1392, 1868, 1871, 1877, 1881

Amendments withdrawn—924, 1399, 1681, 1877

Bills introduced—52, 87, 101, 126, 137, 150, 222, 290, 305, 349, 436

Committee appointments—6-7, 17, 19

Presented Betty Millen a certificate of recognition for many years of service in the
 Iowa House—1617

Presided at sessions of the House—719, 720, 789, 862, 865, 954, 1045, 1103, 1108,
 1114, 1443, 1520, 1586, 1660, 1687, 1689

Resolutions offered—233, 264, 362, 1222, 1344, 1427-1428, 1460

Rulings made (as acting Speaker)—974, 1049, 1050, 1117, 1444, 1447, 1448

Subcommittee assignments—67, 91, 92, 245, 259, 540, 802, 1615

DODERER, MINNETTE—Representative **Johnson** County

Amendments filed—377, 455, 675, 705, 766, 791, 796, 983, 1758-1759

Amendments offered—455, 791

Appointed to the Administrative Rules Review Committee—24

Bills introduced—87, 113, 121, 175, 349, 357, 364, 381, 422, 438, 447

Change of vote—1384

Committee appointments—17, 18, 19, 569

Leave of absence—149, 1356

Resolutions offered—76, 362, 1222, 1344, 1427, 1428

Subcommittee assignments—67, 129, 131, 143, 152, 286, 388, 404, 459, 645

DOLECHECK, CECIL—Representative Decatur-**Ringgold**-Taylor-Union Counties

Amendments filed—363, 414, 517, 518, 561, 819, 845, 937, 1345, 1421, 1640, 1673-
 1681, 1773

Amendments offered—569, 570, 1640

Amendment withdrawn—569

Bills introduced—52, 87, 113, 150, 175, 252, 283, 305, 436

Committee appointments—18, 565

Memorial resolution offered—565

Resolutions offered—1222, 1344, 1427
Subcommittee assignments—91, 92, 143, 167, 760, 761, 802, 818

DOTZLER, BILL—Representative **Black Hawk** County

Amendments filed—377, 414, 498, 518, 807, 878, 935, 936, 1045, 1083-1088, 1199, 1200, 1492, 1658, 1759
Amendments offered—450, 530, 1045, 1492
Amendments withdrawn—1496, 1497
Bills introduced—87, 121, 138, 150, 175, 222, 237, 252, 267, 291, 301, 306, 316, 317, 324, 325, 327, 364, 416, 421, 422, 439, 446, 447
Committee appointments—6, 18, 19, 566
Explanation of vote—73
Presided at sessions of the House—77
Resolutions offered—233, 251, 1222, 1344, 1428
Subcommittee assignments—92, 117, 245, 359, 388

DRAKE, JACK—Representative Audubon-**Pottawattamie**-Shelby Counties

Amendments filed—705, 766, 1421, 1673-1681, 1701, 1758
Amendment withdrawn—707
Bills introduced—52, 87, 283, 285, 305, 349, 357, 381, 415, 436, 573
Committee appointments—17, 18, 19
Explanation of vote—930
Resolutions offered—983, 1222, 1344, 1428, 1460
Subcommittee assignments—68, 83, 92, 93, 99, 131, 152, 230, 276, 308, 371, 515, 801, 817, 1221

DREES, JAMES H.—Representative **Carroll**-Greene Counties

Amendments filed—878, 935, 936, 1014, 1101, 1137, 1222, 1345, 1701, 1759
Bills introduced—87, 291, 349, 421, 447
Committee appointments—17, 19
Resolutions offered—1222, 1428, 1461
Subcommittee assignments—67, 99, 118, 153, 260, 387, 761

ECONOMIC DEVELOPMENT, COMMITTEE ON—

Appointed—18
Bills introduced—235, 301, 304, 380, 398, 418, 437, 445, 472
Recommendations—232, 287, 374-375, 393, 409, 440-441
Subcommittee assignments—117, 167, 245, 359, 591

EDDIE, RUSSELL J.—Representative **Buena Vista**-Clay-Pocahontas Counties

Amendments filed—845, 937, 1015, 1041-1042, 1421, 1673-1681, 1701, 1773
Amendments offered—1041, 1264, 1713
Amendment withdrawn—1840
Bills introduced—52, 87, 140, 150, 162, 253, 283, 305, 324, 349, 400, 415, 436
Committee appointments—18, 19, 566
Explanations of vote—491, 758
Leave of absence—443-444
Presided at sessions of the House—1213
Report—78
Resolutions offered—1222, 1344, 1427, 1460
Rulings made (as acting Speaker)—1216

Subcommittee assignments—29, 69, 92, 99, 109, 152, 245, 276, 308, 371, 760, 802, 818, 1459, 1657

EDUCATION, COMMITTEE ON—

Amendments filed—314, 766, 845

Amendments offered—862, 966, 1205, 1334

Amendment withdrawn—965

Appointed—18

Bills introduced—159, 162, 253, 281, 306, 315, 317, 366, 381, 416, 419, 420, 439, 440, 444, 445, 465

Recommendations—157, 173, 250, 311-312, 344, 375, 409-410, 430-432, 762-763, 843

Subcommittee assignments—73, 92, 123, 245, 259, 276, 286, 296, 370, 371, 405, 760, 761, 802, 818

ELDER AFFAIRS, DEPARTMENT OF—

Communications from—89

EMPLOYEES—

(See OFFICERS AND EMPLOYEES)

ENROLLED BILLS—

(See BILLS, sub-heading, Sent to Governor; CHIEF CLERK OF THE HOUSE, Elizabeth A. Isaacson, Reports; and/or SPEAKER OF THE HOUSE, Brent Siegrist, sub-heading, Bills signed by)

ENVIRONMENTAL PROTECTION, COMMITTEE ON—

Amendment filed—845

Amendment offered—961

Appointed—18

Bills introduced—420, 437

Recommendations—410, 432, 843

Subcommittee assignments—83, 92, 131, 230, 308, 371, 540, 646

ETHICS, COMMITTEE ON—

Appointed—19

EXPLANATIONS OF VOTE—

House Joint Resolution 2014—Representative Chiodo—1514

House Joint Resolution 2014—Representative Frevert—1654

House File 475—Representatives Mascher & Sunderbruch—1364

House File 475—Representatives Cataldo & Van Fossen—1423

House File 475—Representative Frevert—1654

House File 686—Representative Brauns—358

House File 686—Representative Nelson-Forbes—385-386

House File 723—Representative Frevert—1654

House File 754—Representative Nelson-Forbes—558

House File 2008—Representative Eddie—491

House File 2008—Representative Alons—1653

House File 2008—Representative O'Brien—1654

House File 2027—Representative Stevens—817

House File 2039, H-8001 & H-8004—Representative Dotzler—73

House File 2039—Representative Dotzler—73

- House File 2059—Representatives Carroll & Jacobs—98
House File 2059—Representative Weigel—116
House File 2080—Representative Nelson-Forbes—385-386
House File 2085—Representative Brauns—385
House File 2090—Representative Millage—242
House File 2099—Representative Brunkhorst—242
House File 2105—Representative Brunkhorst—242
House File 2106—Representative Brunkhorst—242
House File 2113—Representatives Brauns & Huseman—491
House File 2113—Representatives Cataldo & Johnson—513
House File 2135—Representative Ford—257-258
House File 2135—Representative Raecker—1165
House File 2136—Representative Brauns—274
House File 2136—Representative Nelson-Forbes—385-386
House File 2145—Representative Ford—257-258
House File 2146—Representatives Raecker & Stevens—295
House File 2146—Representative Nelson-Forbes—385-386
House File 2146—Representatives Garman, Mundie & Stevens—1165
House File 2146—Representative Frevert—1654
House File 2148—Representative Carroll—841
House File 2153—Representative Brauns—274
House File 2153—Representative Nelson-Forbes—385-386
House File 2162—Representative Carroll—841
House File 2168—Representative Stevens—295
House File 2168—Representative Nelson-Forbes—385-386
House File 2169—Representative Brauns—274
House File 2169—Representative Hansen—275
House File 2169—Representative Nelson-Forbes—385
House File 2170—Representative Brauns—274
House File 2170—Representative Nelson-Forbes—385
House File 2172, H-8039—Representative Nelson-Forbes—385-386
House File 2172—Representative Brauns—358
House File 2172—Representatives Frevert & Nelson-Forbes—385
House File 2173—Representative Stevens—295
House File 2173—Representative Nelson-Forbes—385-386
House File 2179—Representative Huseman—491
House File 2198—Representative Brauns—358
House File 2198—Representative Nelson-Forbes—385-386
House File 2198—Representative Cataldo—1423
House File 2198—Representative Frevert—1654
House File 2205—Representative Brauns—642
House File 2205—Representative Hahn—642-643
House File 2205—Representatives Richardson & Teig—643
House File 2205—Representative Frevert—1941
House File 2206—Representative Stevens—817
House File 2218—Representative Nelson-Forbes—385-386
House File 2220—Representative Nelson-Forbes—385-386
House File 2229—Representative Jager—817
House File 2239—Representative Huseman—491
House File 2240—Representative Eddie—491
House File 2247—Representative Eddie—491
House File 2252—Representative Huseman—491

- House File 2253—Representatives Brauns & Shey—539
House File 2254—Representative Stevens—817
House File 2279—Representative Eddie—491
House File 2292—Representative Van Fossen—758
House File 2292—Representative Stevens—817
House File 2315—Representative Huseman—491
House File 2316—Representatives Jacobs & Osterhaus—702
House File 2317—Representative Jager—817
House File 2317—Representative Cataldo—1423
House File 2317—Representative Frevert—1654
House File 2323—Representative Falck—642
House File 2323—Representatives Carroll, Chiodo, O'Brien & Tyrrell—668-669
House File 2323—Representative Jacobs—701
House File 2327—Representative Van Fossen—758
House File 2327—Representative Stevens—817
House File 2328—Representative Raecker—403
House File 2329—Representatives Cataldo & Van Fossen—758
House File 2329—Representative Stevens—817
House File 2330—Representative Huseman—491
House File 2331—Representative Connors—513
House File 2331—Representatives Mundie & Stevens—1165
House File 2331—Representative Frevert—1654
House File 2362—Representative Larson—1279
House File 2362—Representative Frevert—1654
House File 2366—Representative Stevens—817
House File 2368—Representative Stevens—817
House File 2373—Representative Larson—1279
House File 2373—Representative Frevert—1654
House File 2374—Representative Nelson-Forbes—558
House File 2376—Representative Cataldo—758
House File 2376—Representative Stevens—817
House File 2377—Representatives Arnold & Boal—1279
House File 2377—Representative Cataldo—1423
House File 2377—Representative Frevert—1654
House File 2378—Representatives Chiodo & O'Brien—669
House File 2378—Representatives Jacobs & Osterhaus—702
House File 2387—Representative Ford—841
House File 2388—Representative Brauns—800
House File 2388—Representative Jager—817
House File 2391—Representatives Carroll, Chiodo, O'Brien & Tyrrell—669
House File 2391—Representative Jacobs—701
House File 2391—Representative Stevens—817
House File 2391—Representatives Garman, Mundie & Stevens—1165
House File 2391—Representative Frevert—1654
House File 2419—Representatives Carroll, Chiodo & O'Brien—669
House File 2419—Representative Jacobs—701
House File 2419—Representative Jager—1423
House File 2419—Representative Frevert—1654
House File 2420—Representatives Carroll, Chiodo & Tyrrell—669
House File 2420—Representative Jacobs—701
House File 2421—Representative Jacobs—701
House File 2422—Representatives Chiodo, Johnson & O'Brien—669

- House File 2422—Representatives Jacobs & Osterhaus—702
House File 2424—Representatives Carroll & O'Brien—669
House File 2424—Representative Jacobs—701
House File 2425—Representatives Jacobs & Osterhaus—702
House File 2425—Representative Eddie—758
House File 2429—Representative Brauns—800
House File 2429—Representative Jager—817
House File 2429—Representative Cataldo—1423
House File 2429—Representative Frevert—1654
House File 2430—Representatives Chiodo & O'Brien—669
House File 2430—Representatives Jacobs & Osterhaus—702
House File 2431—Representative Ford—841
House File 2433—Representative Heaton—1569
House File 2435—Representative O'Brien—669
House File 2435—Representatives Jacobs & Osterhaus—702
House File 2436—Representatives Jacobs & Osterhaus—702
House File 2437—Representatives Carroll, Chiodo, O'Brien & Tyrrell—669
House File 2437—Representative Jacobs—701
House File 2437—Representative Frevert—1654
House File 2438—Representative Jager—817
House File 2439—Representative Carroll—841
House File 2442—Representative Osterhaus—702
House File 2442—Representative Eddie—758
House File 2458—Representatives Jacobs & Osterhaus—702
House File 2458—Representative Eddie—758
House File 2461—Representative Stevens—817
House File 2463—Representative Stevens—817
House File 2463—Representative Huseman—1364
House File 2463—Representative Cataldo—1423
House File 2463—Representative Frevert—1654
House File 2470—Representatives Carroll & O'Brien—669
House File 2470—Representative Jacobs—701
House File 2471—Representative O'Brien—669
House File 2471—Representatives Jacobs & Osterhaus—702
House File 2473—Representative Ford—841
House File 2474—Representative O'Brien—669
House File 2474—Representatives Jacobs & Osterhaus—702
House File 2474—Representative Eddie—758
House File 2477—Representative Chiodo—1457
House File 2477—Representative Frevert—1654
House File 2480—Representative Stevens—817
House File 2485—Representative Jager—817
House File 2486—Representative Van Fossen—758
House File 2486—Representative Stevens—817
House File 2491—Representatives Carroll & O'Brien—669
House File 2491—Representative Jacobs—701
House File 2491—Representatives Cataldo & Van Fossen—1423
House File 2491—Representative Frevert—1654
House File 2492—Representative Witt—539
House File 2492—Representative Baudler—546
House File 2492—Representative Nelson-Forbes—558
House File 2492—Representatives Garman & Stevens—1165

- House File 2492—Representative Frevert—1654
House File 2494—Representative Van Fossen—758
House File 2494—Representative Stevens—817
House File 2502—Representatives Chiodo & O'Brien—669
House File 2502—Representatives Jacobs & Osterhaus—702
House File 2502—Representative Frevert—1654
House File 2505—Representatives Jacobs & Osterhaus—702
House File 2506—Representative O'Brien—669
House File 2506—Representatives Jacobs & Osterhaus—702
House File 2510—Representative Stevens—817
House File 2510—Representatives Garman, Mundie & Stevens—1165
House File 2510—Representative Frevert—1654
House File 2511—Representative Stevens—817
House File 2511—Representative Arnold—1279
House File 2511—Representative Cataldo—1423
House File 2511—Representative Frevert—1654
House File 2512—Representatives Chiodo, Johnson & O'Brien—669
House File 2512—Representatives Jacobs & Osterhaus—702
House File 2513—Representatives Carroll, Chiodo, Heaton, O'Brien & Tyrrell—669
House File 2513—Representative Jacobs—701
House File 2513—Representative Teig—1340
House File 2513—Representative Cataldo—1423
House File 2513—Representative Frevert—1654
House File 2514—Representative Stevens—817
House File 2518—Representative Van Fossen—758
House File 2518—Representative Stevens—817
House File 2519—Representatives Carroll & O'Brien—669
House File 2519—Representative Jacobs—701
House File 2520—Representatives Carroll & O'Brien—669
House File 2520—Representative Jacobs—701
House File 2521—Representatives Carroll & O'Brien—669
House File 2521—Representative Jacobs—701
House File 2522—Representatives Carroll, Chiodo, O'Brien & Tyrrell—669
House File 2522—Representative Jacobs—701
House File 2525—Representatives Carroll, Chiodo, O'Brien & Tyrrell—669
House File 2525—Representative Jacobs—701
House File 2528—Representative Ford—841
House File 2528—Representatives Mascher & Sunderbruch—1364
House File 2528—Representatives Cataldo & Van Fossen—1423
House File 2528—Representative Frevert—1654
House File 2533—Representatives Arnold & Boal—1279
House File 2533—Representative Cataldo—1423
House File 2533—Representative Frevert—1654
House File 2538—Representative Frevert—1654
House File 2540—Representative Raecker—1165
House File 2540—Representative O'Brien—1192
House File 2540—Representative Frevert—1654, 1941
House File 2541—Representative Brauns—1096
House File 2542—Representative Brauns—1096
House File 2548, H-8907—Representative Frevert—1654
House File 2548—Representatives Jager & Johnson—1011
House File 2548—Representative Frevert—1654

- House File 2549, H-8595, H-8602 & H-8603—Representative Frevert—1654
House File 2549—Representative Frevert—1654
House File 2549—Representative Frevert—1941
House File 2550—Representative Raecker—1219
House File 2550—Representative Frevert—1654
House File 2552, H-8626, H-8630, H-8631, H-8634, H-8641 & H-8642—
Representative Frevert—1654
House File 2552—Representatives Mundie & Stevens—1165
House File 2552—Representative Frevert—1654
House File 2554—Representatives Mundie & Stevens—1165
House File 2554—Representative Frevert—1654
House File 2557—Representative Hansen—1423
House File 2557—Representative Frevert—1654
House File 2557—Representative Heaton—1698
House File 2557—Representative Frevert—1941
House File 2560, H-8800 & H-9033—Representative Frevert—1941
House File 2560—Representative Frevert—1941
House File 2561—Representative Frevert—1654
House File 2562, H-8874—Representative Frevert—1654
House File 2562, H-9054—Representative Frevert—1941
House File 2562—Representative Frevert—1654, 1941
House File 2565, H-8900—Representative Frevert—1654
House File 2565—Representative Frevert—1654
House File 2569—Representative Heaton—1569
House File 2573—Representative Heaton—1569
House File 2578—Representative Frevert—1941
House File 2579—Representative Frevert—1941
House File 2581—Representative Frevert—1941
House File 2584—Representative Frevert—1941
House Concurrent Resolution 15—Representative Huseman—491
House Concurrent Resolution 103—Representative Brauns—642
House Concurrent Resolution 103—Representative Hahn—643
House Concurrent Resolution 105—Representative Brauns—274
House Concurrent Resolution 106—Representative Stevens—295
House Concurrent Resolution 108—Representative Stevens—295
House Concurrent Resolution 109—Representative Brunkhorst—1653
House Concurrent Resolution 114—Representative Brauns—642
House Concurrent Resolution 114—Representative Hahn—643
House Resolution 107—Representative Arnold—1279
Senate Joint Resolution 2005—Representative Cataldo—1423
Senate Joint Resolution 2005—Representative Frevert—1654
Senate File 174—Representative Brauns—1096
Senate File 182—Representative Brauns—385
Senate File 419—Representative Cataldo—1423
Senate File 419—Representative Frevert—1654, 1941
Senate File 421—Representative Raecker—1219
Senate File 421—Representative Frevert—1654
Senate File 466—Representative Frevert—1654, 1941
Senate File 2007—Representative Brauns—1096
Senate File 2010, H-9050—Representative Hansen—1768
Senate File 2010, H-9050—Representative Frevert—1941
Senate File 2010—Representatives Hansen & Shey—1768

- Senate File 2010—Representative Frevert—1941
Senate File 2015—Representative Brauns—1096
Senate File 2031—Representative Nelson-Forbes—386
Senate File 2047—Representative O'Brien—1192
Senate File 2047—Representative Frevert—1654
Senate File 2079—Representative Cataldo—1423
Senate File 2079—Representative Frevert—1654
Senate File 2082—Representative Kuhn—228
Senate File 2092—Representative Teig—1165
Senate File 2092—Representative O'Brien—1192
Senate File 2092—Representative Frevert—1654
Senate File 2111—Representative Brauns—1096
Senate File 2111—Representative Larson—1097
Senate File 2113—Representative Larson—1279
Senate File 2113—Representative Frevert—1654
Senate File 2126—Representative Hansen—1423
Senate File 2126—Representative Frevert—1654
Senate File 2141—Representative Frevert—1654
Senate File 2142—Representative Brauns—1096
Senate File 2143—Representatives Mascher & Sunderbruch—1364
Senate File 2143—Representatives Cataldo & Van Fossen—1423
Senate File 2143—Representative Frevert—1654
Senate File 2144—Representatives Alons & Brunkhorst—1653
Senate File 2144—Representative O'Brien—1654
Senate File 2145—Representative Brauns—1096
Senate File 2146—Representative Raecker—1219
Senate File 2146—Representative Frevert—1654
Senate File 2147—Representative Jager—817
Senate File 2158—Representative Raecker—1165
Senate File 2193—Representatives Baudler & Brauns—426
Senate File 2214—Representative O'Brien—1192
Senate File 2214—Representative Frevert—1654
Senate File 2215—Representatives Jager & Johnson—1011
Senate File 2220—Representative Brauns—1096
Senate File 2221—Representative Brauns—1096
Senate File 2238—Representative Frevert—1654
Senate File 2243—Representative Frevert—1941
Senate File 2245—Representative Frevert—1941
Senate File 2246—Representative Frevert—1941
Senate File 2248—Representatives Brauns, Chiodo & Hansen—589
Senate File 2248—Representative Ford—841
Senate File 2249—Representative Raecker—1219
Senate File 2249—Representative Frevert—1654
Senate File 2252—Representative Larson—1279
Senate File 2252—Representative Frevert—1654
Senate File 2254—Representative Brauns—800
Senate File 2254—Representative Jager—817
Senate File 2254—Representative Raecker—1219
Senate File 2254—Representative Frevert—1654
Senate File 2256—Representative Drake—930
Senate File 2267—Representative Cataldo—1423
Senate File 2267—Representative Frevert—1654

Senate File 2274—Representative Frevert—1654
Senate File 2294—Representative Raecker—1219
Senate File 2294—Representative Frevert—1654
Senate File 2302, H-8719—Representative Frevert—1654
Senate File 2302—Representative Cataldo—1423
Senate File 2302—Representative Chiodo—1457
Senate File 2302—Representative Frevert—1654
Senate File 2303—Representative Tyrrell—1011
Senate File 2307—Representative Raecker—1219
Senate File 2307—Representative Frevert—1654
Senate File 2308—Representative Frevert—1654
Senate File 2312—Representative Cataldo—1423
Senate File 2312—Representative Frevert—1654
Senate File 2313—Representative Cataldo—1423
Senate File 2313—Representative Frevert—1654
Senate File 2324—Representative Frevert—1654
Senate File 2326—Representative Brauns—1096
Senate File 2327—Representative Shey—1768
Senate File 2327—Representative Frevert—1941
Senate File 2329—Representative Cataldo—1423
Senate File 2329—Representative Chiodo—1457
Senate File 2329—Representative Frevert—1654
Senate File 2330—Representative Hoffman—558
Senate File 2331—Representative Huseman—1364
Senate File 2331—Representative Cataldo—1423
Senate File 2331—Representative Frevert—1654
Senate File 2342—Representative Raecker—1219
Senate File 2342—Representative Frevert—1654
Senate File 2348—Representative Hansen—1423
Senate File 2348—Representative Frevert—1654
Senate File 2349—Representative Brauns—1096
Senate File 2360—Representative Cataldo—1423
Senate File 2360—Representative Frevert—1654
Senate File 2366—Representative O'Brien—1192
Senate File 2366—Representative Frevert—1654
Senate File 2369—Representative Brauns—1096
Senate File 2371—Representative Huseman—1364
Senate File 2371—Representative Cataldo—1423
Senate File 2371—Representative Frevert—1654
Senate File 2390—Representative Frevert—1654
Senate File 2395—Representative Huseman—1364
Senate File 2395—Representative Cataldo—1423
Senate File 2395—Representative Frevert—1654
Senate File 2411—Representative Weigel—979
Senate File 2416—Representative Raecker—1219
Senate File 2416—Representative Frevert—1654
Senate File 2418—Representative Raecker—1219
Senate File 2418—Representative Frevert—1654
Senate File 2420—Representative Raecker—1219
Senate File 2420—Representative Frevert—1654
Senate File 2424—Representative Huseman—1364
Senate File 2424—Representative Cataldo—1423

Senate File 2424—Representative Frevert—1654
 Senate File 2426—Representative Cataldo—1423
 Senate File 2426—Representative Frevert—1654
 Senate File 2427—Representatives Baudler & Hansen—1832
 Senate File 2427—Representative Frevert—1941
 Senate File 2428, H-8696—Representative Boal—1614
 Senate File 2428, H-8695, H-8696, H-8699 & H-8700—Representative Frevert—1654
 Senate File 2428—Representative Boal—1614
 Senate File 2428—Representative Frevert—1654
 Senate File 2429, H-8885—Representative Frevert—1654
 Senate File 2429—Representative Jager—1515
 Senate File 2429—Representative Frevert—1654
 Senate File 2430, H-8724—Representative Frevert—1654
 Senate File 2430—Representative Frevert—1654
 Senate File 2435, H-8832 & H-8834—Representative Frevert—1654
 Senate File 2435—Representative Frevert—1654
 Senate File 2438—Representative Frevert—1941
 Senate File 2439—Representative Frevert—1654
 Senate File 2443, H-8804—Representative Frevert—1654
 Senate File 2443—Representative Sukup—1457
 Senate File 2443—Representative Frevert—1654
 Senate File 2447, H-8954 & H-8976—Representative Frevert—1941
 Senate File 2447—Representative Frevert—1941
 Senate File 2452—Representative Frevert—1941
 Senate File 2453, H-9065—Representative Frevert—1941
 Senate File 2453—Representative Frevert—1941
 Senate File 2455—Representatives Shey & Hansen—1768
 Senate File 2455—Representative Frevert—1941
 Senate File 2459—Representative Frevert—1941
 Senate Concurrent Resolution 103—Representatives Baudler & Brauns—426

FALCK, STEVE—Representative Buchanan-Fayette Counties

Amendments filed—251, 313, 314, 377, 497, 518, 845, 877, 878, 935, 936, 1015, 1089,
 1101, 1137, 1199, 1200, 1428, 1574, 1647, 1759, 1773
 Amendments offered—455, 951, 1089, 1647, 1879, 1881
 Amendments withdrawn—922, 923, 1296, 1871, 1881
 Bills introduced—87, 95, 150, 163, 175, 222, 237, 267, 291, 304, 305, 316, 324, 325,
 349, 364, 416, 421, 422, 446, 447
 Committee appointments—17, 18
 Explanation of vote—642
 Leave of absence—1672
 Resolutions offered—233, 362, 1222, 1344, 1427
 Subcommittee assignments—92, 117, 123, 260, 339, 359, 387, 802, 818, 1615

FALLON, ED—Representative Polk County

Amendments filed—363, 562, 581, 583, 594, 595, 612, 612-614, 648, 674, 766, 878,
 935, 936, 937, 1014, 1050, 1100, 1101, 1160, 1199, 1283, 1345, 1452, 1563, 1637-
 1638, 1642-1643, 1643, 1643-1644, 1644-1645, 1689
 Amendments offered—579, 581, 612, 692, 994, 995, 1156, 1158, 1447, 1452, 1642,
 1643, 1644, 1689
 Amendments withdrawn—612, 964, 993, 994, 1050, 1155, 1159, 1160, 1563
 Bills introduced—87, 113, 284, 303, 304, 316, 327, 357, 364, 399, 400, 422, 438, 563

Committee appointments—17, 18
 Performed Irish music with his band for the House—808
 Presented to the House George Mills, Iowa historian and retired writer for the Des Moines Register—1202
 Resolutions offered—396, 648, 1222, 1428, 1461, 1701
 Subcommittee assignments—69, 83, 245, 259, 358, 802

FEDERAL AGENCIES—

(See PRESIDENT OF THE UNITED STATES, CONGRESS and/or FEDERAL AGENCIES)

FINAL DISPOSITION OF MOTIONS TO RECONSIDER—1940

FOEGE, RO—Representative Johnson-Linn Counties

Amendments filed—313, 314, 377, 517, 518, 594, 595, 705, 766, 878, 935, 936, 1200, 1345, 1372, 1404, 1475-1479, 1637-1638, 1759
 Amendments offered—656, 787, 792, 942, 1404, 1405, 1406
 Amendments withdrawn—784, 942, 1387, 1405, 1406
 Bills introduced—87, 113, 237, 267, 290, 316, 324, 327, 356, 364, 378, 415, 416, 421, 421-422, 422, 438
 Committee appointment—18
 Leave of absence—1672
 Presented to the House Marian Wright Edelman, founder and president of the Children's Defense Fund, Washington, D.C.—650
 Resolutions offered—251, 1222, 1344, 1427, 1615
 Subcommittee assignments—73, 259, 260, 286, 308, 371, 760, 802, 818

FORD, WAYNE W.—Representative Polk County

Amendments filed—251, 414, 498, 518, 526-527, 561, 877, 913, 935, 936, 1111-1113, 1117, 1168, 1199, 1215-1216, 1283, 1345, 1372, 1461, 1471-1472, 1759, 1822-1823
 Amendments offered—526, 604, 659, 835, 913, 1111, 1215, 1445, 1471, 1543, 1544, 1690, 1822
 Amendments withdrawn—528, 604, 626, 1117, 1468, 1469, 1470, 1471, 1543, 1547
 Appointed to the Iowa Council on Human Investment—25
 Bills introduced—87, 237, 255, 291, 316, 317, 324, 325, 356, 364, 416, 421, 422, 446
 Committee appointment—18
 Explanations of vote—257-258, 841
 Leave of absence—234
 Petition presented—846
 Resolutions offered—251, 1137, 1222, 1344, 1372, 1427, 1428
 Subcommittee assignments—130, 152, 370, 371, 387, 388, 515, 645

FREVERT, MARCELLA R.—Representative Palo Alto-Clay-Kossuth Counties

Amendments filed—158, 377, 497, 594, 807, 819, 845, 866-867, 935, 936, 1048-1049, 1080
 Amendments offered—225, 616, 943
 Bills introduced—32, 87, 95, 139, 160, 237, 267, 290, 291, 302, 303, 316, 318, 324, 325, 349, 364, 365, 379, 399, 416, 421, 422, 438, 446, 447
 Committee appointments—17, 19, 566
 Escorted Senator Jackman, Irish Dignitary, to the Speaker's station—809
 Explanations of vote—385, 1654, 1941

Leave of absence—499, 1108-1109, 1242, 1285, 1346, 1429, 1462, 1672, 1702, 1774, 1887
 Memorial resolution offered—566
 Petition presented—597
 Presented to the House Miss Shamrock, Courtney Thu and Little Lassie, Heather Kline—808
 Presented to the House Senator Mary Jackman, M.C.C. (FG) member of the Irish Parliament—809
 Requested her name be withdrawn as a sponsor of House File 2326—369
 Resolutions offered—362, 1428
 Subcommittee assignments—69, 308, 339, 388

GARMAN, TERESA—Representative Marshall-Story Counties
 Amendments filed—63, 288, 289, 363, 497, 518, 648, 675, 935, 1004, 1101, 1181, 1345, 1420, 1480, 1616, 1673-1681, 1764, 1821, 1825-1827
 Amendments offered—63, 695, 712, 1104, 1110, 1420, 1764, 1821, 1825
 Amendment withdrawn—1821
 Bills introduced—14, 15, 16, 52, 87, 112, 222, 283, 305, 326, 436
 Committee appointments—6, 17, 19, 56, 566
 Explanation of vote—1165
 Leave of absence—1121
 Petition presented—120
 Presented to the House the Honorable Ward Handorf, former member of the House—255
 Resolutions offered—233, 1222, 1344, 1427-1428, 1460
 Subcommittee assignments—91, 117, 153, 245, 260, 339, 371, 405

GENERAL ASSEMBLY—HOUSE—

(See also ADMINISTRATION AND RULES COMMITTEE in the GENERAL INDEX and/or HOUSE CONCURRENT RESOLUTIONS, HOUSE RESOLUTIONS and SENATE CONCURRENT RESOLUTIONS listed in LEGISLATIVE INDEX VOLUME)

Resolutions relating to:

House Concurrent Resolution 101—condition of the state and budget message—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd. — H.J. 16
 House Concurrent Resolution 102—condition of the judicial branch—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd. — H.J. 17
 House Concurrent Resolution 105—Iowa Finance Authority honor contractual obligations with the Iowa Housing Corporation as necessary to ensure orderly transfer of public moneys—232-233, 268 adopted, 272 msgd., 274
 House Concurrent Resolution 106—support the State of Minnesota's lawsuit against the fed. government re disparate funding under fed. medicare program—264, 291 adopted, 295 msgd. — S.J. 995 adopted, 996 msgd. — H.J. 1219
 House Concurrent Resolution 112—Iowa Air National Guard to patrol no-fly zones over Iraq—396
 House Concurrent Resolution 114—Women's History Month—497, 598 adopted, 603 msgd., 642, 643
 House Concurrent Resolution 119—review fed. outdoor advertising bonus program restrictions on signing and advertising adjacent to the interstate highway system—1344, 1443 adopted & msgd. — S.J. 1145 adopted, 1153 msgd. — H.J. 1483

- House Concurrent Resolution 120—racist activities intended to harass students & faculty at University of Iowa—1427
- House Concurrent Resolution 121—urge U.S.D.A. make lands under conservation reserve eligible for grazing by livestock—1460-1461, 1462-1463 adopted, 1464 msgd. — S.J. 1226 adopted, 1228 msgd. — H.J. 1603
- House Resolution 103—annual budgets, daily operations of the House—158, 239, 242 adopted
- Senate Concurrent Resolution 121—adjournment sine die—S.J. 1439, 1440 adopted, msgd. — H.J. 1936, 1939 adopted

GIFTS—

(See AWARDS AND GIFTS)

GIPP, CHUCK—Representative Allamakee-Winneshiek Counties, Assistant Majority Leader

- Amendments filed—497, 648, 1101, 1658, 1659, 1673-1681, 1701, 1858-1859
- Amendments offered—684, 1737, 1764, 1858
- Appointed to the Legislative Council—105
- Bills introduced—31, 32, 33, 52, 78, 87, 101, 140, 150, 283, 305, 415, 436
- Bills rereferred to committees (as acting Speaker)—140, 491
- Committee appointments—17, 18, 19, 35
- Presided at sessions of the House—137, 174, 281, 488, 504, 615, 660, 727, 848, 905, 1237, 1866
- Resolutions offered—362, 1222, 1344, 1427, 1460
- Subcommittee assignments—49, 67, 68, 69, 74, 83, 92, 93, 99, 130, 131, 143, 167, 168, 230, 258, 259, 276, 359, 371, 388, 540, 671, 801, 1657

GOVERNOR VILSACK, THOMAS J.—

- Addressed joint convention—35-47
- Bills signed by—107, 127-128, 258, 426, 513, 702, 758-759, 820, 1134, 1166, 1192-1194, 1280, 1365-1366, 1458, 1515, 1569-1571, 1614, 1655, 1698-1699, 1768-1770, 1833, 1941-1942, 2383-2390
- Closing message—1945-1946
- Committee to notify and escort—6, 35, 47, 56, 61, 1944, 1945
- Communication from—1945-1946
- Delivered the condition of the State and Budget Message—35-47
- Item veto messages after session—2394-2407
- Resolution relating to the condition of the State Message and Budget Message, House Concurrent Resolution 101—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd. — H.J. 16
- Resolutions relating to:
- House Concurrent Resolution 105—Iowa Finance Authority honor contractual obligations with the Iowa Housing Corporation as necessary to ensure orderly transfer of public moneys—232-233, 268 adopted, 272 msgd., 274
- House Concurrent Resolution 109—designate prostate cancer awareness week—279, 1622 adopted, 1623 msgd., 1653 — S.J. 1314 adopted, 1331 msgd. — H.J. 1767
- House Concurrent Resolution 114—Women's History month—497, 598 adopted, 603 msgd., 642, 643
- House Concurrent Resolution 116—appoint a special commission, develop designs to submit to U.S. Mint for Iowa quarter dollar (Loess Hills)—983, 1103 adopted, 1119 msgd. — S.J. 1266 adopted, 1267 msgd. — H.J. 1650

House Concurrent Resolution 121—accomplishments of conservationist John Fletcher Lacey—H.J. 1518, 1926 w/d.

Veto messages—1194-1196, 1366-1368, 1516, 1571-1572, 1833-1834

Veto message after session—2391-2393

Vetoed bill returned to Secretary of State—1944

GREIMANN, JANE—Representative **Story** County

Amendments filed—255, 377, 497-498, 498, 595, 705, 819, 845, 935, 936, 1168, 1200, 1344, 1345, 1403-1404, 1413, 1414, 1637-1638, 1659, 1701, 1759, 1773, 1922-1923

Amendments offered—856, 1403, 1414, 1495

Amendments withdrawn—791, 950, 1406, 1413

Bills introduced—87, 95, 160, 175, 237, 267, 291, 316, 325, 327, 356, 357, 364, 416, 421, 422, 438, 446, 447

Committee appointments—18, 19

Leave of absence—522

Oath of office—5-6

Resolutions offered—1222, 1427-1428

Subcommittee assignments—83, 109, 230, 371

GREINER, SANDRA H.—Representative Keokuk-Mahaska-Wapello-Washington Counties

Amendments filed—861, 877, 935, 983, 1100, 1101, 1312-1327, 1421, 1461, 1500, 1501-1502, 1504, 1511-1512, 1701

Amendments offered—861, 1312, 1499, 1501, 1504

Amendments withdrawn—1312, 1500, 1504

Bills introduced—52, 87, 137, 305, 436

Committee appointments—17, 18, 568

Leave of absence—290

Memorial resolution offered—568

Petition presented—443

Resolutions offered—362, 1222, 1344, 1427-1428, 1460, 1518

Subcommittee assignments—68, 93, 152, 339, 388, 646

GRUNDBERG, BETTY—Representative **Polk** County

Amendments filed—561, 595, 596, 648, 674, 675, 704, 705, 795, 796, 845, 937, 1101, 1222, 1428, 1461, 1583-1586, 1673-1681, 1773

Amendments offered—789, 793, 794, 795, 848, 862, 966, 1103, 1205, 1583

Amendment withdrawn—965

Appointed to the Legislative Council—105

Bills introduced—14, 15, 32, 52, 87, 113, 305, 357, 415, 436

Committee appointment—18

Presented to the House winners of "Write Women Back Into History" essay contest—598-599

Resolutions offered—76, 251, 497, 1222, 1344, 1428

Subcommittee assignments—73, 92, 259, 276, 286, 405, 760, 802, 818

HAHN, JAMES F.—Representative **Muscatine**-Scott Counties

Amendments filed—288, 289, 541, 1168, 1421, 1673-1681

Amendment offered—961

Bills introduced—52, 87, 95, 303, 305, 324, 349, 356, 415, 436

Committee appointments—18, 19

Explanation of vote—642-643

Resolutions offered—1222, 1344, 1428, 1460
 Subcommittee assignments—109, 123, 245, 258, 259, 286, 339, 359, 371, 645, 646,
 802

HANSEN, BRAD L.—Representative **Pottawattamie** County

Amendments filed—845, 1039-1040, 1345, 1405-1406, 1469, 1673-1681, 1919-1921
 Amendments offered—328, 1039, 1405, 1469, 1919
 Amendment withdrawn—1923
 Bills introduced—52, 87, 113, 175, 324, 355, 415, 436
 Committee appointments—17, 18
 Explanations of vote—275, 589, 1423, 1768, 1832
 Leave of absence—1, 31
 Presided at sessions of the House—1486, 1824
 Resolutions offered—279, 983, 1222, 1344, 1428
 Subcommittee assignments—69, 91, 92, 93, 123, 259, 388, 493, 494, 644, 802, 818,
 1615

HEATON, DAVID E.—Representative Des Moines-**Henry**-Washington Counties

Amendments filed—497, 518, 562, 819, 935, 937, 1014, 1015, 1101, 1168, 1372, 1392-
 1395, 1395-1396, 1396-1397, 1402-1403, 1405, 1405-1406, 1406, 1408-1409, 1409,
 1475-1479, 1590-1600, 1670-1671, 1671, 1673-1681
 Amendments offered—883, 1262, 1263, 1387, 1395, 1396, 1405, 1407, 1408, 1409,
 1590, 1670, 1671
 Amendments withdrawn—884, 1264, 1401, 1403, 1406, 1409
 Bills introduced—31, 52, 54, 77, 86, 87, 113, 282, 305, 306, 315, 349, 355, 415, 416,
 436
 Committee appointments—17, 18, 19
 Explanations of vote—669, 1569, 1698
 Petition presented—300
 Presented Speaker Siegrist with a petition to increase benefits for survivors of
 Keokuk firefighters who lost their lives in the line of duty—322-323
 Presided at sessions of the House—985
 Resolutions offered—264, 362, 1221, 1222, 1344, 1427-1428, 1461, 1835
 Subcommittee assignments—49, 69, 91, 92, 117, 153, 260, 359, 405, 493, 592, 1657

HOFFMAN, CLARENCE—Representative **Crawford**-Monona-Woodbury Counties

Amendments filed—594, 1168, 1210-1212, 1421, 1480, 1616, 1641, 1646, 1646-1647,
 1647, 1673-1681
 Amendments offered—1210, 1639, 1646
 Amendments withdrawn—1212, 1641, 1646
 Bills introduced—52, 87, 113, 175, 253, 283, 305, 306, 327, 349, 436
 Committee appointments—17, 18, 19
 Explanation of vote—558
 Presented to the House the Honorable Donald Gries former member of the House—
 1581
 Resolutions offered—347, 1222, 1344, 1427-1428, 1460
 Subcommittee assignments—67, 92, 123, 152, 260, 459, 591, 592, 704, 801, 818, 1167

HOLMES, DANNY J.—Representative **Scott** County

Amendments filed—984, 1421, 1574, 1635-1636, 1673-1681
 Bills introduced—52, 87, 305, 436
 Committee appointments—17, 19, 54

Resolutions offered—983, 1222, 1344, 1428

Subcommittee assignments—49, 67, 68, 69, 99, 131, 143, 152, 153, 167, 168, 245, 258, 276, 359, 388, 515, 516, 591, 592, 671, 704, 802, 1098

HOLVECK, JACK K., JR.—Representative Polk County

Amendments filed—497, 497-498, 877, 878, 935, 936, 1014, 1199, 1200, 1461, 1497, 1759

Amendment offered—1493

Amendments withdrawn—837, 1785

Bills introduced—87, 95, 222, 237, 267, 284, 291, 301, 302, 306, 316, 324, 325, 364, 416, 421, 422, 438, 446

Committee appointments—17, 18

Presented to the House winners of the “Write Women Back Into History” essay contest—598-599

Presented to the House teachers and students from our sister state Cherkasy, Ukraine—114

Resolutions offered—233, 251, 362, 497, 1222, 1428

Subcommittee assignments—130, 370, 645, 760

HORBACH, LANCE—Representative Benton-Black Hawk-Tama Counties

Amendments filed—595, 937, 989, 1101, 1421, 1658, 1673-1681

Amendments offered—1151, 1840

Amendment withdrawn—989

Bills introduced—52, 87, 127, 175, 283, 302, 305, 349, 381, 415, 436, 573

Committee appointments—17, 18

Leave of absence—1482

Resolutions offered—1222, 1344, 1427-1428, 1460

Subcommittee assignments—69, 91, 117, 118, 167, 338, 388, 405, 493, 540, 644, 671, 760, 981, 1615

HOUSE CONCURRED—

House File 475, H-8729—1351

House File 620, H-8412—1009

House File 683, H-8415, as amended—959

House File 686, H-8030—350

House File 723, H-8746, as amended—1421

House File 2008, H-8939—1621

House File 2113, H-8439—905

House File 2135, H-8580—1144

House File 2136, H-8411—907

House File 2146, H-8577—1127

House File 2172, H-8444—956

House File 2198, H-8716—1269

House File 2205, H-9015—1666

House File 2317, H-8579—1256

House File 2321, H-8437—955

House File 2331, H-8637—1121

House File 2351, H-9086—1787

House File 2362, H-8694—1208

House File 2373, H-9108—1886

House File 2376, H-8610—1139

House File 2377, H-8672—1229

House File 2378, H-8899, as amended—1588
House File 2391, H-8607—1126
House File 2419, H-8783—1380
House File 2429, H-8728—1270
House File 2433, H-8862—1521
House File 2437, H-8784—1465
House File 2463, H-8715—1292
House File 2477, H-8817—1431
House File 2491, H-8757, as amended—1363
House File 2492, H-8578—1124
House File 2496, H-8905, as amended—1609
House File 2502, H-8810—1414
House File 2510, H-8539—1122
House File 2511, H-8692—1235
House File 2513, H-8754—1310
House File 2525, H-8438—904
House File 2528, H-8739—1355
House File 2533, H-8714—1225
House File 2538, H-8693—1204
House File 2540, H-9042—1726
House File 2545, H-9074—1792
House File 2548, H-8907—1541
House File 2549, H-9105, as amended—1923
House File 2552, H-9077, as amended—1828
House File 2554, H-9076—1994
House File 2557, H-8989—1667
House File 2560, H-9094, as amended—1866
House File 2562, H-9048, as amended—1735
House File 2579, H-9114—1935
Senate File 419, H-9047—1711
Senate File 466, H-9041—1720
Senate File 2111, H-8576—1034
Senate File 2241, H-9100—1843
Senate File 2245, H-9113—1925
Senate File 2252, H-9098—1838
Senate File 2254, H-8476—1190
Senate File 2302, H-8805—1434
Senate File 2308, H-8662—1174
Senate File 2329, H-8818—1432
Senate File 2348, H-8773—1378
Senate File 2371, H-8727—1289
Senate File 2430, H-8944—1613
Senate File 2435, H-9090—1800

HOUSE RECEDES—

House File 2562—1856
Senate File 2079—1266

HOUSE REFUSED TO CONCUR—

House File 2519, H-8806—1853
House File 2548, H-8907—1568
Senate File 2429, H-8943—1612

HOUSER, HUBERT M.—Representative Fremont-Mills-Pottawattamie Counties
Amendments filed—705, 935, 936, 937, 1044, 1345, 1408-1409, 1421, 1461, 1647,
1673-1681, 1688

Amendments offered—1044, 1688

Amendment withdrawn—1688

Bills introduced—52, 87, 113, 305, 324, 349, 381, 415, 436, 573

Committee appointment—19

Leave of absence—1138

Resolutions offered—983, 1222, 1344, 1427-1428, 1460

Subcommittee assignments—69, 99, 144, 153, 338, 358, 359, 405, 459, 516, 591, 801,
802

HUMAN RESOURCES, COMMITTEE ON—

Amendments filed—396, 766, 845, 1428

Amendments offered—783, 872

Amendment withdrawn—1475

Appointed—18

Bills introduced—120, 159, 300, 326, 348, 349, 380, 381, 397, 401, 417, 437, 438, 444,
465, 466, 472

Recommendations—119, 157, 287-288, 344-345, 375-376, 393, 410, 432, 460, 672,
763, 820-821, 843-844, 1427

Subcommittee assignments—73, 74, 109, 122, 123, 259, 260, 286, 308, 494, 645, 646,
802, 818

HUSEMAN, DANIEL A.—Representative Buena Vista-Cherokee-O'Brien-Plymouth
Counties

Amendments filed—937, 1421, 1673-1681, 1701

Bills introduced—52, 87, 150, 175, 253, 283, 305, 349, 436

Committee appointments—17, 18, 19, 567, 568

Explanations of vote—491, 1364

Leave of absence—125, 135, 149, 464, 1285

Resolutions offered—1222, 1344, 1428, 1460

Subcommittee assignments—308, 388, 802

HUSER, GERI D.—Representative Polk County

Amendments filed—497, 537, 580, 580-581, 595, 766, 796, 877, 878, 935, 936, 937,
1002, 1014, 1100, 1101, 1137, 1518, 1574, 1658, 1773, 1877

Amendments offered—537, 580, 694, 773, 916, 921, 1048, 1105, 1187, 1877

Amendments withdrawn—580, 964, 1002, 1187, 1783

Appointed to the Administrative Rules Review Committee—24

Bills introduced—14, 87, 113, 150, 223, 357, 364, 365

Committee appointments—17, 19

Presented to the House dignitaries from Ukraine—846

Resolutions offered—251, 1222, 1344, 1427-1428

Subcommittee assignments—69, 93, 118, 245, 308, 339, 359, 405, 645, 671

INTERIM APPOINTMENTS—

Administrative Rules Review Committee:

Minnette Doderer—24

Geri Huser—24

Child Support Advisory Committee:

Polly Bukta—24

Indigent Defense Advisory Commission:

Galen Davis—25

Iowa Council On Human Investment:

Wayne Ford—25

Medical Assistance Advisory Council:

Polly Bukta—25

INTERIM COMMITTEES—

(See also LEGISLATIVE COUNCIL and/or STUDY COMMITTEES)

Appointments to—24, 25

Resolutions relating to:

House Concurrent Resolution 113—legislative mental health and developmental disability services restructuring task force—434, 1345

House Concurrent Resolution 117—replacement funds paid to local governments to mitigate the effects from elimination of prop. tax on industrial machinery, equip. & computers, cmte. study—1221, 1442

House Resolution 113—contribution options for persons covered by IPERS, interim study—765-766

Senate Concurrent Resolution 113—impact of state replacement funds to mitigate phase-out of property tax on industrial equipment, study—S.J. 999, 1049 adopted & msgd. — H.J. 1295, 1428, 1442 adopted, 1443 msgd.

JACOBS, ELIZABETH S.—Representative Polk County

Amendments filed—595, 705, 807, 937, 1100, 1101, 1168, 1283, 1296, 1303, 1673-1681

Amendments offered—600, 601, 728, 947, 949, 1149, 1295, 1296, 1303, 1348

Amendment withdrawn—1149

Appointed to the Legislative Council—105

Bills introduced—52, 87, 175, 222, 254, 282, 284, 305, 317, 324, 356, 415, 436

Bills referred or rereferred to committees (as acting Speaker)—358, 403

Committee appointments—17, 19, 54

Explanations of vote—98, 701-702

Leave of absence—606-607, 649

Presentation of visitors (as acting Speaker)—403-404, 930

Presided at sessions of the House—354, 397, 499, 926, 1032

Resolutions offered—233, 251, 1137, 1222, 1344, 1427-1428

Subcommittee assignments—49, 68, 73, 92, 130, 131, 167, 259, 260, 516, 592, 671, 704, 801, 802, 1615

JAGER, MICHAEL—Representative Black Hawk-Buchanan-Delaware Counties

Amendments filed—264, 288, 289, 363, 497, 819, 877, 937, 1100, 1168, 1345, 1461, 1518, 1574, 1673-1681, 1686-1687, 1763, 1765, 1825-1827, 1835, 1865

Amendments offered—520, 826, 976, 1686, 1692, 1763, 1765, 1781, 1865

Amendments withdrawn—336, 1763, 1865

Bills introduced—52, 87, 101, 112, 283, 305, 324, 349, 400, 436

Committee appointments—18, 19, 1462

Explanations of vote—817, 1011, 1423, 1515

Leave of absence—789

Resolutions offered—264, 396, 1222, 1344, 1427-1428

Subcommittee assignments—49, 74, 83, 99, 130, 143, 152, 153, 167, 259, 286, 308, 370, 371, 388, 405, 515, 516, 644, 645, 646, 760

JENKINS, WILLARD G.—Representative Black Hawk County

- Amendments filed—518, 578, 937, 1014, 1100, 1101, 1345, 1574, 1615, 1616, 1635-1636, 1659, 1701
- Amendments offered—576, 1151, 1381, 1635, 1721
- Bills introduced—52, 87, 101, 127, 149, 162, 175, 305, 317, 436
- Committee appointments—17, 18, 19
- Escorted Senator Jackman, Irish Dignitary to the Speaker's station—809
- Presented to the House dignitaries from Ukraine—846
- Presented to the House Maureen & Liam Boyd and Larissa Crain who presented a gift to Senator Mary Jackman of Ireland—808
- Presented to the House high school students from Ukraine—1308
- Resolutions offered—251, 362, 983, 1222, 1344, 1427-1428
- Subcommittee assignments—67, 68, 69, 74, 167, 168, 245, 260, 308, 338, 359, 459, 515, 591, 802, 818, 1098, 1167

JOCHUM, PAM—Representative Dubuque County, Assistant Minority Leader

- Amendments filed—314, 542, 546, 594, 595, 936, 1199, 1200, 1222, 1372, 1399, 1400-1401, 1406, 1407, 1659, 1682-1685, 1686, 1759
- Amendments offered—1206, 1387, 1399, 1400, 1406, 1407, 1503
- Amendment withdrawn—1399
- Appointed to the Legislative Council—105
- Bills introduced—87, 121, 237, 255, 267, 291, 316, 324, 325, 327, 355, 357, 364, 416, 421, 421-422, 422, 438, 446, 447
- Committee appointments—6-7, 17, 18, 19
- Petitions presented—315, 767
- Resolutions offered—1222, 1344, 1428
- Subcommittee assignments—49, 68, 130, 131, 153, 167, 359, 515, 516, 591, 1098

JOHNSON, DAVID—Representative Lyon-O'Brien-Osceola-Sioux Counties

- Amendments filed—363, 561, 648, 937, 1345, 1408-1409, 1421, 1673-1681, 1701
- Amendments offered—581, 694, 1706
- Bills introduced—52, 77, 87, 113, 175, 283, 305, 324, 349, 400, 415, 436
- Committee appointments—17, 19, 567, 568, 569
- Explanations of vote—513, 669, 1011
- Memorial resolution offered—567
- Resolutions offered—264, 1222, 1344, 1427-1428, 1461
- Subcommittee assignments—29, 117, 118, 167, 245, 259, 405, 541, 592, 671, 704

JOINT CONVENTIONS—

- Canvass of votes—3-5
- Condition of the Judicial Department Message—56-61
- Condition of the State and Budget Message—35-47
- Resolutions relating to:
 - House Concurrent Resolution 101, condition of the state and budget message—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd. — H.J. 16
 - House Concurrent Resolution 102, condition of the judicial branch message—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd. — H.J. 17

JUDICIARY, COMMITTEE ON—

- Amendments filed—264, 648, 675, 807, 822, 845
- Amendments offered—268, 971, 1154, 1776
- Amendment withdrawn—1855

Appointed—18

Bills introduced—159, 174, 222, 223, 234, 235, 284, 285, 301, 326, 348, 355, 366, 379, 397, 398, 400, 417, 418, 419, 437, 439, 445, 472, 473, 474, 543

Recommendations—157, 219, 232-233, 250-251, 264, 298, 312, 345, 376, 393-394, 411-412, 494-496, 593, 647, 672-673, 763-764, 804-805, 819, 821, 844

Subcommittee assignments—74, 83, 129, 130, 131, 143, 152, 153, 167, 230, 245, 286, 308, 370, 371, 387, 388, 404, 515, 516, 546, 644, 645, 646, 760, 802

KETTERING, STEVE—Representative **Ida-Sac-Woodbury Counties**

Amendments filed—434, 480-481, 561, 595, 648, 674, 674-675, 675, 704, 705, 937, 1168, 1421, 1480, 1673-1681

Amendments offered—479, 480, 775, 849, 1154

Amendment withdrawn—775

Bills introduced—52, 87, 150, 175, 222, 305, 306, 317, 349, 415, 436

Committee appointments—18, 19

Leave of absence—603

Resolutions offered—233, 1222, 1428, 1460

Subcommittee assignments—73, 130, 131, 286, 308, 371, 515, 546, 645, 646

KLEMME, RALPH—Representative **Plymouth-Woodbury Counties**

Amendments filed—363, 937, 1101, 1345, 1421, 1428, 1455, 1511-1512, 1673-1681, 1701

Amendments offered—1436, 1437, 1455

Bills introduced—33, 52, 87, 139, 222, 266, 283, 305, 415, 436

Committee appointments—17, 18, 19

Presented to the House Mrs. Iowa, Sheila Zollman—716

Resolutions offered—983, 1222, 1344, 1428, 1460

Subcommittee assignments—69, 73, 74, 118, 297, 761

KREIMAN, KEITH A.—Representative **Appanoose-Davis-Monroe-Van Buren Counties**

Amendments filed—251, 314, 463, 497, 498, 517, 518, 541, 561, 595, 596, 648, 667, 674, 675, 704, 705, 723-724, 877, 936, 937, 1014, 1161-1162, 1167, 1199, 1283, 1401, 1417, 1418-1420, 1512-1513, 1637-1638, 1759, 1773, 1821-1822

Amendments offered—318, 528, 618, 627, 637, 640, 666, 667, 723, 732, 747, 748, 749, 750, 751, 752, 1338, 1512, 1775

Amendments withdrawn—292, 336, 528, 618, 627, 639-640, 711, 749, 751, 976, 1024, 1775

Bills introduced—87, 104, 126, 150, 175, 237, 267, 291, 306, 316, 324, 327, 349, 365, 381, 416, 421, 422, 423, 446, 447

Committee appointments—18, 56

Presented a resolution to Mr. Simon Estes honoring him—992

Resolutions offered—1222, 1428

Subcommittee assignments—74, 83, 109, 130, 143, 152, 167, 230, 245, 259, 286, 494, 516, 645, 760, 802, 818

KUHN, MARK A.—Representative **Floyd-Howard-Mitchell Counties**

Amendments filed—648, 936, 1137, 1199, 1200, 1511-1512, 1637-1638, 1701, 1759

Amendments offered—654, 1511, 1637

Bills introduced—87, 237, 267, 291, 302, 316, 318, 324, 325, 349, 355, 416, 421, 421-422, 446, 447

Committee appointments—17, 19

Explanation of vote—228

Resolutions offered—1222, 1344, 1427-1428, 1461
 Subcommittee assignments—99, 245, 338, 359, 405

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—

Amendment filed—148
 Amendment offered—1109
 Appointed—18
 Bill introduced—420
 Recommendations—147, 412, 805-806
 Subcommittee assignments—91, 92, 143, 338, 359, 388, 760

LARKIN, RICK—Representative Des Moines-Lee Counties

Amendments filed—766, 878, 935, 936, 1100, 1101, 1637-1638, 1759
 Amendments offered—924, 944, 945, 1109, 1116
 Bills introduced—54, 77, 87, 237, 267, 291, 306, 316, 324, 325, 416, 421, 422, 446, 447
 Committee appointment—19
 Leave of absence—348
 Resolutions offered—1222, 1344, 1428, 1461
 Subcommittee assignments—49, 67, 68, 69, 74, 109, 131, 143, 152, 167, 168, 258, 259, 260, 276, 286, 359, 371, 388, 515, 591, 671, 801, 1282, 1459

LARSON, CHARLES W., JR.—Representative Linn County

Amendments filed—541, 561, 937, 1168, 1673-1681, 1773, 1821-1822
 Amendment offered—971
 Bills introduced—51, 52, 87, 113, 126, 221, 267, 283, 285, 305, 324, 400, 415, 436
 Committee appointments—18, 19
 Explanations of vote—1097, 1279
 Report—3-5
 Resolutions offered—251, 264, 362, 1222, 1428
 Subcommittee assignments—83, 91, 99, 143, 152, 338, 359, 459, 515, 645, 801, 802, 1221, 1282, 1459

LEAVE OF ABSENCE—

1, 31, 51, 95, 125, 135, 149, 161, 221, 234, 290, 331, 348, 364, 378, 443-444, 464, 499, 508, 519, 522, 575, 597, 603, 606, 626, 649, 650, 676, 715, 723, 743, 789, 808, 823, 846, 938, 986, 1108, 1114, 1121, 1138, 1201, 1224, 1238, 1242, 1285, 1346, 1356, 1429, 1449, 1453, 1462, 1482, 1617, 1672, 1686, 1702, 1727, 1774, 1887

LEGISLATIVE COUNCIL—

Appointments to—105-106
 Resolutions relating to:
 House Concurrent Resolution 113—434, 1345
 House Concurrent Resolution 117—1221, 1442
 House Concurrent Resolution 124—1835
 House Resolution 113—765-766

LEGISLATIVE COUNCIL COMMITTEES—

Appointments to—105-106

LEGISLATIVE EMPLOYEES—
(See OFFICERS AND EMPLOYEES)

LOBBYISTS—
(See ETHICS, COMMITTEE ON)

LOCAL GOVERNMENT, COMMITTEE ON—

Amendments filed—766, 822, 845

Amendment offered—881

Amendment withdrawn—1703

Appointed—19

Bills introduced—222, 316, 327, 354, 380, 398, 418, 419, 421, 437, 456, 464, 466, 467, 473, 499, 519, 706

Recommendations—158, 219-220, 288, 345-346, 376, 394-395, 412-413, 441, 460-463, 673, 764, 821, 844

Resolution offered—434

Subcommittee assignments—69, 245, 258, 259, 276, 308, 339, 358, 359, 371, 405, 591, 644, 645, 802, 818

LORD, DAVID G.—Representative **Dallas-Madison Counties**

Amendments filed—595, 705, 845, 937, 1480, 1673-1681

Amendments offered—754, 863

Bills introduced—52, 87, 113, 283, 305, 349, 415, 436

Committee appointments—18, 19

Leave of absence—986, 1727

Resolutions offered—1222, 1344, 1428

Subcommittee assignments—99, 130, 152, 308, 339, 405, 515, 646, 802, 818

MAJORITY LEADER, Christopher C. Rants—Representative **Woodbury County**,
(See RANTS, CHRISTOPHER C.—Representative **Woodbury County**, Majority Leader)

MANAGEMENT, DEPARTMENT OF—

Communications from—102, 275, 295

MARTIN, MONA K.—Representative **Scott County**

Amendments filed—595-596, 596, 648, 796, 877, 934, 935, 937, 1168, 1408-1409, 1616, 1673-1681, 1773

Amendments offered—424, 939, 950, 951, 1840

Amendments withdrawn—949, 1840

Bills introduced—14, 52, 53, 54, 87, 101, 102, 113, 282, 305, 324, 381, 436

Committee appointments—18, 19

Report—3-5

Resolutions offered—1222, 1344, 1427-1428

Subcommittee assignments—49, 67, 68, 69, 74, 130, 131, 143, 167, 168, 258, 276, 308, 359, 388, 671, 1282

MASCHER, MARY—Representative **Johnson County**

Amendments filed—251, 265, 279, 320, 377, 396, 497, 594, 648, 674, 675, 705, 796, 845, 866-867, 936, 950, 983, 1042, 1043, 1047-1048, 1081, 1081-1083, 1089, 1090, 1090-1092, 1199, 1200, 1417, 1418-1420, 1461, 1518, 1574, 1637-1638, 1659, 1759, 1773, 1921-1922, 1922-1923, 1937-1938

Amendments offered—320, 454, 484, 728, 793, 794, 796, 948, 1047, 1081, 1089, 1090, 1336, 1921, 1937
 Amendments withdrawn—661, 796, 950, 1042, 1081, 1336
 Bills introduced—87, 95, 113, 126, 127, 140, 159, 163, 235, 236, 237, 267, 282, 291, 316, 324, 325, 327, 357, 364, 416, 421, 421-422, 422, 438, 446, 447
 Committee appointments—17, 18
 Explanation of vote—1364
 Leave of absence—1346
 Resolutions offered—362, 1222, 1344, 1427-1428, 1615
 Subcommittee assignments—91, 92, 258, 339, 387, 388, 493, 802, 818

MAY, DENNIS—Representative Cerro Gordo-Mitchell-Worth Counties

Amendments filed—766, 878, 936, 1100, 1101, 1168, 1511-1512, 1701, 1759
 Amendments withdrawn—1778, 1783
 Bills introduced—87, 139, 237, 267, 282, 291, 301, 316, 318, 324, 349, 364, 416, 421, 422, 446, 447
 Committee appointments—17, 18, 19
 Presented to the Honorable John Connors and his wife Marge, a poster in honor of their fifty-fifth wedding anniversary—1224
 Resolutions offered—1222, 1428, 1461
 Subcommittee assignments—68, 338, 591, 1459, 1657

MEMORIALS—

Committees appointed—565, 566, 567, 568, 569
 Resolutions relating to—565, 566, 567, 568, 569

MERTZ, DOLORES M.—Representative Humboldt-Kossuth Counties

Amendments filed—377, 497, 498, 541, 819, 935, 936, 1100, 1199, 1701, 1758-1759
 Amendments offered—554, 784, 1502, 1759
 Appointed to the Legislative Council—105
 Bills introduced—87, 95, 113, 175, 266, 283, 291, 301, 302, 305, 316, 349, 364, 421, 422, 446, 447
 Committee appointments—17, 18, 566, 567
 Leave of absence—125
 Presented to the House the Irish Stepperettes—809
 Resolutions offered—264, 362, 1222, 1344, 1427-1428, 1461
 Subcommittee assignments—152, 297, 308, 338, 371, 405, 493, 540, 981, 1615

MESSAGES—

(See also COMMUNICATIONS)

From Senate—16-17, 78, 102, 135, 150, 163, 228, 285, 303-304, 318, 322, 366, 401, 447-449, 456-457, 474-475, 500, 502, 512-513, 538-539, 543-544, 563-564, 588-589, 603, 649-650, 676-678, 688-689, 689-690, 706-707, 715, 757-758, 767-768, 798-799, 838-840, 858-860, 879-880, 892, 930, 953-954, 986, 1010, 1016-1018, 1033-1034, 1035-1036, 1037-1038, 1096, 1102, 1133, 1141-1142, 1147, 1152, 1186, 1201-1202, 1218-1219, 1237-1238, 1278, 1285-1286, 1293-1294, 1294-1295, 1328-1329, 1347, 1357, 1373-1374, 1383-1384, 1411-1412, 1440-1441, 1451, 1474, 1483, 1498-1499, 1548-1549, 1577-1578, 1581, 1589-1590, 1603-1604, 1623-1624, 1649-1651, 1660, 1668-1669, 1673, 1696-1697, 1702-1703, 1766-1767, 1774, 1786, 1789, 1829, 1839-1840, 1867, 1883, 1887-1888, 1926-1927, 1936, 1939
 From Governor—1945-1946

Immediate messages—8, 64, 97, 166, 228, 239, 242, 257, 272, 295, 322, 337, 354, 369, 385, 403, 426, 456, 472, 478, 484, 491, 507, 512, 521, 530, 532, 538, 554, 555, 558, 572, 577, 583, 587, 603, 618, 623, 627, 631, 637, 642, 656, 661, 668, 681, 688, 696, 698, 710, 714, 720, 723, 726, 732, 744, 747, 757, 772, 775, 780, 783, 798, 811, 813, 815, 840, 847, 854, 858, 870, 875, 891, 893, 897, 900, 901, 903, 908, 929, 953, 965, 968, 971, 978, 992, 1008, 1020, 1023, 1027, 1029, 1031, 1033, 1035, 1096, 1119, 1121, 1132, 1141, 1147, 1154, 1161, 1164, 1176, 1178, 1181, 1183, 1186, 1190, 1192, 1206, 1213, 1218, 1230, 1237, 1241, 1259, 1266, 1267, 1278, 1290, 1293, 1339, 1356, 1364, 1376, 1377, 1381, 1411, 1415, 1423, 1435, 1441, 1443, 1450, 1454, 1457, 1464, 1466, 1475, 1483, 1499, 1514, 1524, 1550, 1561, 1565, 1569, 1580, 1604, 1610, 1614, 1620, 1622, 1623, 1649, 1668, 1696, 1709, 1712, 1715, 1722, 1727, 1732, 1766, 1776, 1788, 1793, 1795, 1801, 1829, 1831, 1837, 1842, 1844, 1856, 1857, 1867, 1884, 1922, 1924, 1926

Item veto messages after session—2394-2407

Senate messages considered—140, 161, 163, 237, 291, 328, 367, 401, 423, 468, 475, 500, 502, 545, 547, 564, 574, 597, 603, 651, 678, 689, 698, 714, 716, 769, 776, 799, 840, 880, 938, 954, 1037, 1109, 1164, 1202, 1241, 1286, 1340, 1348, 1384, 1514, 1565, 1578, 1580, 1604, 1624, 1651, 1697, 1936

Veto messages—1194-1196, 1366-1368, 1516, 1571-1572, 1833-1834

Veto messages after session—2391-2393

METCALF, JANET S.—Representative Polk County

Amendments filed—561, 595, 596, 648, 755, 756, 935, 1168, 1345, 1480, 1673-1681, 1876-1877

Amendments offered—755, 756, 825, 1876

Amendments withdrawn—755, 1877

Bills introduced—52, 87, 113, 222, 305, 357, 399, 415, 436

Committee appointments—17, 18, 19, 35

Report—3-5

Resolutions offered—233, 251, 1222, 1344, 1427-1428

Subcommittee assignments—68, 69, 70, 74, 93, 130, 245, 260, 359, 515

MILEAGE, COMMITTEE ON—

Supplemental report—78

Supplemental report adopted—104-105

MILLAGE, DAVID A.—Representative Scott County

Amendments filed—518, 594, 595, 674, 1015, 1550-1560, 1608, 1632, 1633, 1635, 1639, 1647, 1673-1681, 1763, 1822

Amendments offered—732, 781, 1049, 1550, 1560, 1608, 1632, 1633, 1635, 1822

Amendments withdrawn—781, 1047, 1632, 1639, 1647, 1763

Appointed to the Legislative Council—105

Bills introduced—16, 33, 52, 77, 87, 112, 305, 436

Committee appointments—17, 18

Explanation of vote—242

Leave of absence—221, 234, 443-444

Resolutions offered—1222, 1344, 1427

Subcommittee assignments—83, 91, 92, 93, 117, 130, 153, 338, 339, 387, 388, 404, 493, 494, 515, 1700

MINORITY LEADER, David Schrader—Representative **Marion**-Warren Counties
(See SCHRADER, DAVID—Representative **Marion**-Warren Counties, Minority
Leader)

MOTION TO REFER—

House File 2549—1094

Lost:

House File 2549—1095

MOTIONS TO RECONSIDER—

Filed:

House File 620—1011

House File 2205, H-9015—1698

House File 2205—1698

House File 2391—642

House File 2474—680

Senate Joint Resolution 2005—1279

Senate File 324—840

Senate File 324—841

Senate File 2331—1340

Senate File 2439—1423

Lost:

House File 620—1940

House File 2205—1940

Senate Joint Resolution 2005—1940

Senate File 324—847

Prevailed:

House File 2391—725

House File 2474—668

Ruled out of order:

House File 2205, H-9015—1698

House File 2474—680

Senate File 324—847

Unanimous consent:

Senate File 2302, H-8479—1276

Senate File 2348, H-8481—1001

Senate File 2435, H-8819—1396

Senate File 2435, H-8801, as amended—1409

Withdrawn:

Senate File 2439—1884

Final disposition of motions to reconsider—1940

MOTION TO RECONSIDER (filed from the floor)—

House File 2474, H-8124—680

House File 2548, H-8907—1567

House File 2548—1566

Senate File 2079, H-8515 to H-8302—975

Senate File 2241—1569

Senate File 2245, H-8871—1831

Senate File 2245—1832

Senate File 2300—723

Senate File 2453—1832

Lost:

Senate File 2079, H-8515 to H-8302—975

Prevailed:

House File 2474, H-8124—680
 House File 2548, H-8907—1567
 House File 2548—1566
 Senate File 2300—723
 Senate File 2453—1858

Withdrawn:

Senate File 2241—1697
 Senate File 2245, H-8871—1837
 Senate File 2245—1837

MUNDIE, NORMAN—Representative Boone-Calhoun-Hamilton-Webster Counties

Amendments filed—313, 377, 580, 878, 936, 1345, 1461, 1646, 1646-1647, 1658,
 1701, 1759, 1825-1827

Amendment offered—1703

Amendment withdrawn—1703

Bills introduced—87, 127, 237, 267, 283, 285, 301, 316, 324, 349, 364, 416, 421, 421-
 422, 422, 438, 446, 447

Committee appointments—17, 19, 54

Explanation of vote—1165

Leave of absence—986

Resolutions offered—1222, 1344, 1427-1428, 1461, 1574

Subcommittee assignments—69, 73, 152, 258, 645, 802, 817

MURPHY, PATRICK J.—Representative **Dubuque** County

Amendments filed—377, 497, 497-498, 529, 819, 845, 877, 878, 914, 917, 935, 936,
 1101, 1120, 1199, 1276, 1277, 1310, 1344, 1372, 1397, 1399, 1404, 1479-1480,
 1600-1601, 1601, 1616, 1701, 1759, 1835, 1937

Amendments offered—828, 909, 910, 914, 917, 918, 920, 922, 1080, 1115, 1310, 1479,
 1507, 1600, 1601, 1937

Amendments withdrawn—528, 919, 1120, 1399, 1513

Announced that the Honorable John Connors will be inducted into the National
 Golden Gloves Hall of Fame—1868

Appointed to the Legislative Council—105

Bills introduced—87, 95, 121, 160, 175, 237, 266, 267, 284, 291, 302, 316, 325, 349,
 355, 357, 364, 416, 417, 421, 446, 447

Committee appointments—17, 18

Presented to the House Pavel Milyotin, exchange student from Kyrgyztan of the
 Russian Federation—268

Report—78

Resolutions offered—1222, 1344, 1428

Subcommittee assignments—91, 93, 122, 143, 259, 338, 339, 359, 671, 1657, 1700

MYERS, RICHARD E.—Representative **Johnson** County, Assistant Minority Leader

Amendments filed—313, 314, 377, 561, 595, 779, 936, 1101, 1161-1162, 1200, 1345,
 1372, 1506, 1506-1507, 1759

Amendments offered—268, 636, 730, 779, 1111, 1506

Amendments withdrawn—1111, 1374, 1506

Bills introduced—87, 113, 121, 126, 138, 139, 150, 175, 237, 267, 291, 306, 316, 324,
 325, 349, 364, 421, 422, 438, 446

Committee appointments—17, 18, 19
 Presented to the House Jim Zalesky, University of Iowa Wrestling Coach—1382
 Resolutions offered—362, 1222, 1344, 1427-1428, 1615
 Subcommittee assignments—99, 143, 152, 153, 276, 459, 515, 516, 645, 801

NATURAL RESOURCES, COMMITTEE ON—

Amendments filed—288, 442, 807
 Amendment offered—450
 Appointed—19
 Bills introduced—121, 445
 Recommendations—119, 288, 433, 441, 673, 806
 Subcommittee assignments—73, 74, 276, 591, 802

NELSON-FORBES, BEVERLY J.—Representative **Marshall** County

Amendments filed—517, 518, 596, 648, 796, 845, 937, 1222, 1276, 1277, 1345, 1461, 1673-1681
 Amendments offered—662, 690, 1214, 1277, 1467, 1468, 1469, 1470
 Amendment withdrawn—1276
 Bills introduced—52, 53, 78, 87, 112, 113, 137, 175, 236, 237, 400, 416, 436
 Committee appointments—17, 18, 34, 566
 Explanations of vote—385-386, 558
 Leave of absence—331, 348
 Memorial resolution offered—565
 Resolutions offered—934, 1222, 1344, 1427-1428
 Subcommittee assignments—91, 93, 258, 259, 260, 286, 296, 359, 493, 671, 802, 818

OATH OF OFFICE—

By members—5-6

OBJECTIONS—

Raised—500, 510, 604, 692, 815, 856, 857, 868, 974, 1094, 1265, 1444, 1447, 1633, 1666, 1763, 1823

O'BRIEN, MICHAEL J.—Representative **Boone-Greene** Counties

Amendments filed—819, 845, 878, 935, 936, 1759
 Amendment offered—926
 Amendment withdrawn—926
 Bills introduced—87, 175, 237, 267, 283, 291, 302, 316, 325, 349, 355, 364, 421, 422, 438, 446, 447
 Committee appointments—18, 19
 Explanations of vote—669, 1192, 1654
 Leave of absence—649
 Resolutions offered—1222, 1344, 1427-1428, 1461
 Subcommittee assignments—68, 130, 260, 516, 541, 671, 802

OFFICERS AND EMPLOYEES—

Employees of the House—21-23
 House employees classification, grades and steps—21-23, 114-115, 699-701, 1767
 Pages (groups I & II)—23-24
 Presentation to retiring members and leaders—1860
 Resignations—2, 3, 701

Special presentation to House Pages—532, 1669-1670
Took oath of office—5-6

OSTERHAUS, ROBERT J.—Representative Dubuque-**Jackson** Counties

Amendments filed—251, 264, 313, 314, 377, 497, 877, 878, 936, 937, 1014, 1222,
1345, 1372, 1395, 1401, 1402-1403, 1404, 1410, 1637-1638, 1759

Amendments offered—329, 334, 1274, 1402, 1410, 1447

Amendments withdrawn—333, 334, 1401, 1404, 1405, 1407

Bills introduced—87, 175, 237, 254, 267, 283, 291, 303, 316, 324, 364, 379, 416, 421,
422, 438, 446, 447

Committee appointments—17, 19

Explanation of vote—702

Leave of absence—650, 676

Resolutions offered—362, 1222, 1344, 1427-1428

Subcommittee assignments—123, 459, 515, 801, 1221, 1282

PAGES—

Appointments of—23-24

Special presentation to—532, 1669-1670

PARMENTER, DENNIS W.—Representative **Story** County

Amendments filed—377, 463, 497, 498, 518, 595, 705, 766, 807, 878, 936, 937, 1004,
1131, 1137, 1200, 1222, 1417, 1418-1420, 1759, 1773, 1822, 1922-1923

Amendments offered—506, 717, 788, 814, 1004, 1131, 1822

Amendments withdrawn—1161, 1163, 1500, 1547, 1730

Bills introduced—87, 291, 316, 325, 364, 416, 421, 422, 438, 447

Committee appointments—6, 17, 18, 19

Leave of absence—597, 649

Resolutions offered—1222, 1427-1428

Subcommittee assignments—83, 117, 130, 167, 230, 308, 370, 371, 388, 515, 546,
644, 645, 760

PERSONNEL COMMITTEE

(See **ADMINISTRATION AND RULES, COMMITTEE ON**)

PETITIONS—

(See also **INDIVIDUAL HEADINGS**)

Filed—72, 86, 120, 234, 266, 300, 315, 415, 436, 443, 464, 549, 597, 706, 767, 846,
879, 1346

PLEDGE OF ALLEGIANCE—

1, 81, 104, 125, 221, 290, 364, 443, 547, 676, 823, 986, 1169, 1346, 1520, 1702

POINTS OF ORDER RAISED—

House File 2084—Representative Carroll—456

House File 2099, H-8007—Representative Drake—226

House File 2433, H-8193—Representative Jacobs—692

House File 2491, H-8244, as amended not germane—Representative Weigel—614

House File 2538, H-8389—Representative Gipp—855

House File 2538, H-8385—Representative Gipp—857

House File 2545, invoked Rule 32—Representative Schrader—927

House File 2548, H-8531—Representative Chiodo—988

- House File 2549, H-8526—Representative Parmenter—1049
- House File 2549, H-8564—Representative Myers—1050
- House File 2552, H-8646—Representative Garman—1113
- House File 2552, invoked Rule 32—Representative Richardson—1117
- House File 2560, H-9039—Representative Barry—1695
- Senate File 466, invoked Rule 32—Representative Weigel—1440
- Senate File 2079, H-8517 to H-8302—Representative Barry—974
- Senate File 2111, H-8343, as amended—Representative Wise—868
- Senate File 2241, H-8884—Representative Shoultz—1547
- Senate File 2302, H-8719—Representative Grundberg—1216
- Senate File 2313, H-8565—Representative Shoultz—1264
- Senate File 2424, H-8635—Representative Holmes—1305
- Senate File 2430, H-8769—Representative Hahn—1509
- Senate File 2430, H-8886—Representative Sunderbruch—1513
- Senate File 2443, H-8774—Representative Bradley—1444
- Senate File 2443, H-8744—Representative Bradley—1447
- Senate File 2443, H-8780—Representative Millage—1448
- Senate File 2453, H-9053—Representative Chiodo—1763

PRESIDENT OF THE UNITED STATES, CONGRESS AND/OR FEDERAL AGENCIES—

Resolutions relating to:

House Concurrent Resolution 104—United States Department of Justice reform—119

House Concurrent Resolution 106—support Minnesota's lawsuit against fed. government re disparate funding under fed. medicare program—264, 291 adopted, 295 msgd — S.J. 995 adopted, 996 msgd. — H.J. 1219

House Concurrent Resolution 107—congress enact legislation to improve access to medical treatment—1219

House Concurrent Resolution 108—request congress to appropriate sufficient funding to the United State's Naval Fleet—264, 291 adopted, 295 msgd. —S.J. 275 adopted, 276 msgd. — H.J. 318

House Concurrent Resolution 110—urge congress maintain the oxygenate requirement in the fed. Clean Air Act that promotes the use of ethanol in reformulated gasoline—299

House Concurrent Resolution 112—Iowa Air National Guard to patrol no-fly zones over Iraq—396

House Concurrent Resolution 115—urge citizen participation in and cooperation with conducting of the year 2000 census—765, 847 adopted, 854 msgd. — S.J. 1226 adopted, 1228 msgd. — H.J. 1603

House Concurrent Resolution 116—designs to submit to the U.S. Mint for Iowa quarter (Loess Hills)—983, 1103 adopted, 1119 msgd. — S.J. 1266 adopted, 1267 msgd. — H.J. 1650

House Concurrent Resolution 121—urge U.S.D.A. make lands under conservation reserve eligible for grazing by livestock—1460-1461, 1462-1463 adopted, 1464 msgd. — S.J. 1226 adopted, 1228 msgd. — H.J. 1603

House Concurrent Resolution 123—urge congress to reevaluate & amend 1996 "Freedom to Farm Bill" to preserve family farms—1574

House Resolution 111—urge congress to oppose President Clinton's budget proposal to shift funds from the Highway Trust Fund for purposes other than fed. highway funding—594

House Resolution 125—urge congress to enact legislation that will equalize tax treatment of med. savings accounts and third-party health ins. coverage—1835, 1941

House Resolution 126—senior-living program funding—1941

PRESS, MEMBERS OF—

Assignments of seats in press gallery—79

QUORUM CALLS—

62, 161, 446, 507, 550, 573, 663, 716, 778, 789, 861, 865, 903, 939, 954, 1037, 1108, 1142, 1217, 1238, 1242, 1308, 1357, 1441, 1466, 1543, 1669, 1727, 1787, 1861, 1887

RAECKER, J. SCOTT—Representative Dallas-Polk Counties

Amendments filed—363, 497, 498, 517, 541, 542, 546, 674, 674-675, 675, 704, 705, 983, 1167, 1168, 1199, 1345, 1480, 1631-1632, 1634, 1635, 1636, 1658, 1673-1681, 1758, 1785

Amendments offered—504, 505, 533, 625, 1631, 1634, 1758, 1776, 1777, 1784

Amendments withdrawn—504, 1480, 1635, 1636, 1778

Bills introduced—52, 87, 113, 282, 283, 305, 306, 324, 357, 400, 415, 436

Committee appointments—17, 18, 19

Explanations of vote—295, 403, 1165, 1219

Presented to the House Rose Szneler and David Fishelstein, Holocaust survivors—1030

Presented to the House Lisa Bluder, coach of Drake University Women's Basketball Team—1448-1449

Presented to the House the Honorable Robert Ray, former governor of Iowa—1473

Resolutions offered—251, 1222, 1344, 1372, 1427-1428

Subcommittee assignments—68, 74, 83, 92, 129, 130, 143, 152, 168, 286, 308, 338, 371, 388, 459, 516, 591, 645

RANTS, CHRISTOPHER C.—Representative Woodbury County, Majority Leader

Amendments filed—1673-1681

Appointed to the Legislative Council—105

Bills introduced—16, 52, 87, 113, 315, 436, 1347, 1356, 1485, 1565, 1617, 1673

Bills placed on unfinished business calendar—816

Bills removed from calendar—875-876

Committee appointments—17, 1945

Oath of office was administered by—5-6

Placed on unfinished business calendar—978-979

Presented Doorkeeper Kathleen L. O'Leary a certificate of recognition—163

Presented to the House his mother Carolyn Rants—1115

Presented with a plaque in appreciation of his service and dedication to the House—1860

Presented with certificate awarding him for his efforts on behalf of the World Food Prize—136

Remarks by—8-9, 1929-1931

Resolutions offered—7, 1222, 1344, 1428

Special presentation to House Pages—532, 1669-1670

Subcommittee assignment—1370

RAYHONS, HENRY—Representative **Hancock-Winnebago-Wright Counties**
 Amendments filed—595, 937, 1199, 1283, 1421, 1639, 1673-1681, 1701, 1758
 Amendment offered—1639
 Amendments withdrawn—1376, 1758
 Bills introduced—52, 87, 283, 305, 349, 400, 436
 Committee appointments—17, 19, 567
 Memorial resolution offered—567
 Resolutions offered—1222, 1344, 1427-1428, 1460
 Subcommittee assignments—29, 245, 371, 387, 671, 704

REGENTS, BOARD OF—

Communications from—25, 65, 88, 107

REPORTS—

(See COMMUNICATIONS and/or INDIVIDUAL HEADINGS)

RESIGNATIONS—

(See OFFICERS AND EMPLOYEES)

RESOLUTIONS—

(See also LEGISLATIVE INDEX VOLUME)

Adopted, not otherwise printed in the House journal—2354-2382

Filed:

House Concurrent Resolution 103—76
 House Concurrent Resolution 104—119
 House Concurrent Resolution 105—233
 House Concurrent Resolution 106—264
 House Concurrent Resolution 107—264
 House Concurrent Resolution 108—264
 House Concurrent Resolution 109—279
 House Concurrent Resolution 110—299
 House Concurrent Resolution 111—313
 House Concurrent Resolution 112—396
 House Concurrent Resolution 113—434
 House Concurrent Resolution 114—497
 House Concurrent Resolution 115—765
 House Concurrent Resolution 116—983
 House Concurrent Resolution 117—1221
 House Concurrent Resolution 118—1221
 House Concurrent Resolution 119—1344
 House Concurrent Resolution 120—1427
 House Concurrent Resolution 121—1460-1461
 House Concurrent Resolution 122—1518
 House Concurrent Resolution 123—1574
 House Concurrent Resolution 124—1835
 House Resolution 101—85
 House Resolution 102—147
 House Resolution 103—158
 House Resolution 104—251
 House Resolution 107—347
 House Resolution 108—362
 House Resolution 109—396

- House Resolution 110—546
 - House Resolution 111—594
 - House Resolution 112—648
 - House Resolution 113—765
 - House Resolution 114—934
 - House Resolution 116—1137
 - House Resolution 117—1222
 - House Resolution 118—1344
 - House Resolution 119—1372
 - House Resolution 121—1427
 - House Resolution 122—1427-1428
 - House Resolution 123—1615
 - House Resolution 124—1701
 - House Resolution 125—1835
 - House Resolution 126—1944
 - Senate Concurrent Resolution 101—158
 - Senate Concurrent Resolution 103—299
 - Senate Concurrent Resolution 108—1372
 - Senate Concurrent Resolution 113—1428
 - Senate Concurrent Resolution 114—1772
 - Senate Concurrent Resolution 116—1772
 - Senate Concurrent Resolution 117—1518
 - Senate Concurrent Resolution 119—1944
 - Senate Concurrent Resolution 120—1944
- Adopted:
- House Concurrent Resolution 15—476-477
 - House Concurrent Resolution 101—7
 - House Concurrent Resolution 102—7
 - House Concurrent Resolution 103—600
 - House Concurrent Resolution 105—268
 - House Concurrent Resolution 106—291
 - House Concurrent Resolution 108—291
 - House Concurrent Resolution 109—1622
 - House Concurrent Resolution 111—880
 - House Concurrent Resolution 114—598
 - House Concurrent Resolution 115—847
 - House Concurrent Resolution 116—1103
 - House Concurrent Resolution 118—1261
 - House Concurrent Resolution 119—1443
 - House Concurrent Resolution 121—1462-1463
 - House Resolution 101—88
 - House Resolution 102—323
 - House Resolution 103—239-242
 - House Resolution 105—239
 - House Resolution 106—239
 - House Resolution 107—1224
 - House Resolution 108—1257
 - House Resolution 109—446
 - House Resolution 110—549
 - House Resolution 112—1203
 - House Resolution 114—993
 - House Resolution 115—992

- House Resolution 116—1138
- House Resolution 117—1448
- House Resolution 119—1374
- House Resolution 120—1382
- House Resolution 121—1429-1430
- Senate Concurrent Resolution 101—237
- Senate Concurrent Resolution 103—423
- Senate Concurrent Resolution 108—1926
- Senate Concurrent Resolution 113—1442
- Senate Concurrent Resolution 121—1939-1940
- Laid over under Rule 25:
 - House Concurrent Resolution 103—76
 - House Concurrent Resolution 104—119
 - House Concurrent Resolution 105—233
 - House Concurrent Resolution 106—264
 - House Concurrent Resolution 107—264
 - House Concurrent Resolution 108—264
 - House Concurrent Resolution 109—279
 - House Concurrent Resolution 110—299
 - House Concurrent Resolution 111—313
 - House Concurrent Resolution 112—396
 - House Concurrent Resolution 113—434
 - House Concurrent Resolution 114—497
 - House Concurrent Resolution 115—765
 - House Concurrent Resolution 116—983
 - House Concurrent Resolution 117—1221
 - House Concurrent Resolution 118—1222
 - House Concurrent Resolution 119—1344
 - House Concurrent Resolution 120—1427
 - House Concurrent Resolution 121—1460-1461
 - House Concurrent Resolution 122—1518
 - House Concurrent Resolution 123—1574
 - House Concurrent Resolution 124—1835
 - House Resolution 101—85
 - House Resolution 102—147
 - House Resolution 103—158
 - House Resolution 104—251
 - House Resolution 107—347
 - House Resolution 108—363
 - House Resolution 109—396
 - House Resolution 110—546
 - House Resolution 111—594
 - House Resolution 112—648
 - House Resolution 113—766
 - House Resolution 114—934
 - House Resolution 116—1137
 - House Resolution 117—1222
 - House Resolution 118—1344
 - House Resolution 119—1372
 - House Resolution 121—1427
 - House Resolution 122—1428
 - House Resolution 123—1615

House Resolution 124—1701
 House Resolution 125—1835
 House Resolution 126—1944
 Senate Concurrent Resolution 101—158
 Senate Concurrent Resolution 103—299
 Senate Concurrent Resolution 108—1372
 Senate Concurrent Resolution 113—1428
 Senate Concurrent Resolution 114—1772
 Senate Concurrent Resolution 116—1772
 Senate Concurrent Resolution 117—1518
 Senate Concurrent Resolution 119—1944
 Senate Concurrent Resolution 120—1944

Placed on calendar:

House Resolution 103—158

Unanimous Consent:

House Concurrent Resolution 101—7
 House Concurrent Resolution 102—7
 Senate Concurrent Resolution 113—1295

Withdrawn:

House Concurrent Resolution 122—1926

RETIRING MEMBERS AND LEADERS—

Presentation to—1860

REYNOLDS, REBECCA—Representative Jefferson-**Van Buren**-Wapello Counties

Amendments filed—497, 498, 878, 936, 1199, 1200, 1345, 1372, 1401, 1409-1410, 1414, 1417, 1418-1420, 1461, 1512-1513, 1616, 1647, 1701, 1759
 Amendments offered—1409, 1487, 1493, 1689, 1755
 Amendments withdrawn—1401, 1414, 1468, 1493
 Bills introduced—14, 16, 54, 77, 87, 95, 96, 113, 121, 149, 160, 175, 237, 267, 290, 291, 301, 302, 303, 306, 316, 324, 325, 327, 349, 364, 379, 380, 416, 421, 422, 439, 446, 447
 Committee appointments—18, 19, 34, 568
 Leave of absence—1
 Presented to the House Brock Thomaek, President of Renaissance Village—1429
 Resolutions offered—362, 1222, 1344, 1428, 1461
 Subcommittee assignments—49, 68, 69, 131, 167, 276, 308, 516, 644

RICHARDSON, STEVE—Representative **Warren** County

Amendments filed—497-498, 704, 807, 865, 866-867, 878, 935, 936, 937, 1101, 1199, 1428, 1630, 1630-1631, 1637-1638, 1639, 1640, 1641-1642, 1647, 1693, 1701, 1759, 1825-1827
 Amendments offered—1304, 1630, 1641, 1687, 1693
 Amendments withdrawn—1103, 1111, 1631, 1639, 1640, 1688, 1694
 Bills introduced—87, 95, 121, 237, 267, 291, 302, 303, 324, 325, 326, 349, 364, 379, 416-417, 421, 421-422, 422, 446, 447
 Committee appointments—18, 19, 1462
 Explanation of vote—643
 Leave of absence—597
 Presented to the House Dr. Lucas Wiithrich and his wife Friederike from Switzerland—990

Resolutions offered—1222, 1428

Subcommittee assignments—131, 152, 245, 259, 339, 371, 405, 515, 1221

RULES – INVOKED—

Rule 32 (commitment of appropriations and revenue bills):

House File 2084—456

House File 2545—927

Senate File 466—1440

Rule 75 (duty of voting):

House File 2080, H-8035—331

House File 2229, H-8221—789

House File 2496—501

House File 2496, H-8144—510

House File 2538, H-8389—856

House File 2549, H-8603—1080

House File 2549, H-8592—1092

House File 2549—1095

House File 2552, H-8641—1106

House File 2552, H-8642—1107

House File 2552, H-9077—1824

House File 2560, H-8800—1691

House File 2562, H-8874—1452

House File 2562—1453

House File 2565, H-8900—1481

Senate File 2010, H-9050—1707

Senate File 2111, H-8436 to H-8343—867

Senate File 2111, H-8343, as amended—868

Senate File 2411, H-8510—944

Senate File 2411, H-8512—946

Senate File 2428, H-8696—1486

Senate File 2428, H-8695—1487

Senate File 2429, H-8885—1472

Senate File 2430, H-8724—1503

Senate File 2435, H-8832 to H-8801—1398

Senate File 2447, H-8976—1638

RULES – MOTIONS TO SUSPEND—

House File 2099, H-8007—226

House File 2433, H-8193—692

House File 2491, H-8244, as amended—614

House File 2496—501

House File 2496, H-8144—510

House File 2538, H-8389—856

House File 2538, H-8385—857

House File 2545—815

House File 2548, H-8531—988

House File 2552, H-8646—1113

Senate File 2079, H-8517 to H-8302—974

Senate File 2111, H-8343—868

Senate File 2302, H-8719—1272

Senate File 2313, H-8565—1265

Senate File 2443, H-8774—1444

Senate File 2443, H-8744—1447

Senate File 2443, H-8780—1448

Lost:

House File 2099, H-8007—227

House File 2433, H-8193—693

House File 2496—501

House File 2496, H-8144—511

House File 2538, H-8385—856

House File 2538, H-8389—857

House File 2548, H-8531—989

House File 2552, H-8646—1114

Senate File 2302, H-8719—1273

Senate File 2443, H-8774—1445

Senate File 2443, H-8744—1447

Senate File 2443, H-8780—1448

Prevailed:

House File 2491, H-8244—615

House File 2545—816

Senate File 2079, H-8517 to H-8302—975

Senate File 2111, H-8343—868

Senate File 2313, H-8565—1265

Rule 32 (commitment of appropriation and revenue bills):

House File 2545—927

House File 2552—117

Rule 32 suspension prevailed:

House File 2545—928

House File 2552—1118

RULES - SUSPENDED—

House File 2039—62

House File 2059—96

House File 2137—164

House File 2408—423

Senate File 2452—1937

Rule 20 (admission to the House):

Public hearing—512

Rule 31.8 (timely filing of amendments):

House File 2039—62

House File 2137, H-8008 & H-8009—164

House File 2496, H-8144—508

Rule 57 (committee notice and agenda):

Administration and Rules committee meeting—1356

Appropriations committee meeting—403, 1580

Committee meetings—14

Human Resources committee meeting—385

Ways and Means committee meeting—1440

Rule 60 (withdrawal of bills from committee):

House File 2496—507

RULES - UNDER PROVISIONS OF & PURSUANT TO—

Rule 31.7 (commitment of bills):

House File 774—288

House File 2161—413

Rule 31.8 (timely filing of amendments):

House File 2145, H-8017—255

House File 2424, H-8256—622

House File 2431, H-8199—583

Rule 76 (limitations on right to vote):

House File 2366—754

House File 2541—1024

House File 2570—1564

Senate File 428—882

Senate File 441—1831

Senate File 2203—872

Senate File 2388—900

SCHERRMAN, PAUL—Representative Delaware-**Dubuque** Counties

Amendments filed—497, 595, 705, 845, 936, 1040, 1637-1638, 1759

Amendments offered—604, 1040

Bills introduced—87, 125, 175, 267, 283, 301, 302, 323, 324, 325, 416, 417, 421, 421-422, 422, 447

Committee appointments—17, 18, 19

Resolutions offered—362, 1222, 1428

Subcommittee assignments—68, 74, 388

SCHRADER, DAVID—Representative **Marion**-Warren Counties, Minority Leader

Amendments filed—498, 705, 766, 878, 936, 1518, 1681, 1695, 1759

Amendments offered—725, 1681

Amendment withdrawn—1695

Appointed to the Legislative Council—105

Bills introduced—81, 87, 162, 237, 267, 291, 306, 316, 324, 325, 349, 364-365, 399, 416, 421, 422, 446, 447, 1347, 1356, 1565, 1673

Committee appointments—17, 565, 1945

Leave of absence—1201, 1224

Oath of office administered by—5-6

Presented Doorkeeper Kathleen L. O'Leary a certificate of recognition—163

Presented with a plaque in appreciation of his service and dedication to the House—1860

Presented with certificate awarding him for his efforts on behalf of the World Food Prize—136

Remarks by—1927-1929

Report—10-11

Resolutions offered—7, 546, 765, 1222, 1428

Special presentation to House Pages—532, 1669-1670

Subcommittee assignment—1370

SEATS—

Assignments of seats in press gallery—79

SECRETARY OF STATE, Chester J. Culver

Certificate of election—3-4

Vetoed bills returned to—1944

SEVENTY-EIGHTH GENERAL ASSEMBLY—

(See GENERAL ASSEMBLY—HOUSE)

SHEY, PATRICK—Representative **Linn** CountyAmendments filed—498, 595, 648, 845, 937, 1100, 1137, 1168, 1480, 1634, 1635,
1636, 1673-1681, 1821-1822

Amendments offered—550, 633, 1821

Amendment withdrawn—1855

Bills introduced—52, 87, 175, 305, 324, 400, 415, 436

Committee appointments—17, 18, 56

Explanations of vote—539, 1768

Leave of absence—519

Oath of office—5-6

Requested his name be added as a sponsor of House File 6—98

Resolutions offered—251, 362, 1222, 1428

Subcommittee assignments—67, 73, 83, 129, 130, 131, 143, 153, 167, 230, 245, 286,
308, 370, 371, 387, 388, 405, 516, 644, 645, 760, 802, 818SHOULTZ, DON—Representative **Black Hawk** CountyAmendments filed—517, 807, 878, 935, 936, 937, 983, 1046-1047, 1101, 1199, 1222,
1235, 1257-1258, 1345, 1372, 1413, 1454-1455, 1480, 1641, 1646, 1701, 1754-1755,
1759, 1762-1763Amendments offered—830, 831, 972, 989, 1046, 1157, 1235, 1257, 1413, 1454, 1641,
1762

Amendments withdrawn—781, 836, 1157, 1162, 1163, 1473, 1646

Bills introduced—87, 235, 252, 282, 306, 327, 356, 364, 379

Committee appointments—18, 19

Petition presented—315

Presented to the House the Honorable Arthur Ollie, former member of the House—
856

Resolutions offered—251, 362, 765, 1222, 1344, 1428

Subcommittee assignments—83, 92, 93, 130, 131, 167, 230, 245, 308, 371, 387, 459,
515, 546, 644, 801SIEGRIST, BRENT—Representative **Pottawattamie** County, Speaker of the House
(See SPEAKER OF THE HOUSE—Brent Siegrist, Representative **Pottawattamie**
County)SPEAKER OF THE HOUSE—Brent Siegrist, Representative **Pottawattamie** County

Addressed the House—11-13, 1931-1934

Amendment filed—1673-1681

Announced appointments—17

Announcements—457

Appointed to the Legislative Council—105

Bills introduced—52, 87, 113-114, 436

Bills referred and rereferred to committees—115, 306, 337, 456, 457, 800

Bills signed by—81-82, 106, 369, 386, 758, 1011-1012, 1097, 1133-1134, 1165-1166,

1192, 1219, 1279-1280, 1341, 1364, 1424, 1457-1458, 1519, 1569, 1614, 1654, 1768,
1832, 1941

Committees appointed by—5, 6, 54, 1945

Committee appointments—17, 34

Communication from governor—1945-1946

- Conference committee appointed—1462
 Final adjournment—1946
 Final adjournment, 2000 Second Session of the Seventy-eighth General Assembly,
 Senate Concurrent Resolution 121.—S.J. 1439-1440 adopted & msgd. — H.J. 1936,
 1939 adopted
 Interim appointments—24-25
 Leave of absence—715, 723, 808, 1138
 Memorial committees appointed—565-569
 Presentation of visitors—116, 122, 337, 457, 539-540, 670, 702, 800, 1012, 1097-
 1098, 1166, 1220, 1280-1281, 1341-1342, 1368, 1424, 1699, 1942
 Presented to the House Brooke Swift, Miss Iowa Petite Princess—125
 Presented with certificate awarding him for his efforts on behalf of the World Food
 Prize—136
 Presented with a petition to increase benefits for Keokuk firefighters who lost their
 lives in the line of duty—322-323
 Presented to the House Doorkeeper Marvin Hollingshead and presented him with a
 certificate of recognition—1837
 Presented to the House, Bobby Douglas, Iowa State Wrestling coach—1430
 Presented with a plaque in appreciation of service and dedication to the House—
 1860
 Presided at sessions of the House—1, 31, 33, 54, 61, 62, 81, 86, 88, 104, 114, 120,
 125, 135, 149, 159, 161, 221, 234, 252, 266, 300, 304, 323, 331, 336, 348, 364, 378,
 415, 424, 436, 443, 446, 502, 507, 508, 511, 519, 528, 543, 547, 563, 579, 600, 603,
 605, 620, 663, 668, 689, 706, 767, 788, 795, 823, 835, 846, 865, 903, 938, 986, 992,
 994, 1090, 1102, 1142, 1149, 1169, 1201, 1213, 1216, 1217, 1224, 1265, 1307, 1338,
 1346, 1356, 1373, 1382, 1386, 1387, 1417, 1440, 1449, 1462, 1481, 1493, 1577,
 1581, 1604, 1617, 1623, 1629, 1634, 1645, 1647, 1669, 1673, 1691, 1727, 1792,
 1825, 1837, 1858, 1861, 1877, 1887, 1888, 1936, 1944
 Remarks by—11-13, 1931-1934
 Resolutions offered—546, 1222, 1344, 1427, 1428
 Resolutions relating to:
 House Concurrent Resolution 101—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd.
 — H.J. 16
 House Concurrent Resolution 102—7 adopted, 8 msgd. — S.J. 9 adopted, 10 msgd.
 — H.J. 17
 Rulings made—226, 456, 511, 692, 868, 988, 1509, 1695
 Special presentation to House Pages—532, 1669-1670
 Standing committees appointed—17-19
 Thanked the families of the Keokuk firefighters for attending today and expressed
 his appreciation for their sacrifice in the loss of family members who died in the
 line of duty—323

**SPEAKER PRO TEMPORE, Steven E. Sukup—Representative Franklin-Hardin
 Counties**
 (See **SUKUP, STEVEN E.**—Representative **Franklin-Hardin Counties, Speaker Pro
 Tempore**)

SPECIAL COMMITTEES—
 (See **COMMITTEES, SPECIAL**)

SPECIAL PRESENTATION—

- Representative Holveck presented to the House teachers and students from our sister state Cherkasy, Ukraine—114
- Speaker of the House, Brent Siegrist presented to the House Brooke Swift, Miss Iowa Petite Princess—125
- Representative Connors presented to the House, Kenneth M. Quinn Ambassador (retired) and Executive Director of the World Food Prize—136
- Ambassador Quinn introduced Nobel Laureate, Dr. Norman Borlaug; John Ruan, chairman of the World Food Prize and John Ruan III chairman for the Chamber of Commerce—136
- Representative Boddicker presented to the House Mrs. Opal Zesch and husband Earl, presented a check for \$10,000 for restoration of the Westward mural in the Capitol—136
- Representatives Connors, Rants and Schrader presented Doorkeeper Kathleen L. O'Leary a certificate of recognition—163
- Representative Garman presented to the House the Honorable Ward Handorf, former member of the House—255
- Representative Bell presented to the House Stephen S.F. Chen, representative to the United States from China and other officials—267
- Representative Murphy presented to the House, Pavel Milyotin an exchange student from Kyrgyztan of the Russian Federation—268
- Representative Wise presented to the House officials and firefighters from Keokuk—322-323
- Representative Witt presented to the House Kelly Sullivan Loughren—477
- Special presentation to House Pages—532, 1669-1670
- Representative Connors presented to the House the world renown pianist Roger Williams—549
- Representative Sunderbruch presented to the House Miss Iowa, Jennifer Caudle of Davenport—549
- Representatives Holveck and Grundberg presented winners of "Write Women Back Into History" essay contest—598-599
- Representative Foege presented to the House Marian Wright Edelman, founder and president of the Children's Defense Fund, Washington, D.C.—650
- Representative Klemme presented to the House, Mrs. Iowa, Sheila Zollman—716
- Representatives Jenkins and Huser presented to the House dignitaries from Ukraine—846
- Representative Shoultz presented to the House the Honorable Arthur Ollie, former member of the House—856
- Sioux City Middle School orchestra—938
- Representative Richardson presented to the House Dr. Lucas Wiithrich & his wife Friederike from Switzerland—990
- Mr. Simon Estes world renown bass-baritone singer born in Centerville, Iowa spoke briefly and performed before the House—992
- Representative Raecker presented to the House Rose Szneler and David Fishelstein Holocaust survivors—1030
- Representative Barry presented to the House students from Woodbine Elementary who performed a musical program—1102
- Representative Rants presented to the House his mother Carolyn Rants—1115
- Representative Van Engelenhoven presented to the House, Jessie Kraayenbrink, Queen of the 2000 Pella Tulip Festival—1202
- Representative Fallon presented to the House George Mills, Iowa historian and retired writer for the Des Moines Register—1202

- Representatives Welter & May presented the Honorable John Connors and his wife Marge a poster in honor of their fifty-fifth wedding anniversary—1224
- Representative Jenkins presented to the House, high school students from Ukraine—1308
- Representative Myers presented to the House Head Coach Jim Zalesky and the University of Iowa Wrestling Team—1382
- Representative Stevens guests entertained the House by music from the Okoboji Jazz One Band—1429
- Representative Reynolds presented to the House Brock Thomaek, President of Renaissance Village—1429
- Speaker Siegrist presented to the House, Coach Bobby Douglas, his staff and the Iowa State Wrestling Team—1430
- Representative Raecker presented to the House, Lisa Bluder, Coach of the Drake University Women's Basketball Team—1448-1449
- Representative Carroll's son Curtis played the violin before the House—1462
- Representative Raecker presented to the House the Honorable Robert Ray, former governor of the state of Iowa—1473
- Nora Springs-Rock Falls Peacemakers—1520
- Representative Hoffman presented to the House the Honorable Donald Gries former member of the House—1581
- Representative Stevens presented to the House the Honorable Josephine Gruhn former member of the House—1581
- Representative Dix presented to Betty Millen a certificate of recognition for many years of service in the Iowa House—1617
- Speaker Siegrist invited Doorkeeper Marvin Hollingshead to the well and presented him a certificate of recognition—1837
- Presentation to retiring members and leaders—1860
- Representative Murphy announced that the Honorable John Connors will be inducted into the National Golden Gloves Hall of Fame—1868

SPONSOR—

Added:

- House File 2018—Representative Davis—98
- House File 2020—Representative Davis—98
- House File 2021—Representative Davis—98
- House File 2022—Representative Davis—98
- House File 2023—Representative Davis—98
- House File 2025—Representative Davis—98
- House File 2026—Representative Davis—98
- House File 2028—Representative Davis—98
- House File 2029—Representative Davis—98
- House File 2030—Representative Davis—98
- House File 2031—Representative Davis—98
- House File 2032—Representative Davis—98
- House File 2034—Representative Davis—98
- House File 2038—Representative Davis—98
- House File 2041—Representative Davis—98
- House File 6—Representative Shey—98
- House File 2072—Representative Davis—115
- House File 2337—Representative Davis—369
- House File 2342—Representative Davis—369
- House File 2345—Representative Davis—369

House File 2381—Representative Weidman—385

Withdrawn:

House File 2080—Representative Arnold—116

House File 2080—Representative Sunderbruch—116

House File 2326—Representative Frevert—369

ST. PATRICK'S DAY OBSERVANCE—808-809

STANDING COMMITTEES—

Appointed—17-19

Appropriations subcommittee—20-21

Chairpersons appointed—17-19

STATE APPEAL BOARD—

(Richard D. Johnson, Chairperson)

Claims approved—180-218

Claims disapproved—176-180, 273-274, 1653

Communications from, stating claims filed with—175, 180, 273, 1652-1653

STATE GOVERNMENT, COMMITTEE ON—

Amendments filed—313, 347, 766, 845

Amendments offered—383, 745, 861, 939, 1206, 1295

Appointed—19

Bills introduced—135, 161, 162, 282, 354, 355, 366, 397, 416, 419, 420, 438, 499

Recommendations—111, 158, 279, 312-313, 346-347, 395, 413, 433, 647-648, 765,
821, 844, 1343

Resolution offered—765

Subcommittee assignments—49, 67, 68, 69, 74, 130, 131, 143, 144, 153, 167, 168,
258, 260, 276, 286, 359, 388, 515, 516, 541, 671, 704, 802, 1282

STATE OF THE STATE AND BUDGET MESSAGE—

Delivered by Governor Thomas Vilsack—35-47

Resolution relating to, House Concurrent Resolution 101—7 adopted, 8 msgd. — S.J.
9 adopted, 10 msgd. — H.J. 16

STEVENS, GREG—Representative Dickinson-Emmet-Palo Alto Counties

Amendments filed—377, 497, 497-498, 498, 819, 878, 936, 1049, 1199, 1200, 1404,
1631-1632, 1759

Amendments offered—1049, 1397, 1494

Amendments withdrawn—528, 1404, 1487

Bills introduced—87, 160, 175, 267, 291, 301, 316, 324, 325, 327, 364, 421, 422, 447

Committee appointments—18, 35, 567, 568

Explanations of vote—295, 817, 1165

Leave of absence—1114

Presented to the House his guests the Okoboji Jazz One Band—1429

Presented to the House the Honorable Josephine Gruhn former member of the
House—1581

Resolutions offered—1222, 1428

Subcommittee assignments—131, 761, 802, 818

STUDY BILL COMMITTEE ASSIGNMENTS—

Agriculture—75, 134, 146, 249, 250, 390, 407

Appropriations—29-30, 94, 310, 429, 494, 842, 876, 877, 981, 1136, 1370, 1426
 Commerce-Regulation—71, 75, 146, 147, 170, 247, 248, 249, 309
 Economic Development—155, 278, 310, 342, 361, 392
 Education—100, 118, 231, 248, 262, 309, 310, 341, 373, 392, 407
 Environmental Protection—85, 145, 309, 310, 341, 360, 361, 390
 Human Resources—70, 71, 75, 76, 110, 170, 171, 172, 248, 277, 340, 342, 361, 407
 Judiciary—50, 74, 80, 85, 124, 132, 133, 134, 155, 156, 169, 170, 171, 172, 277, 278,
 341, 361, 372, 373, 390, 391, 392, 407, 408
 Labor and Industrial Relations—100, 231, 262, 310
 Local Government—110, 124, 145, 147, 247, 249, 263, 278, 342, 343, 361, 373, 390,
 407, 429
 Natural Resources—75, 132, 171, 277, 342, 373
 State Government—49, 50, 70, 71, 76, 94, 110, 145, 146, 156, 170, 231, 247, 263, 287,
 389, 646
 Transportation—110, 118, 147, 232, 277, 278, 340, 341
 Ways and Means—100, 118, 119, 154, 249, 250, 278, 430, 516, 592, 593, 646, 761,
 762, 803, 876, 933, 981, 1099, 1136, 1518

STUDY BILL SUBCOMMITTEE ASSIGNMENTS—

49, 70, 74, 84, 85, 93, 99, 118, 123, 131, 144-145, 153-154, 168-169, 219, 230-231,
 246-247, 260-262, 276-277, 286-287, 297, 308-309, 339-340, 359-360, 371-372, 388-
 389, 405-407, 428-429, 440, 459, 516, 560-561, 646, 672, 802-803, 818, 932, 981,
 1098, 1136, 1167, 1343

STUDY COMMITTEES—

(See also LEGISLATIVE COUNCIL)

Resolutions relating to:

House Concurrent Resolution 113—434, 1345

House Concurrent Resolution 117—1221, 1442

House Concurrent Resolution 124—1835

House Resolution 113—765-766

Senate Concurrent Resolution 113—S.J. 999, 1049 adopted & msgd. — H.J. 1295,
 1428, 1442 adopted, 1443 msgd.

SUBCOMMITTEE ASSIGNMENTS—

Assigned—29, 49, 67-70, 73-74, 83, 91-93, 99, 109, 117-118, 122-123, 130-131, 143-
 144, 152-153, 167-168, 230, 245, 258-260, 276, 286, 296-297, 308, 338-339, 358-
 359, 370-371, 387-388, 404-405, 459, 493-494, 515-516, 540-541, 546, 591-592,
 644-646, 671, 704, 760-761, 801-802, 817-818, 981, 1098, 1167, 1221, 1282, 1370,
 1459, 1615, 1657, 1700

Committee of the Whole—802, 818

Reassigned—67, 70, 83, 91, 93, 99, 118, 122, 129, 130, 131, 144, 167, 245, 276, 286,
 338, 359, 404, 405, 515, 540, 541, 704, 760, 801

SUKUP, STEVEN E.—Representative Franklin-Hardin Counties, Speaker Pro Tempore

Amendments filed—363, 595, 935, 937, 1101, 1161-1162, 1345, 1372, 1421, 1658,
 1673-1681

Amendments offered—964, 1161, 1374, 1443

Amendments withdrawn—1131, 1713

Appointed to the Legislative Council—105

Bills introduced—52, 87, 222, 236, 283, 305, 324, 349, 400, 415, 436

Bills referred to committee (as acting Speaker)—1440
 Bills rereferred to committee (as acting Speaker)—98, 385
 Committee appointments—17, 18, 19
 Explanation of vote—1457
 Leave of absence—676, 1238, 1449
 Presentation of visitors (as acting Speaker)—643
 Presided at sessions of the House—47, 51, 54, 62, 72, 95, 96, 105, 112, 161, 290, 315,
 320, 322, 328, 333, 378, 464, 472, 511, 520, 521, 573, 575, 597, 603, 611, 612, 639,
 649, 650, 663, 715, 723, 745, 778, 808, 826, 854, 860, 871, 879, 921, 939, 1016,
 1037, 1045, 1088, 1109, 1138, 1224, 1235, 1337, 1380, 1413, 1429, 1441, 1465,
 1468, 1475, 1479, 1542, 1590, 1601, 1618, 1634, 1637, 1660, 1690, 1702, 1758,
 1759, 1765, 1774, 1787, 1824, 1855
 Resolutions offered—233, 1222, 1344, 1427-1428, 1460
 Rulings made (as acting Speaker)—614, 856, 857, 1113, 1440, 1547, 1763
 Subcommittee assignments—83, 131, 143, 152, 245, 286, 387, 388, 459, 515, 644,
 645, 801, 802

SUNDERBRUCH, JOHN P.—Representative Scott County

Amendments filed—111, 518, 537, 561, 711, 845, 1100, 1110, 1111, 1168, 1673-1681,
 1877
 Amendments offered—620, 711, 1111
 Amendments withdrawn—537, 1110
 Bills introduced—15, 52, 54, 87, 113, 150, 283, 305, 400, 415, 436
 Committee appointments—18, 19
 Explanation of vote—1364
 Presented to the House Miss Iowa Jennifer Caudle—549
 Requested his name be withdrawn as a sponsor of House File 2080—116
 Resolutions offered—1222, 1344, 1428, 1460
 Subcommittee assignments—74, 276, 370, 371, 388, 515, 546, 802, 818

SUPREME COURT OF IOWA—

(Chief Justice Arthur A. McGiverin)
 Communication from—66, 108
 Delivered the Condition of the Judicial Department's Message—56-61
 Resolution relating to, House Concurrent Resolution 102—7 adopted, 8 msgd.—S.J.
 9 adopted, 10 msgd.—H.J. 17

TAYLOR, DICK—Representative Linn County

Amendments filed—377, 936, 1100, 1758-1759
 Bills introduced—87, 160, 267, 291, 301, 302, 325, 364, 421, 422, 438, 446
 Committee appointments—17, 18, 19
 Oath of office—5
 Resolutions offered—251, 362, 1222, 1344, 1427-1428
 Subcommittee assignments—68, 74, 286, 338, 459, 515, 591, 592, 646

TAYLOR, TODD—Representative Linn County

Amendments filed—595, 806, 807, 819, 878, 936, 1092, 1137, 1200, 1222, 1758-1759
 Amendments offered—855, 923, 1092, 1331
 Amendment withdrawn—1331
 Bills introduced—77, 87, 104, 121, 139, 174, 175, 237, 267, 291, 316, 324, 325, 364,
 416, 421, 422, 438, 446, 447

Committee appointments—5, 17, 18, 19
 Petitions presented—436, 549
 Resolutions offered—251, 362, 1222, 1344, 1428
 Subcommittee assignments—69, 91, 92, 143, 144, 338, 493, 516

TEIG, RUSSELL W.—Representative Franklin-**Hamilton-Hardin-Wright** Counties

Amendments filed—937, 1421, 1461, 1624-1629, 1639, 1673-1681, 1701
 Amendments offered—1523, 1624, 1639
 Bills introduced—52, 87, 137, 149, 150, 221, 305, 365, 415, 436
 Committee appointments—6, 17, 18, 19
 Explanations of vote—643, 1165, 1340
 Report—10
 Resolutions offered—1222, 1428, 1460-1461
 Subcommittee assignments—68, 152, 297, 338, 388, 459, 515, 591, 761, 801, 817, 1221

THOMAS, ROGER—Representative Allamakee-**Clayton-Fayette** Counties

Amendments filed—111, 377, 497-498, 518, 561, 844, 877, 878, 936, 983, 1014, 1199, 1372, 1701, 1759
 Amendments offered—535, 909, 916, 1504
 Amendments withdrawn—1022, 1329, 1509
 Bills introduced—87, 113, 150, 174, 175, 291, 316, 349, 421, 422, 438, 446, 447
 Committee appointments—18, 19
 Petition presented—72
 Resolutions offered—362, 1221, 1222, 1344, 1428, 1461
 Subcommittee assignments—167, 245, 259, 339, 370, 371, 704, 802, 818

THOMSON, ROSEMARY—Representative **Linn** County

Amendments filed—62-63, 363, 705, 845, 1168, 1345, 1480, 1673-1681
 Amendments offered—62, 971
 Bills introduced—33, 52, 87, 138, 283, 305, 324, 357, 415, 436
 Committee appointments—18, 55
 Leave of absence—1686
 Presided at sessions of the House—820
 Resolutions offered—251, 313, 363, 1222, 1428
 Subcommittee assignments—74, 83, 123, 130, 152, 230, 259, 276, 286, 308, 370, 387, 388, 404, 516, 546, 645, 760, 802, 818

TRANSPORTATION, COMMITTEE ON—

Amendments filed—299, 561, 807
 Amendments offered—773, 1261
 Amendment withdrawn—1331
 Appointed—19
 Bills introduced—137, 326, 379, 420, 444, 445, 467, 468, 1449
 Recommendations—134, 288, 299, 347, 376-377, 414, 434, 441, 561, 593-594, 806, 1460, 1700
 Subcommittee assignments—29, 49, 99, 109, 117, 118, 152, 153, 167, 245, 259, 260, 338, 339, 371, 387, 405, 541, 592, 671, 704, 1459, 1657

TYRRELL, PHIL—Representative Benton-**Iowa** Counties

Amendments filed—937, 1100, 1673-1681
 Bills introduced—15, 52, 87, 175, 305, 324, 325, 400, 436

Committee appointments—18, 19
 Explanations of vote—669, 1011
 Report—78
 Resolutions offered—362, 1222, 1344, 1427-1428, 1460
 Subcommittee assignment—74

UNANIMOUS CONSENT—

7, 816, 1442, 1475, 1496-1497, 1624, 1652, 1670, 1728, 1837, 1853

UNFINISHED BUSINESS CALENDAR—

Bills placed on—605, 632, 814, 816, 978-979

VAN ENGELENHOVEN, JAMES L.—Representative **Mahaska**-Marion Counties

Amendments filed—497, 935, 937, 1168, 1276, 1277, 1461, 1673-1681, 1791
 Amendment offered—1171
 Bills introduced—52, 87, 150, 222, 254, 283, 305, 349, 399, 415, 436
 Committee appointment—19
 Leave of absence—161, 1453
 Presented to the House Jessie Kraayenbrink, Queen of the 2000 Pella Tulip
 Festival—1202
 Resolutions offered—1222, 1344, 1427-1428, 1460
 Subcommittee assignments—69, 153, 168, 259, 276, 308, 359, 387, 405, 644, 645

VAN FOSSEN, JAMES—Representative **Scott** County

Amendments filed—1345, 1673-1681, 1701, 1734-1735, 1773, 1792
 Amendments offered—1673, 1734, 1792
 Amendment withdrawn—1376
 Bills introduced—52, 87, 282, 284, 305, 436
 Committee appointments—17, 18, 19
 Explanations of vote—758, 1423
 Resolutions offered—1222, 1428
 Subcommittee assignments—92, 93

VISITORS—

Presentation of—116, 122, 337, 403-404, 457, 539-540, 559, 643, 670, 702, 800, 876,
 930, 1012, 1097, 1098, 1134-1135, 1166, 1196, 1220, 1280-1281, 1341-1342, 1368,
 1424, 1458-1459, 1516-1517, 1572, 1614-1615, 1699, 1834, 1942

VOTES—

Change of vote—1384
 Non-record—580, 605, 610, 611, 612, 615, 667, 680, 692, 723, 725, 751, 784, 788, 789,
 791, 793, 794, 796, 815, 827, 830, 836, 847, 856, 857, 868, 881, 921, 923, 948, 972,
 1265, 1266, 1289, 1413, 1444, 1445, 1447, 1448, 1451, 1480, 1547, 1634, 1635,
 1643, 1645, 1686, 1690, 1707, 1758, 1775, 1783, 1823, 1858
 Record—226, 331, 333, 335, 484, 501, 510, 527, 615, 637, 640, 827, 852, 867, 869,
 915, 918, 919, 920, 924, 926, 927, 944, 946, 974, 988, 1040, 1043, 1046, 1079, 1088,
 1092, 1094, 1105, 1106, 1107, 1109, 1113, 1115, 1116, 1118, 1272, 1398, 1400,
 1420, 1446, 1452, 1472, 1481, 1486, 1487, 1494, 1495, 1503, 1541, 1566, 1567,
 1568, 1608, 1633, 1638, 1681, 1691, 1707, 1735, 1760, 1823, 1824, 1827
 Quorum call—62, 161, 446, 507, 550, 573, 663, 716, 778, 789, 861, 865, 903, 939, 954,
 1037, 1108, 1142, 1217, 1238, 1242, 1308, 1357, 1441, 1466, 1543, 1669, 1727,
 1787, 1861, 1887

WARNSTADT, STEVEN H.—Representative **Woodbury** County, Assistant Minority Leader

Amendments filed—463, 497, 497-498, 517, 541, 595, 622, 704, 705, 766, 845, 935, 936, 983, 1101, 1111, 1168, 1616, 1694-1695, 1701, 1760, 1762, 1835
 Amendments offered—629, 682, 691, 925, 996, 1000, 1111, 1147, 1694, 1756, 1760, 1762, 1865
 Amendment withdrawn—855
 Bills introduced—14, 32, 78, 87, 95, 101, 121, 126, 139, 175, 302, 356, 358, 378, 437, 438, 439
 Committee appointments—17, 19
 Resolutions offered—264, 983, 1222, 1428
 Subcommittee assignments—49, 91, 92, 93, 99, 123, 152, 259, 371, 388, 493, 541, 802, 818

WAYS AND MEANS, COMMITTEE ON—

Amendments filed—313, 497
 Amendment offered—823
 Appointed—19
 Bills introduced—281, 364, 543, 573, 574, 650, 663, 676, 908, 953, 979, 1169, 1192, 1236, 1237, 1285, 1340, 1383, 1604, 1617, 1623
 Recommendations—279, 313, 362, 496, 517, 541, 594, 673-674, 934, 982-983, 1100, 1198, 1282-1283, 1343-1344, 1371, 1441-1442, 1573, 1657-1658
 Subcommittee assignments—92, 93, 99, 130, 152, 245, 308, 338, 339, 459, 515, 591, 801, 1098, 1167, 1221, 1282, 1459

WEIDMAN, DICK—Representative **Cass-Montgomery-Pottawattamie** Counties

Amendments filed—937, 1100, 1673-1681
 Bills introduced—52, 87, 149, 302, 349, 415, 436, 573
 Committee appointment—19
 Leave of absence—823, 846
 Requested his name be added as a sponsor of House File 2381—385
 Resolutions offered—594, 1222, 1344, 1427-1428, 1460
 Subcommittee assignments—29, 109, 152, 245, 259, 276, 339, 371, 591, 802, 818

WEIGEL, KEITH—Representative **Chickasaw-Howard-Winneshiek** Counties, Assistant Minority Leader

Amendments filed—377, 434, 497, 562, 595, 609-610, 610, 611, 612, 648, 819, 911-912, 935, 936, 937, 1100, 1101, 1161-1162, 1199, 1200, 1372, 1428, 1451, 1453, 1456, 1461, 1492-1493, 1645, 1646, 1658, 1701, 1707, 1759, 1762-1763, 1944
 Amendments offered—609, 610, 611, 612, 615, 829, 830, 831, 911, 1451, 1456, 1468, 1492, 1509, 1645, 1646, 1694, 1707, 1758, 1879
 Amendments withdrawn—612, 616, 617, 666, 828, 830, 835, 836, 837, 1453, 1686, 1689, 1695
 Bills introduced—87, 237, 267, 284, 301, 302, 316, 349, 421, 421-422, 422, 446, 447
 Committee appointments—17, 18, 19
 Explanations of vote—116, 979
 Petitions presented—879, 1346
 Resolutions offered—362, 1222, 1344, 1428
 Subcommittee assignments—69, 99, 152, 167, 459, 591, 802, 1167

WELTER, JERRY J.—Representative Jones-Linn Counties

Amendments filed—377, 766, 937, 1137, 1222, 1673-1681
 Amendments offered—382, 1261
 Bills introduced—52, 53, 87, 113, 160, 305, 349, 436
 Committee appointments—5, 17, 19, 55
 Leave of absence—1702
 Presented to the Honorable John Connors and his wife Marge a poster in honor of their fifty-fifth wedding anniversary—1224
 Resolutions offered—362, 1222, 1344, 1427-1428, 1460
 Subcommittee assignments—68, 83, 167, 339, 371, 405, 541, 591, 592, 1459, 1657

WHITEAD, WESLEY—Representative Woodbury County

Amendments filed—936, 1835
 Bills introduced—14, 87, 126, 175, 291, 301, 302, 364, 378, 439
 Committee appointments—18, 19, 55
 Leave of absence—575, 603, 649
 Resolutions offered—983, 1222, 1428
 Subcommittee assignments—67, 68, 69, 131, 143, 167, 168, 258, 276, 359, 388, 671, 704, 760

WISE, PHILIP—Representative Henry-Lee Counties

Amendments filed—164, 508, 561, 594, 595, 705, 766, 797, 866-867, 877, 878, 936, 937, 984, 1040, 1083-1088, 1168, 1199, 1283, 1574, 1616, 1637-1638, 1647, 1659
 Amendments offered—728, 788, 791, 866, 1083, 1337, 1486
 Amendments withdrawn—164, 789, 1608
 Bills introduced—54, 77, 87, 127, 138, 139, 160, 236, 237, 253, 267, 291, 301, 302, 316, 324, 326, 416, 421, 422, 446, 447
 Committee appointments—17, 18
 Leave of absence—348, 364, 378
 Petition presented—300
 Presented to the House officials and firefighters from Keokuk—322-323
 Resolutions offered—147, 362, 1222, 1344, 1427-1428
 Subcommittee assignments—67, 69, 73, 91, 92, 93, 259, 260, 276, 286, 387, 405, 493, 494, 671, 704, 760, 801, 802, 818, 1615

WITT, WILLIAM G.—Representative Black Hawk County

Amendments filed—313, 314, 377, 463, 594, 878, 936, 1050-1079, 1093-1094, 1094, 1168, 1199, 1200, 1616, 1637-1638, 1694, 1758-1759, 1922-1923
 Amendments offered—828, 836, 1002, 1048, 1050, 1093, 1758, 1922
 Amendments withdrawn—837, 993, 1618, 1694, 1759, 1923
 Bills introduced—87, 113, 235, 253, 290, 291, 302, 325, 327, 364, 438
 Committee appointment—18
 Explanation of vote—539
 Leave of absence—149
 Presented to the House Kelly Sullivan Loughren—477
 Resolutions offered—251, 362, 1222, 1344, 1427-1428
 Subcommittee assignments—74, 92, 123, 308, 540, 646